

City of Biddeford
City Council
June 18, 2019 6:00 PM Council Chambers

- 1. Roll Call**
- 2. Pledge of Allegiance**
- 3. Adjustment(s) to Agenda**

Recognition

Annabelle Carpenter - 2019 Biddeford Spirit of America Tribute: Volunteer of the Year

Special Event Application

Biddeford Municipal Airport Open House
[6-18-2019 Special Event App-Airport Open House.pdf](#)

4. Proclamation:

- 4.a. Seashore Trolley Museum Month - July 2019
[6-18-2019 Proc-Seashore Trolley Museum.doc](#)

5. Consideration of Minutes:

- 5.a. June 4, 2019 Council Meeting Minutes
[6-04-2019 Council Meeting Minutes.docx](#)

6. Orders of the Day:

- 6.a. 2019.50) REMOVE FROM TABLE: Amendment/Land Development Regulations/Art. III-Official Zoning Map/Rezone 226 Guinea Road from R-F Zone to SR-1 Zone
[5-21-2019 Van Hertl Amendment-ORDER.docx](#)
[5-21-2019 VanHertl Letter-Answer to Tabling Motion.pdf](#)
[5-21-2019 Van Hertl Amendment-backup docs.pdf](#)
[5-21-2019 VanHertl Proposed Zone Line.pdf](#)
- 6.b. 2019.58) Amendment/Land Development Regulations/Art. III-Official Zoning Map/Extend B-2 Zone to Include 472, 480 and 486 Elm Street
[6-18-2019 LDR - B2 Zone Shift-Elm Street-ORDER.docx](#)
[6-18-2019 LDR-B2 Zone Shift-Elm Street-MEMO.pdf](#)
[6-18-2019 LDR-B2 Zone Shift-Elm Street-MAP.pdf](#)
- 6.c. 2019.59) Approval/Request to Waive Sidewalk Requirement/Crickett Lane
[6-18-2019 Crickett Lane Sidewalk Waiver-ORDER.docx](#)
[6-18-2019 Crickett Lane Sidewalk Waiver-Demers Memo.pdf](#)
- 6.d. 2019.60) Authorization/Purchase of 3 Police Cruisers from Arundel Ford of Arundel, Maine/FY20 Expenditure
[6-18-2019 Purchase of Police Cruisers-FY20-ORDER.docx](#)
[6-18-2019 Purchase of Police Cruisers-FY20-backup docs.pdf](#)
- 6.e. 2019.61) Authorization/Purchase of Concrete Vault/Actuator/D&C Construction Company, Inc. of Waterboro, Maine
[6-18-2019 Concrete Vault-Actuator Purchase-ORDER.doc](#)
[6-18-2019 Concrete Vault-Actuator Purchase-backup docs.pdf](#)
- 6.f. 2019.62) Approval/Suspension of Parking Lot Fees for Brown and Maroon Parking

- Lots for LaKermesse Block Party
[6-18-2019 LaKermesse Block Party-Parking Lot Fees Waiver-ORDER.docx](#)
[6-18-2019 LaKermesse Request-Parking Fees Waiver-Emails.pdf](#)
- 6.g. 2019.63) Approval/Reconfiguration of Green (Federal Street) Parking Lot
[6-18-2019 Green Lot Reconfiguration-ORDER.doc](#)
[6-18-2019 Green Lot Reconfiguration - backup docs.pdf](#)
- 6.h. 2019.64) Amendment/Ch. 42, Motor Vehicles & Traffic/Sec. 42-66-Beach permit parking regulations enumerated/Increase Beach Permit Fees
[6-18-2019 Beach Permits-Increase in fees-2019.docx](#)
- 6.i. Committee-of-the-Whole: Cable Franchise Negotiation Process
[6-18-2019 Cable Franchise Notice-Comm of Whole.pdf](#)
- 6.j. Committee-of-the-Whole: Scheduling of General Meeting of Citizens (possible action)
[6-18-2019 Petitions-General Meeting of Citizens.pdf](#)
- 7. Appointments:**
- 7.a. Martin Grohman and Adam Bellefeuille....Change in Chairperson on Solid Waste Management Commission
[6-18-2019 Appt-Groham SWMC Chair and Bellefeuille regular member.docx](#)
- 7.b. Jeff Demers and Brian Phinney...PACTs Alternate Voting Members
[6-18-2019 Appt-Demers and Phinney-PACTs.docx](#)
- 7.c. Social Service Committee
[6-18-2019 Appt - Social Service Committee.docx](#)
- 8. Public Addressing the Council..(5 minute limit per speaker; 30 minute total time limit)**
- 9. City Manager Report**
- 10. Other Business**
- 11. Council President Addressing the Council**
- 12. Mayor Addressing the Council**
- 13. Executive Sessions**
- 13.a. 1 MRSA (405)(6)(D)...Labor Contract Negotiations - DPW Supervisors (possible action)
[PW Supervisors Contract Approval-ORDER.docx](#)
- 13.b. 1 MRSA (405)(6)(E)...Consultation with Legal Counsel
- 13.c. 1 MRSA 405(6)(A)...Employee Evaluation
- 14. Adjourn**

APPLICATION NUMBER: _____

**INDEMNIFICATION AND RELEASE PROVISIONS
CITY OF BIDDEFORD SPECIAL EVENT PERMIT**

**EFFECTIVE 7-6-2017 THE FOLLOWING
FEES WILL APPLY:**

Administrative fee	\$25.00
Parade Permit fee	\$50.00
Block Party Permit fee	\$75.00
Mass Gathering fee	\$100.00

- A. In consideration for being permitted to use the facilities and/or rights-of-way of the City of Biddeford, (hereinafter "City"), Biddeford Municipal Airport
(insert name of person/entity seeking permission to use facilities and/or right-of-way, hereinafter "Applicant") agrees to indemnify and hold harmless the City, its officers, employees, and insurers, from and against all liability, claims, and demands, which are incurred, made, or brought by any person or entity on account of damage, loss, or injury, including without limitation claims arising from property loss, or damage, bodily injury, personal injury, sickness, disease, death, or any other loss of any kind whatsoever, which arise out of or are in any manner connected with the use of the facilities and/or rights-of-way, whether any such liability, claims, and demands result from the act, omission, negligence, or other fault on the part of the City, its officers, or its employees, or from any other cause whatsoever.
- B. By signing below, Applicant agrees that in the event of damage, loss or injury to the facilities or to any property or equipment therein or to the City rights-of-way, the City may deduct from any damage deposit the full amount of such damage, loss, or injury. Applicant further agrees that if such damage, loss, or injury exceeds the amount of the damage deposit, Applicant will promptly reimburse the City for all costs associated therewith upon billing by the City.
- C. In addition, in consideration for being permitted or allowed to use the facilities and/or right-of-way, Applicant on behalf of itself and its officers, employees, members, and participants, hereby expressly exempts and releases the City, its officers, employees, insurers, from and against all liability, claims, and demands, on account of injury, loss, or damage, including without limitation claims arising from property loss or damage, bodily injury, personal injury, sickness, disease, or death, that Applicant may incur as a result of such use, whether any such liability claims and demands result from the act, omission, negligence, or other fault on the part of the City, its officer, or its employees, or from any other cause whatsoever.
- D. In addition, Biddeford Municipal Airport has furnished and attached two copies of certificates of insurance with the City of Biddeford named as an additional insured in the amount of \$400,000 unless a greater amount is warranted.



Signature of Applicant

6/6/2019

Date

Kristopher Reynolds

Printed Name of Applicant

APPLICATION NUMBER: _____

**CITY OF BIDDEFORD
SPECIAL EVENT APPLICATION**

City of Biddeford
P.O. Box 586
Biddeford, ME 04005

Name of Event "Airport Open House" Location of Event 88 Landry St., Biddeford

Date of Event: August 17, 2019 Start Time 9:00am Finish Time 4:00pm
Rain Date: Aug. 18, 2019

Detailed and specific description of Event (attached separate sheet if necessary)

Event is free for people to attend, there will be static displays of aircrafts, some organizations and businesses will have display tables set up. The airport will remain open during the event and there will be normal aircraft operations. We will have the active aircraft area roped off with participants ensuring attendees do not go into the active area. We will also have a designated safety person directing aircraft in the active area. We will also try to raise donations for Angel Flight NE, a 501(c)(3) organization. This event is a great time for the public to see their airport.

Estimated # of Participants 40-50 Estimated Attendance 2,000 - 3,000

Type of Event:

☐ Festival/Fair With Alcohol: Yes: _____ ** No: _____

☐ Race/Walk/Bike Ride

☐ Concert

☐ Parade/March

☒ Other – Please Specify: Open House

**** NOTE:** If alcohol is being sold, a Separate License must be obtained through application at City Clerk's Office, and must be approved by the City Council.

What impact will this have upon the surrounding neighborhood? (Noise, Traffic, etc.) Please explain:

This event will not have a negative impact on the local businesses or surrounding neighborhood.

Some vehicles will be parked along the side of the road, along part of Landry St. and Hill St.

APPLICATION NUMBER: _____

Describe the means by which the neighborhood (residents and businesses) will be notified of this event and its public hearing:

Signs and fliers will be posted around the local area, advertising for the event. We will also have an ad in the paper and do social media advertising for the event.

Organization (Applicant) Information

Name of Organization or Name of Applicant if NOT an Organization

Biddeford Municipal Airport

Physical Address: 88 Landry St., Biddeford, ME 04005

Mailing Address: 88 Landry St., Biddeford, ME 04005

Business Telephone 207-282-1893 Fax _____ E-mail airportmanager@biddefordmaine.org

Income Tax Exempt: Yes: ☒ No: _____ Tax Exempt Number: 01-6000023

Contact Person/Event Coordinator

Name & Address

Jerry Bernier ; 19 Taylor Street, Biddeford, ME 04005

Telephone 207-282-1893 Cellular _____ E-Mail gbernier@maine.rr.com

Relationship Organization: The lead member of the Friends of Biddeford Airport (FOBA) group. FOBA is assisting the airport in coordinating the event and providing volunteers to help during the day of the event.

General Service Questions

Department of Public Works

Is the use of barricades necessary/requested for this event? Yes

If yes, number needed Request 25

Will it be necessary to cover street and/or parking signs for this event? Yes If yes, please note on diagram.

What is your plan for cleanup and debris disposal for this event?

Members of the Friends of Biddeford Airport (FOBA) group will clean up the area after the event and dispose of any debris.

Is any other Public Works assistance anticipated?

No

Parks and Recreation Department

APPLICATION NUMBER: _____

Will this event take place in a Public Right of Way, Public Way, City Park or athletic field? Yes

If yes, where

Biddeford Municipal Airport

Will tenting/staging be utilized for this event? Yes If yes, what is your plan to repair any damage caused by stakes, tie-downs, etc?

Members of FOBA will inspect areas and if necessary repair damage caused by stakes, tie-downs, etc.

Any Parks and Recreation assistance required?

No

Fire Department

Will the Fire Department have access to all sites in the event of an emergency?

Yes

Will any fire hydrants be obstructed? No Will you have access to E 9-1-1?

Yes

Will you have First Aid or medical staff present?

Biddeford Fire Department plans on attending the event

******* If First aid or Medical Staff is needed, The Biddeford Fire Department can provide for a fee. Please Contact the Biddeford Fire Department at 207-282-6632 for details.*******

Police Department

Is traffic control necessary for this event? No If yes, who will provide it?

Is crowd control necessary for this event? No If yes, who will provide it?

Other

All vendors *must* obtain proper licenses/permits from the City Clerk's office (284-9307).

APPLICATION NUMBER:_____

Indemnification agreement/insurance certificate must be attached to this application at the time of submission. Site Plan Sketch may be accompanied by a separate map, if necessary.

SITE PLAN SKETCH OF SPECIAL EVENT (Completed by Event Coordinator)

In the space below, please provide the following information. Attach a separate map if necessary.

General Map of Location
Event Coordinator's Booth
Tents/Stages/Grandstands
Rest Facilities

Vender Locations
Garbage Cans
Water Sources

Street Closures/Parking Information
Water/Electricity Sources
Loudspeakers

Please see attachments.

APPLICATION NUMBER: _____

Applicant's Statement of Agreement

Everything I have stated on this agreement is correct to the best of my knowledge. This permit, if granted, is not transferable and is revocable at any time at the discretion of the City of Biddeford. I understand that the issuance of this permit is contingent upon compliance with any and all conditions imposed by the City of Biddeford or its officers.

Applicant Signature:  Date 6/6/2019

APPLICATION NUMBER: _____

REVIEW BY SPECIAL EVENTS COMMITTEE:

Having completed a review of the application, the proposal itself, the location of the vent and its impact upon services and resources, this application is:

APPROVED WITH MODIFICATIONS AND/OR RESTRICTIONS: _____

APPROVED AS SUBMITTED: _____

DENIED: _____

Modifications / Restrictions:

REASON(S) FOR DENIAL:

Police Chief

Date:

Fire Chief

Date

Public Works Director

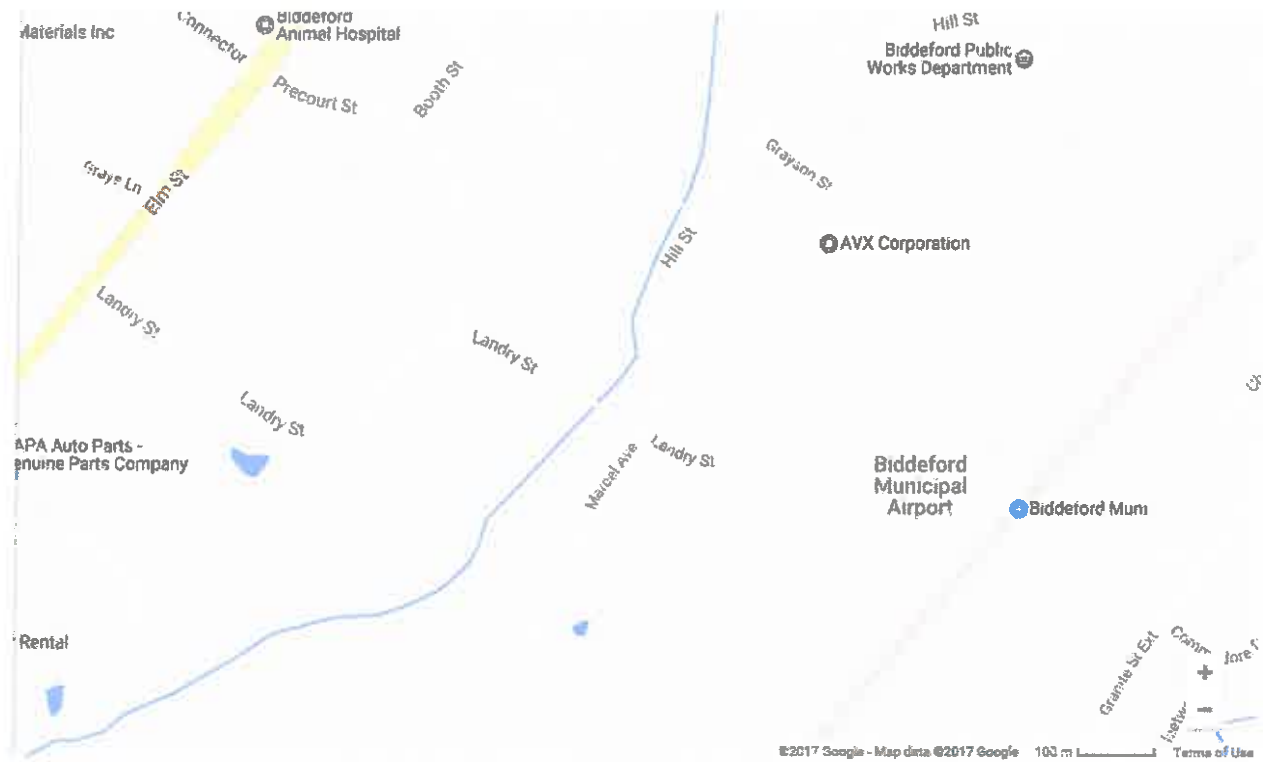
Date:

Codes Enforcement Officer

Date:

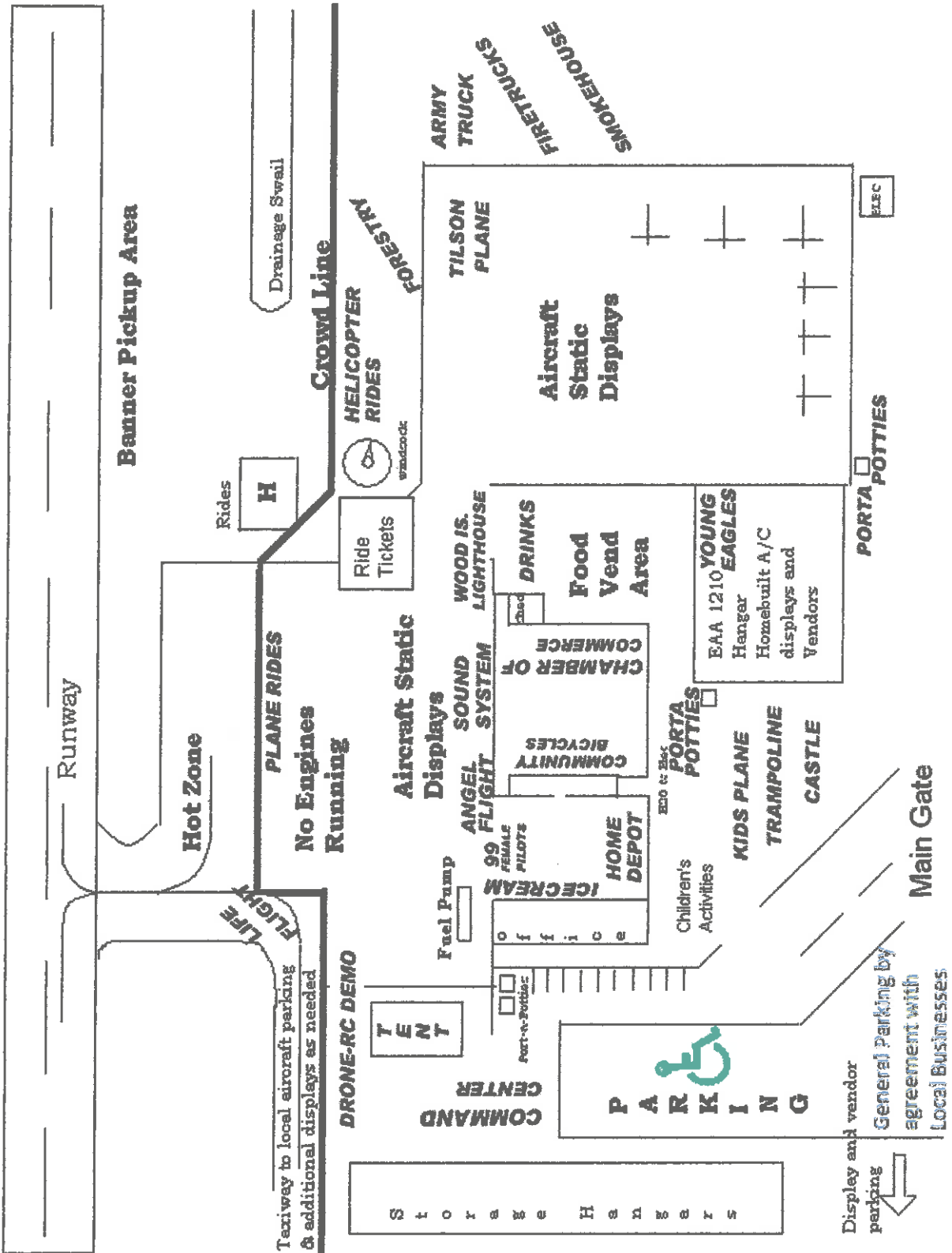
Parks & Recreation

Date:



"No Parking" signs that will need to be covered

- "No Parking" Signs from 88 Landry street to the corner of Landry St. and Precourt St.
- "No Parking" Signs corner of Landry St. and Hill St. to corner of Hill St. and Grayson Street.





Starr Indemnity & Liability Company

Underwritten by:



STARR
COMPANIES
GLOBAL INSURANCE & INVESTMENTS

COMMERCIAL GENERAL LIABILITY COVERAGE FORM

POLICY NUMBER: **1000236908-02**

PREVIOUS POLICY NUMBER: 1000236908-01

ISSUED BY: STARR INDEMNITY & LIABILITY COMPANY 399 PARK AVENUE NEW YORK, NY 10022	PRODUCER: SCHRAGER HAMPSON AVIATION INSURANCE AGENCY, LLC 200 HANSCOM DRIVE, #309 BEDFORD, MA 01730
NAMED INSURED: CITY OF BIDDEFORD MAILING ADDRESS: PO BOX 586 BIDDEFORD, ME 04005	
POLICY PERIOD: FROM NOVEMBER 12, 2018 TO NOVEMBER 12, 2019 AT 12:01 A.M. STANDARD TIME AT YOUR MAILING ADDRESS SHOWN ABOVE	

IN RETURN FOR THE PAYMENT OF THE PREMIUM, AND SUBJECT TO ALL THE TERMS OF THIS POLICY, WE AGREE WITH YOU TO PROVIDE THE INSURANCE AS STATED IN THIS POLICY.

LIMITS OF INSURANCE		
EACH OCCURRENCE LIMIT	\$ 1,000,000.	
DAMAGE TO PREMISES RENTED TO YOU LIMIT	\$ 100,000.	Any one premises
MEDICAL EXPENSE LIMIT	\$ 1,000.	Any one person
PERSONAL & ADVERTISING INJURY AGGREGATE LIMIT	\$ 1,000,000.	
GENERAL AGGREGATE LIMIT	\$ NOT APPLICABLE	
PRODUCTS/COMPLETED OPERATIONS AGGREGATE LIMIT	\$ 1,000,000.	
HANGARKEEPERS LIMIT		
EACH AIRCRAFT LIMIT	\$ 1,000,000.	
EACH LOSS LIMIT	\$ 1,000,000.	
HANGARKEEPER'S DEDUCTIBLE	\$ AS ENDORSED	Each aircraft

DESCRIPTION OF BUSINESS	
FORM OF BUSINESS:	
☐ INDIVIDUAL	☐ PARTNERSHIP
☐ LIMITED LIABILITY COMPANY	☒ ORGANIZATION, INCLUDING A CORPORATION (BUT NOT INCLUDING A PARTNERSHIP, JOINT VENTURE OR LIMITED LIABILITY COMPANY)
BUSINESS DESCRIPTION: AIRPORT	

ALL PREMISES YOU OWN, RENT OR OCCUPY
ADDRESS OF ALL PREMISES YOU OWN, RENT OR OCCUPY
PO BOX 586 BIDDEFORD, ME 04005 ANY PREMISES NECESSARY AND/OR INCIDENTAL TO THE AVIATION OPERATIONS OF THE NAMED INSURED.

PREMIUM	
STATE TAX OR OTHER (if applicable)	\$ <u>NOT APPLICABLE</u>
PREMIUM SHOWN AT INCEPTION IS PAYABLE: ANNUALLY	\$ <u>2,101.</u>
TRIA PREMIUM: \$95	

ENDORSEMENTS
ENDORSEMENTS ATTACHED TO THIS POLICY:
<u>STARR GL PROVISIONS (5/09), STARR FORMS 10710, 10086, 10125, AVN48B, AVN52G,</u> <u>AVN46B, AVN38B, 10055, 10020, 10007, 20026, AVN2000A, 30001</u>

THESE DECLARATIONS, TOGETHER WITH THE COMMON POLICY CONDITIONS AND COVERAGE FORM(S) AND ANY ENDORSEMENT(S), COMPLETE THE ABOVE NUMBERED POLICY.

Countersigned: (if required)	By:  (Authorized Representative)
(Date)	

Date of Issue NOVEMBER 19, 2018 (CC)



Starr Indemnity & Liability Company

Underwritten by:



STARR
COMPANIES
GLOBAL INSURANCE & INVESTMENTS

COMMERCIAL GENERAL LIABILITY COVERAGE FORM

POLICY NUMBER: **1000236908-02**

PREVIOUS POLICY NUMBER: **1000236908-01**

ISSUED BY: STARR INDEMNITY & LIABILITY COMPANY 399 PARK AVENUE NEW YORK, NY 10022	PRODUCER: SCHRAGER HAMPSON AVIATION INSURANCE AGENCY, LLC 200 HANSCOM DRIVE, #309 BEDFORD, MA 01730
NAMED INSURED: <u>CITY OF BIDDEFORD</u> MAILING ADDRESS: <u>PO BOX 586</u> <u>BIDDEFORD, ME 04005</u>	
POLICY PERIOD: FROM <u>NOVEMBER 12, 2018</u> TO <u>NOVEMBER 12, 2019</u> AT <u>12:01 A.M.</u> STANDARD TIME AT YOUR MAILING ADDRESS SHOWN ABOVE	

IN RETURN FOR THE PAYMENT OF THE PREMIUM, AND SUBJECT TO ALL THE TERMS OF THIS POLICY, WE AGREE WITH YOU TO PROVIDE THE INSURANCE AS STATED IN THIS POLICY.

LIMITS OF INSURANCE		
EACH OCCURRENCE LIMIT	\$	<u>1,000,000.</u>
DAMAGE TO PREMISES		
RENTED TO YOU LIMIT	\$	<u>100,000.</u> Any one premises
MEDICAL EXPENSE LIMIT	\$	<u>1,000.</u> Any one person
PERSONAL & ADVERTISING INJURY AGGREGATE LIMIT	\$	<u>1,000,000.</u>
GENERAL AGGREGATE LIMIT	\$	<u>NOT APPLICABLE</u>
PRODUCTS/COMPLETED OPERATIONS AGGREGATE LIMIT	\$	<u>1,000,000.</u>
HANGARKEEPERS LIMIT		
EACH AIRCRAFT LIMIT	\$	<u>1,000,000.</u>
EACH LOSS LIMIT	\$	<u>1,000,000.</u>
HANGARKEEPER'S DEDUCTIBLE	\$	<u>AS ENDORSED</u> Each aircraft

DESCRIPTION OF BUSINESS	
FORM OF BUSINESS:	
☐ INDIVIDUAL	☐ PARTNERSHIP
☐ LIMITED LIABILITY COMPANY	☒ ORGANIZATION, INCLUDING A CORPORATION (BUT NOT INCLUDING A PARTNERSHIP, JOINT VENTURE OR LIMITED LIABILITY COMPANY)
BUSINESS DESCRIPTION: <u>AIRPORT</u>	

ALL PREMISES YOU OWN, RENT OR OCCUPY
ADDRESS OF ALL PREMISES YOU OWN, RENT OR OCCUPY
PO BOX 586 BIDDEFORD, ME 04005 ANY PREMISES NECESSARY AND/OR INCIDENTAL TO THE AVIATION OPERATIONS OF THE NAMED INSURED.

PREMIUM	
STATE TAX OR OTHER (if applicable)	\$ <u>NOT APPLICABLE</u>
PREMIUM SHOWN AT INCEPTION IS PAYABLE: ANNUALLY	\$ <u>2,101.</u>
TRIA PREMIUM: \$95	

ENDORSEMENTS
ENDORSEMENTS ATTACHED TO THIS POLICY:
<u>STARR GL PROVISIONS (5/09), STARR FORMS 10710, 10086, 10125, AVN48B, AVN52G,</u> <u>AVN46B, AVN38B, 10055, 10020, 10007, 20026, AVN2000A, 30001</u>

THESE DECLARATIONS, TOGETHER WITH THE COMMON POLICY CONDITIONS AND COVERAGE FORM(S) AND ANY ENDORSEMENT(S), COMPLETE THE ABOVE NUMBERED POLICY.

Countersigned: (if required)	By:  (Authorized Representative)
(Date)	

Date of Issue NOVEMBER 19, 2018 (CC)

CITY of Biddeford, Maine

Proclamation

- Whereas,** the City of Biddeford, Maine wishes to recognize the accomplishments of the New England Electric Railway Historical Society, doing business as Seashore Trolley Museum, located in Kennebunkport, Arundel and Biddeford, Maine on its 80th Anniversary; and
- Whereas,** the Museum began the global streetcar preservation movement on July 5, 1939 when founders purchased Car 31 from the Biddeford & Saco Railroad and brought it to Kennebunkport. In the 1940s-1960s the collection grew to include both New England country trolleys and city cars, significant national and international cars, trackless trolleys and buses.
- Whereas,** over one million people have visited the Museum from around the country and the world. The Museum has become an educational historical institution and a respected resource to the transit industry, and since its inception has expanded to over 1,000 members and over 300 historic railway and public transportation vehicles preserved; and
- Whereas,** the efforts and dedication of the volunteers and staff of the Museum over the years have demonstrated extraordinary vision and preserved the history of the trolley in a manner to educate the public; and
- Whereas,** the City of Biddeford is honored to have such valuable resource and historic asset in our community.

NOW, THEREFORE, I, Alan Casavant, Mayor of Biddeford, Maine do hereby declare, in the City of Biddeford, Maine, July 2019 as:

Seashore trolley museum month

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Biddeford, Maine to be affixed this 18th day of June, 2019.

Alan Casavant, Mayor
City of Biddeford, Maine

**COUNCIL MEETING
JUNE 4, 2019**

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

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

Amy Clearwater was excused.

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

Adjustments to the Agenda:

- Remove Order 2019.57
- Remove Committee of the Whole

Consideration of Minutes: **May 21, 2019**

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

Vote: Unanimous.

Orders of the Day:

2019.54

IN BOARD OF CITY COUNCIL...JUNE 4, 2019

BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the City Manager to execute the necessary documents to transfer the land and building at Map 55, Lot 51 (Hills Beach Fire Station) to the Hills Beach Association or other legal entity created by the Association for said purpose. Said documents shall include the requirement that the property cannot be transferred to any other entity without consent of the City of Biddeford and that the land and building shall revert back to the City should the Hills Beach Association **or the legal entity created by the Hills Beach Association for said purpose** cease to exist.

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

Motion by Councilor Swanton, seconded by Councilor Ready to amend the order to add:
“or the legal entity created by the Hills Beach Association for said purpose...”

Vote: Unanimous.

Motion by Councilor McCurry, seconded by Councilor Lessard to table the Order until more information can be gathered regarding the transfer of ownership.

Vote: 5/3; Councilors Seaver, Ready and Swanton opposed.

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

Motion to table carries.

2019.55

IN BOARD OF CITY COUNCIL....JUNE 4, 2019

BE IT ORDERED, that the City Council of the City of Biddeford does hereby suspend the enforcement of parking regulations relating to the charging of parking fees in all downtown parking lots that have kiosks during the LaKermesse Block Party, scheduled for Thursday, June 20, 2019.

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

Motion by Councilor McCurry, seconded by Councilor Lessard to amend the order to specify that fees will be waived for the Yellow Lot only, to keep with the *Event Parking Waivers Policy* that is currently in place.

Vote: 4/4; Councilors Seaver, Belanger, Quattrone and Swanton opposed.

Councilors McCurry, St. Cyr, Ready and Lessard in favor.

Mayor Casavant voted in opposition.

Motion fails.

Vote on order: 2/6; Councilors Quattrone and Swanton in favor.

Councilors McCurry, St. Cyr, Belanger, Ready, Seaver and Lessard opposed.

Motion fails.

2019.56

IN BOARD OF CITY COUNCIL..JUNE 4, 2019

WHEREAS, City ordinance declares it necessary and conducive to the protection of the public health, safety, welfare and convenience of the City to collect charges, referred to as sewer user fees, from all users who contribute wastewater to the City's treatment works; and,

WHEREAS, the sewer user fees are collected and deposited in a non-lapsing fund known as the “Sewer System Operation, Maintenance Replacement Fund and Debt Retirement Fund”; and,

WHEREAS, the proceeds of such fees so derived are used for the purpose of operating and maintaining the public wastewater treatment works and providing for future needs; and,

WHEREAS, the City Council is authorized to review and, if necessary, revise the sewer rates used as the basis for sewer fee billing; and,

WHEREAS, the last sewer rate increase occurred in fiscal year 2018;

WHEREAS, the fiscal year 2020 budget passed an increase of 7.5%,

WHEREAS, the staff recommends the following rate schedule, which includes a 6.5% increase for residential, and 9.4% increase for commercial.

NOW THEREFORE BE IT ORDERED, that the following rate structure be adopted:

Type	Frequency	Min Volume (cu. ft.)	Max Volume (cu. ft.)	Proposed Rate (per 100 cu. ft.)
Residential	Monthly	0	392	\$4.59
Residential	Monthly	393	1,666	\$6.25
Residential	Monthly	1,667	Unlimited	\$6.56
Residential	Quarterly	0	1,175	\$4.59
Residential	Quarterly	1,176	5,000	\$6.25
Residential	Quarterly	5,001	Unlimited	\$6.56
Commercial	Monthly	0	425	\$7.03
Commercial	Monthly	426	1,667	\$7.03
Commercial	Monthly	1,668	4,167	\$7.77
Commercial	Monthly	4,168	Unlimited	\$8.40
Commercial	Quarterly	0	1,275	\$7.03
Commercial	Quarterly	1,276	5,000	\$7.03
Commercial	Quarterly	5,001	12,500	\$7.77
Commercial	Quarterly	12,501	Unlimited	\$8.40

Motion by Councilor Ready, seconded by Councilor McCurry to grant the order.
Vote: 7/1; Councilor Lessard opposed.
Councilors Swanton, McCurry, St. Cyr, Quattrone, Belanger, Ready and Seaver in favor.
Motion carries.

Appointment:

IN BOARD OF CITY COUNCIL...JUNE 4, 2019

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

Dominic Deschambault
361 Elm Street
Ward 5

to the *Biddeford Housing Authority* with a term to expire December 2023.

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

Public Addressing the Council...(5 minute limit per speaker; 30 minute total time limit):
One citizen expressed his concerns to the Council.

City Manager Report:

City Manager, James Bennett reported on the following items:

- We estimate that an additional \$300,000 of revenue sharing funds would reduce the tax rate by another \$0.12
 - The current adopted budget has a projected mil rate increase for school and city
 - \$0.04 for city side
 - \$0.33 for school side (school has not really changed at all the last few years)
 - \$0.37 total change; new rate \$20.07 up from \$19.70 (*this does not include any impact from York County*)
 - The revised tax rate would be \$19.95 (1.27% increase)
 - -\$0.08 on city side
 - \$0.33 for school side
 - \$0.25 increase in tax rate.
- The additional homestead would save Biddeford homeowners and additional \$97.75 on their property tax bill ($\$5,000 \times 98\% \text{ factored} \times \$19.95 \times .001^*$)
- To calculate the breakeven point for the homeowner because of the increase in the tax rate:
 - $\$97.75 / 1.27\% = \$7,696.85$ FY19 tax bill or
 - $\$7,696.85 / \19.70 (FY19 tax rate) $\times .001^* = \$390,703$ taxed home plus the value of the FY19 homestead of \$20,000 = \$410,703
 - Every home owner that has the homestead and their home is taxed at \$410,703 or less will see their FY20 tax bill the same or go down slightly
 - The median valued home in Biddeford is \$227,100; hence over half of the homes would see a reduction
 - All others would see a 1.27% increase in the tax bill
- Bottom line is that the proposed state budget, as it sits today with the Appropriation Committee's vote will deliver positive impacts on the single family homes in the community and will reduce the overall property tax rate on the municipal side compared to a year ago.

The City has begun the Street Light Conversion Project in which all the street lights will eventually be converted to LED lights. This conversion is expected to save the City just over \$100,000 in the FY20 Budget.

Other Business:

Councilor McCurry: had the following items:

- 1) He has been receiving both positive and negative feedback on the big stone planters on Main Street.
- 2) There are currently signs posted at the City's playing fields that state, "No Dogs on Field." He's been hearing from folks that their dogs are not on the field, but are on the sidelines. He's wondering if the signs should be worded differently to specify "No Dogs Beyond this Point."
- 3) He asked if there is Council support to put together a Resolution to be sent to the State Legislators which expresses that the City does NOT support the elimination of the Electoral College.

Councilor Quattrone: had the following items:

- 1) He urged voters to vote next Tuesday, June 11th at the School Budget Validation Referendum Election.
- 2) He announced that the Autism Summer Camp is no longer taking applications. There are currently more applications than there are spots in the Camp, so he will work with UNE to see if there is a way to be able to accommodate all the applicants.
- 3) He shared his support for putting together and sending a Resolution to the State Legislators which expresses that the City does NOT support the elimination of the Electoral College.

Councilor Swanton: addressed a comment made by the citizen who spoke during *Public Addressing the Council* – he clarified that a General Meeting of Citizens is actually scheduled by the City Council upon receipt of the 100 signatures from qualified voters of Biddeford.

Councilor Lessard: had the following items:

- 1) In light of the City Manager’s report on the City’s estimate in receiving an additional \$300,000 in revenue sharing, he would like the Council to have the opportunity to discuss how those additional funds should be budgeted.
- 2) He assured Councilor McCurry that the Policy Committee will discuss the “No Dogs on Field” signage at the City’s playing fields.
- 3) He shared his support for putting together and sending a Resolution to the State Legislators which expresses that the City does NOT support the elimination of the Electoral College.

Councilor Seaver: was very pleased to hear about the \$7.5 million Grant that was awarded to the Biddeford Municipal Airport. She noted that the Grant involves no matching funds from the City. She further urged folks to attend the Biddeford Airport Open House event scheduled for Saturday, August 17th.

Councilor Belanger: had the following items:

- 1) While he does not support the elimination of the Electoral College; he also does not feel it is appropriate for the City Council to take a stance on this issue and send a Resolution to the State Legislators.
- 2) He has also received complaints about the big stone planters on Main Street and would like Staff to look into this.

Council President Addressing the Council: Councilor McCurry offered his congratulations to both the graduating Biddeford High School Seniors and Middle School 8th Graders. He wished them all well as they move on to their next venture.

Mayor Addressing the Council: had the following items:

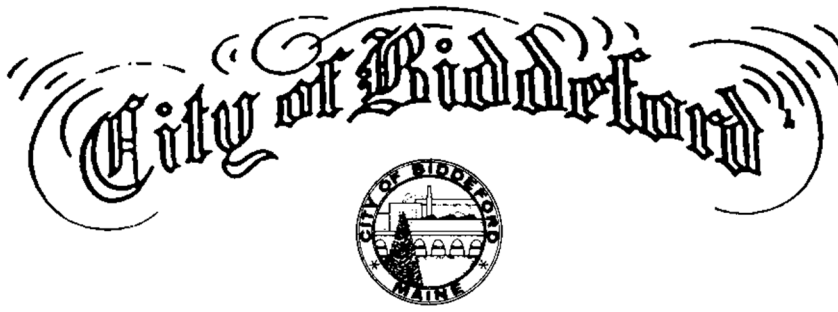
- 1) Mayor Casavant also offered his congratulations to the Seniors and 8th Graders graduating this year.
- 2) He and Councilor Clearwater marched in the Memorial Day Parade and he was very pleased to see so many more people than ever lining the streets of Biddeford. He feels that this speaks to the increasing pride that citizens have for our City.
- 3) He too has heard complaints about the big stone planters on Main Street. He did remind folks that the planters have been placed in such a way to slow down traffic and keep drivers more aware and alert.
- 4) He ran into a former student who had moved away from Biddeford and was recently back in Biddeford and had walked downtown. He expressed to the Mayor how impressed he is with all the new development and revitalization that is happening.

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

Vote: Unanimous.

Time: 7:00 p.m.

Attest by: _____
Carmen J. Morris, City Clerk



2019.50

IN BOARD OF CITY COUNCIL..MAY 21, 2019

BE IT ORDAINED by the City Council of Biddeford, Maine to amend the Code of Ordinances of the City of Biddeford as follows:

Part III (Land Development Regulations), Article III (Official Zoning Map), is amended to rezone a portion of the property (300 feet deep off Guinea Road) at 226 Guinea Road (Tax Map 78, Lot 1) from R-F to SR-1.

May 21, 2019

Motion by Councilor Lessard, seconded by Councilor McCurry to grant the first reading of the ordinance amendment.

Motion by Councilor Lessard, seconded by Councilor Ready to table the ordinance amendment until the Council has been provided with a better understanding of what could possibly be developed on the remaining RF parcel.

Vote: Unanimous.

**Van Hertel Jr.
5 Shady Creek Lane
Scarborough, Maine 04074**

June 7, 2019

**Greg Tansley
Biddeford City Planner
P.O. Box 586
Biddeford, Maine 04005**

**Re: 226 Guinea Road
Rezone Request**

Dear Greg;

We recently presented a request for rezoning on the above-mentioned property to the City Council and action was tabled until we could give more information about the rear of this parcel that we were not requesting rezoning.

The applicant would like to propose that the rear of this property, that is beyond the 300-foot strip of property, be put into a Conservation Easement. We would work with the City to complete this conservation designation as part of our proposed development of the newly rezoned land along the Guinea Road.

We would appreciate being considered at the next available City Council meeting.

Sincerely,

A handwritten signature in blue ink, appearing to read "Van Hertel Jr.", with a long horizontal flourish extending to the right.

Van Hertel Jr.



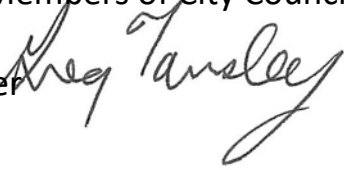
CITY OF BIDDEFORD PLANNING DEPARTMENT

Greg D. Tansley, AICP
205 Main Street
PO Box 586
Biddeford, ME 04005
(207) 284-9115

Greg.Tansley@Biddefordmaine.org

MEMORANDUM

To: Mayor Casavant
Council President McCurry & Members of City Council

From: Greg Tansley, AICP, City Planner 

Date: May 13, 2019

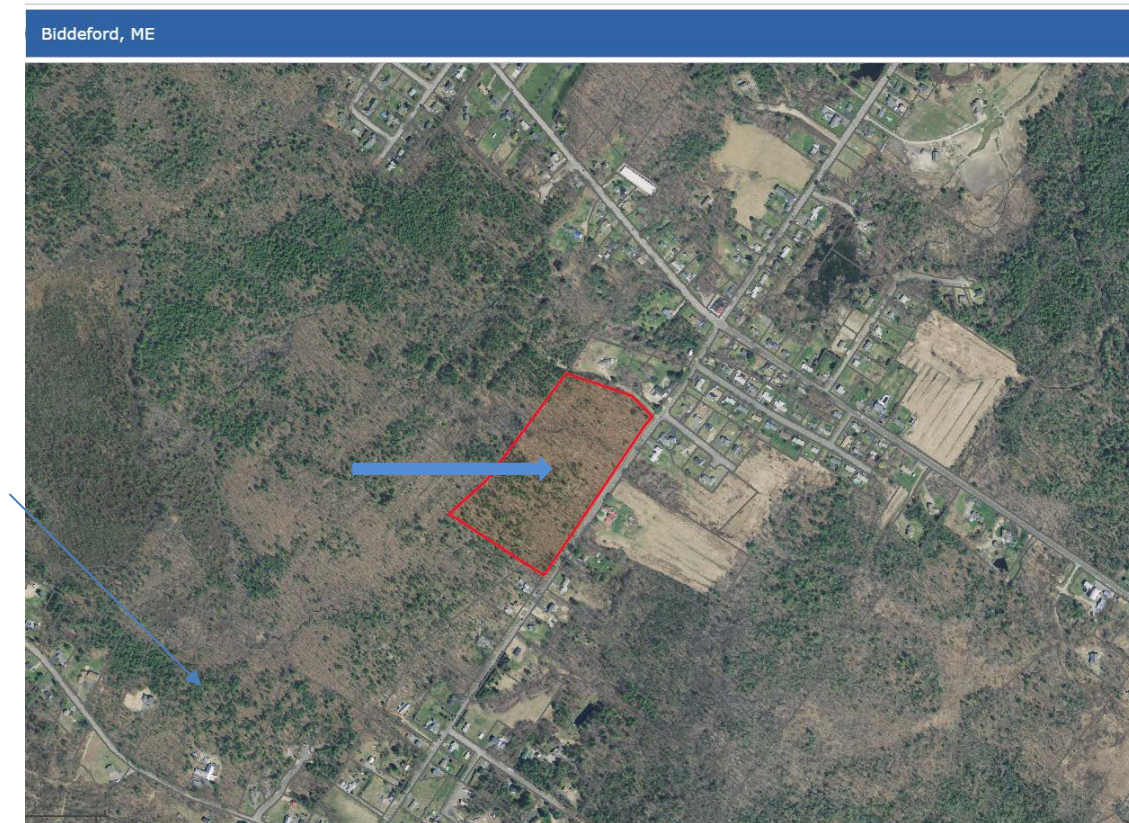
Re: **Applicant Requested Amendment to rezone a portion of the property (300 feet deep off Guinea Road) at 226 Guinea Road (Tax Map 78, Lot 1) from R-F to SR-1.**

The property owner, Van Hertl, Jr., has requested that their property (and now only a portion thereof) be rezoned from R-F to SR-1. 226 Guinea Road is located just south of the intersection of West Street and Guinea Road, on the West side of the street.

The owner of the property *had* requested that the parcel be rezoned so that it is entirely Suburban Residential-1 (SR-1) rather than its current state of Rural Farm (R-F) with only a small corner of the property zoned SR-1. Following the April Planning Board Public Hearing, the applicant withdrew that original request based on the Planning Board's negative recommendation to the City Council.

As a "compromise", the applicant and property owner revised their request to limit the zone change to only the first 300' off Guinea Road (see attached plan).

The subject property is highlighted in **red**:



Source: "226 Guinea Road".

<http://gis.vgsi.com/BiddefordMEMap/index.html?pid=6860>. Accessed Date: 05/09/2019.

The arguments presented to the Board against the change over the course of two public hearings regarding this parcel seemed to focus on the following:

- One Conservation Commission and Saco Valley Land Trust member (as well as an abutter), Mr. Rhames, presented that there is a vernal pool on an adjacent property, although as of yet, nothing appears in the state's vernal pool database. E-mail presented to the Planning Board is attached as well as Conservation Commission submitting information (with the March 28 City Planner's Memo).
- Another Saco Valley Land Trust member, Mr. Rioux, expressed concerns that by taking a portion of the property out of R-F and putting it in SR-1 this was an attempt to "co-opt" the requirements in the Cluster Subdivision Ordinance that requires a subdivider put land into permanent conservation.

- The Conservation Commission has hired Mark Ward, an independent ecological consultant, to conduct further field assessments of potential vernal pools on private property in the area. As stated during the Public Hearing by Mr. Beuchs, Conservation Commission Chair, they (the Conservation Commission) hope this property owner will allow the Conservation Commission to have their Consultant field assess this property.
- Some members of the Planning Board appeared to be concerned that what is intended for the property has not been presented so the implications of the zone change were not entirely known from a development perspective.

On May 1, 2019 the Planning Board held a duly noticed Public Hearing on the proposal before you. **Following the Public Hearing the Planning Board voted 3-1 to recommend the proposed amendment before you NOT be approved by the City Council.**

Attachments: BH2M Letter to the Mayor and City Council dated May 13, 2019
 BH2M Plan Depicting 300' Proposed Zoning Line off Guinea Road
 City Planner's Packet to the Planning Board dated March 28, 2019
 (Including Conservation Commission Information)
 R. Rhames E-mail Dated April 2, 2019
 City Planner's Memo to the Planning Board dated April 25, 2019

Cc: W. Thompson, BH2M, Applicant's Representative (via e-mail)
 M. Eddy, Planning and Development Director (via email)
 T. Craven, Conservation Commission Chair (via e-mail)
 File



BH2M

Berry, Huff, McDonald, Milligan Inc.
Engineers, Surveyors

28 State Street, Gorham, Maine 04038
207 839-2771

WILLIAM A. THOMPSON
ROBERT C. LIBBY, Jr.
WALTER E. PELKEY
ANDREW S. MORRELL
STEVEN J. BLAKE

May 13, 2019

Mayor Cassavant
City Council
205 Main Street
P.O. Box 586
Biddeford, Maine 04005

Re: Rezoning Request
226 Guinea Road

Dear Mr. Mayor Cassavant;

On behalf of the applicant, Van Hertel Jr., we are submitting a request to rezone a portion of the 18-acre parcel at 226 Guinea Road.

This wooded parcel is in two zones with the most northeasterly section zoned SR-1 and the balance of the parcel zoned RF.

Our first request to the planning board in April was to rezone the entire RF portion of this property to the SR-1 zone. The public comment and planning board members expressed concern that development under the SR-1 zone does not require the preservation of Open Space. We withdrew our request for a rezoning of the entire property to the SR-1 zone.

There were concerns raised about environmentally sensitive areas to the northwest off this parcel. We are aware of these areas and would be responsible to review their location and how this project's development might impact them.

All subdivision development in the RF zone has to be done as a cluster development which requires a portion of the acreage be assigned as Open Space. This Open Space cannot be developed and would be left in its natural state.

A cluster development does not allow us to use the Guinea Road frontage for new lots and requires an internal road to provide legal frontage for each lot. Our position on the RF zone development is, that with the new paved internal road, you create new impervious to manage more stormwater and impact the conservation goals.

Our proposal is to extend public water along north side of the Guinea Road. With this utility the development density would be very similar in either the SR-1 zone or RF zone.

Our revised request for a rezoning from RF to SR-1 would only include the 300-foot deep section of this land running parallel with the Guinea Road. The remaining existing RF zoned section of this property will stay as RF zoned.

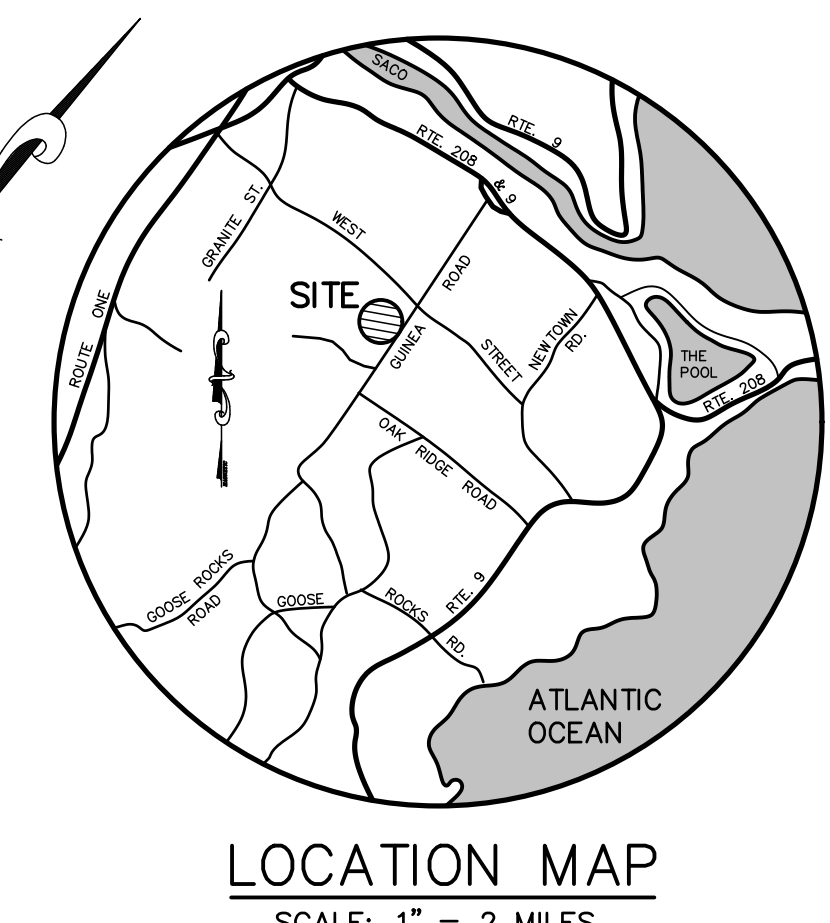
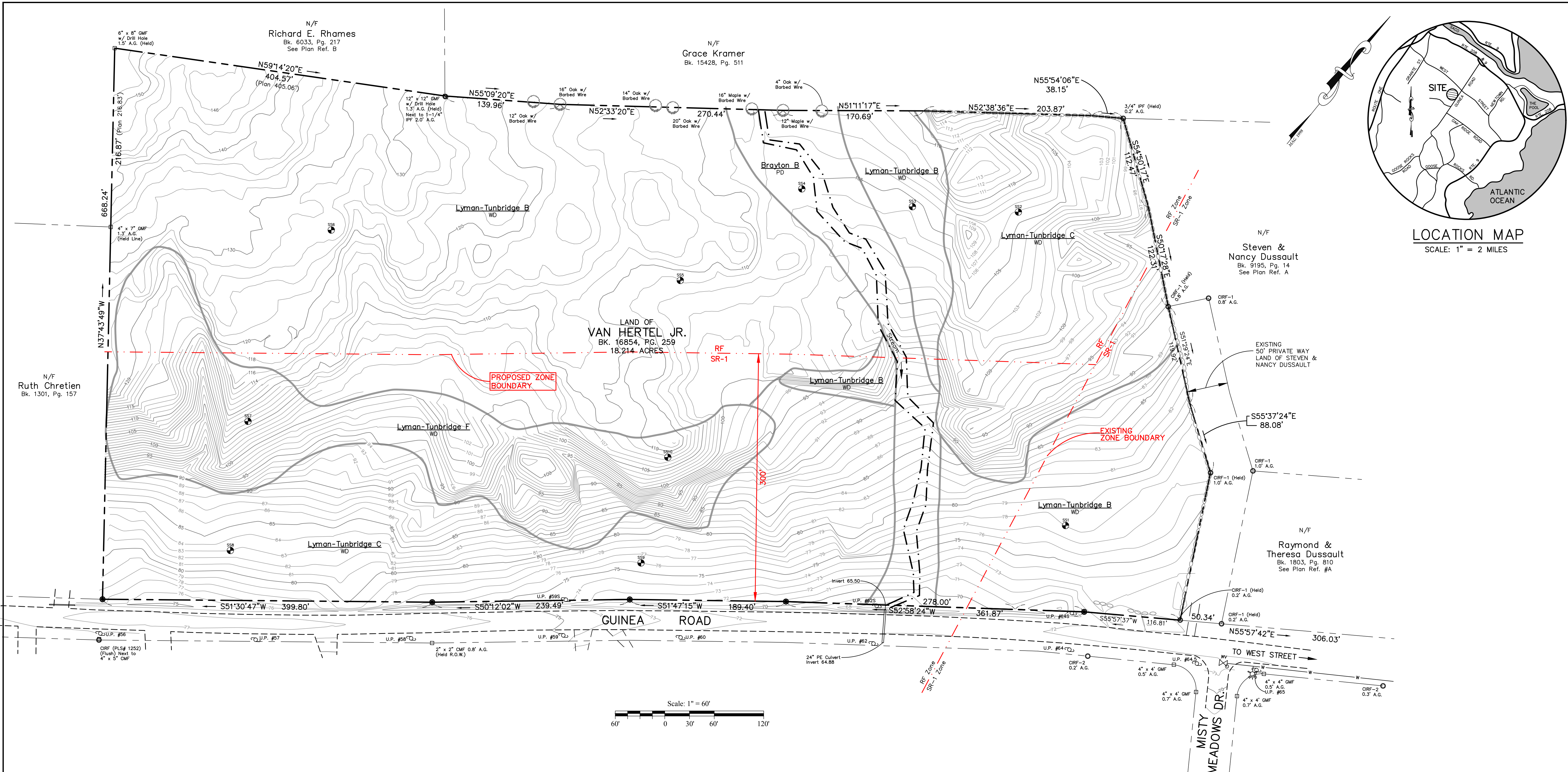
We appreciate your time and consideration of the revised request to rezone a portion of the Guinea Road.

Sincerely,

A handwritten signature in black ink, appearing to read 'William A. Thompson', written in a cursive style.

William A. Thompson
Project Manager

cc: V. Hertel, Jr.



SYMBOL	DESCRIPTION
	FIRE HYDRANT
	WATER VALVE
	GRANITE MONUMENT FOUND
	CONCRETE MONUMENT FOUND
	IRON PIPE/IRON ROD FOUND
	CAPPED IRON ROD FOUND (PLS#1285)
	CAPPED IRON ROD FOUND (PLS#2147)
	CAPPED IRON ROD FOUND
	5/8" IRON ROD W/ CAP TO BE SET
	UTILITY POLE
	DECIDUOUS TREE W/ BARBED WIRE
	CONIFEROUS TREE W/ BARBED WIRE
	PROPERTY LINE
	EDGE OF PAVEMENT
	EXISTING CONTOUR
	ABOVE GROUND
	NOW OR FORMERLY STREAM

SOILS LEGEND	
SYMBOL	DESCRIPTION
	SOIL BOUNDARY LINES
SLOPE DESIGNATION	
A	0 - 3%
B	3 - 8%
C	8 - 20%
D	20%+
HYDROLOGIC SOIL GROUP	
SOIL	GROUP
BRAYTON	C
LYMAN-TURNBRIDGE	D

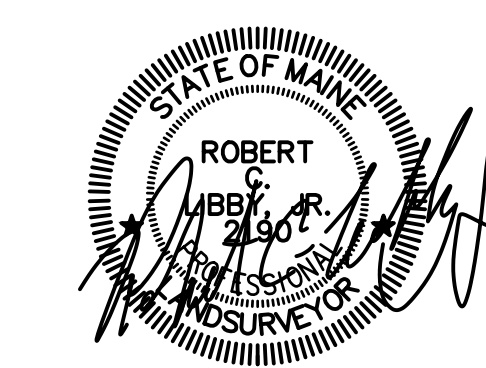
CLASS B HIGH INTENSITY SOIL SURVEY HAS BEEN PREPARED IN ACCORDANCE WITH THE STANDARDS ADOPTED BY THE MAINE ASSOC. OF PROFESSIONAL SOIL SCIENTISTS AND MAINE BOARD OF CERTIFICATION OF GEOLOGISTS AND SOIL SCIENTISTS



MARK J. HAMPTON

I CERTIFY THAT THIS SURVEY CONFORMS TO THE MAINE BOARD OF REGISTRATION FOR LAND SURVEYORS STANDARD BOUNDARY SURVEY CATEGORY I, CONDITION I, WITH THE FOLLOWING EXCEPTIONS:

1. NO WRITTEN REPORT



ROBERT C. LIBBY JR.

PLS #2190

- NOTES:
1. OWNER: VAN HERTEL JR.
5 SHADY CREEK LANE
SCARBOROUGH, ME 04074
 2. SOILS: MARK HAMPTON ASSOCIATES
PORTLAND, MAINE
 3. SURVEYOR: ROBERT C. LIBBY JR. PLS #2190
BH2M
28 STATE STREET, GORHAM, MAINE
 4. DEED REFERENCE: BK. 16854, PG. 259
 5. TAX MAP REFERENCE: MAP 78, LOT 1
 6. ZONING: RF (RURAL FARM), SR-1 (SUBURBAN RESIDENTIAL)
 7. PLAN REFERENCE: A. "STANDARD BOUNDARY SURVEY, THE ESTATE OF ARLENE CHAPPELL", DATED JANUARY 2010, BY ROSS BOUNDARY SURVEYS
B. "SITE PLAN SHOWING A STANDARD BOUNDARY SURVEY, PROPOSED PRIVATE WAY & PROPOSED LOT, LAND OF RAYMOND & THERESA DUSSAULT", DATED 9/22/98, BY JOHN BRUCKLER, RECORDED IN THE Y.C.R.D., PLAN BOOK 245, PAGE 22.
C. "SUBDIVISION PLAN OF LAND OF PAULINE MARCOTTE, WEST STREET, BIDDEFORD, MAINE", DATED JULY 8, 1981 BY WM. PIERCE ASSOCIATES, RECORDED IN THE Y.C.R.D., PLAN BOOK 113, PAGE 38.
D. "FINAL SUBDIVISION PLAN, MISTY MEADOWS SUBDIVISION - PHASE 2", DATED OCTOBER 2, 2004, BY NORTHEAST CIVIL SOLUTIONS.

REVISION		DESCRIPTION	
NO.	DATE		

Berry, Huff, McDonald, Milfigan Inc.
Engineers, Surveyors
28 State Street
Gorham, Maine 04038
Tel. (207) 839-2771
Fax (207) 839-8250

FOR
Van Hertel Jr.
5 Shady Creek Lane
Scarborough, Maine 04074

EXISTING CONDITIONS &
STANDARD BOUNDARY
SURVEY

LAND OF
VAN HERTEL JR.
226 GUINEA ROAD
BIDDEFORD, MAINE

DESIGNED W. Thompson	DATE March 2017
DRAWN Dept	SCALE 1" = 60'
CHECKED R. Libby Jr.	JOB. NO. 14064

SHEET

2

REPRODUCTION OR REUSE OF THIS DOCUMENT WITHOUT THE EXPRESSED WRITTEN CONSENT OF BH2M INC. IS PROHIBITED.



CITY OF BIDDEFORD

PLANNING DEPARTMENT

2019.04

Greg D. Tansley, A.I.C.P.
205 Main Street
PO Box 586
Biddeford, ME 04005
(207) 284-9115

Greg.Tansley@Biddefordmaine.org

PLANNING BOARD REPORT

TO: William Southwick, Chair & Members of the Biddeford Planning Board

FROM: Greg Tansley, AICP, City Planner

A handwritten signature in black ink, appearing to read "Greg Tansley", is written over the "FROM:" line.

DATE: March 28, 2019

RE: NEW BUSINESS ITEM #A - Remove from Table: 2019.04 Proposed amendment to the Official Zoning Map to rezone 226 Guinea Road (Tax Map 78, Lot 1) from a split between R-F and SR-1 to entirely SR-1 (at the request of the property owner).

MEETING DATE: April 3, 2019 @ 6:00 PM

The owner of the property at 226 Guinea Road has requested that the parcel be rezoned so that it is entirely Suburban Residential-1 (SR-1) rather than split between Rural Farm (RF) and SR-1. According to the applicant/owner's cover letter, the purpose of the rezoning would be to connect it with the rest of the SR-1 Zone in its entirety and eliminate the requirement that all lots be off of a new "internal" road. What is not noted is that in the R-F Zone Cluster Subdivisions are required. In the SR-1 Zone, Cluster Subdivisions are not required.

THIS ITEM WAS TABLED AT THE MARCH 6 PLANNING BOARD MEETING FOR MORE INFORMATION. SEE ATTACHED SUPPLEMENTAL INFORMATION PROVIDED BY BOTH THE APPLICANT AND THE CONSERVATION COMMISSION.

SAMPLE MOTIONS:

Motion to recommend/not recommend the Zoning Change pass at the City Council.

ATTACHMENTS

1. February 26, 2019 Staff Memorandum to the Planning Board.
2. Table A and Table B of the Zoning Ordinance.
3. Supplemental Information from the Applicant and the Conservation Commission.



Berry, Huff, McDonald, Milligan Inc.
Engineers, Surveyors

28 State Street, Gorham, Maine 04038
207 839-2771

WILLIAM A. THOMPSON
ROBERT C. LIBBY, Jr.
WALTER E. PELKEY
ANDREW S. MORRELL
STEVEN J. BLAKE

March 26, 2019

Greg Tansley
Biddeford City Planner
205 Main Street
P.O. Box 586
Biddeford, Maine 04005

Re: Rezoning request
226 Guinea Road

Dear Greg;

On behalf of the applicant, Van Hertel Jr., we are submitting additional documentation to address some of the public comments at the March 6, 2019 planning board meeting.

Our request is to have this parcel, which is in two zones, be rezoned to be completely in the SR-1 Zone. This request would take out the RF Zone which is on the southwesterly end of the parcel.

One of the letters from Mark Ward, Ecological Consultant, identified areas of ecological significance generally located to the northwest of the parcel we hope to rezone.

I have prepared copies of other resource maps. These maps locate our subject parcel in relationship to the "170-acre Cranberry Marsh" parcel, wetland inventory map and the map showing threatened species. Our parcel is located outside of these noted areas.

The USGS Map with the topography shows that our entire parcel drains away from the referenced sensitive areas.

Under the current zone of RF, we can complete a very similar residential design as in a SR-1 Zone, with lot sizes and road frontages. The biggest difference in the SR-1 Zone, we are not required to build interior roads to satisfy the minimum lot frontage and point of lot access.

With rezoning, utilizing the existing roadway frontage along the Guinea Road, we are accomplishing exactly what the conservation commission would like with less paving and less stormwater to manage.

We look forward to presenting this information at the April 3, 2019 planning board meeting.

Sincerely,


William A. Thompson
Project Manager

encl.



U.S. Fish and Wildlife Service

National Wetlands Inventory

Guinea Road Wetlands



March 7, 2019

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland



- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond

- Lake
- Other
- Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

1" = 600'

226 GUINEA ROAD National Wetlands Inventory (NWI)
This page was produced by the NWI mapper





North is based on the
Maine State
Coordinate System
NAD 1983

North Rotation is 33°



UPDATED THROUGH APRIL 1, 2018
FOR ASSESSMENT PURPOSES ONLY
NOT TO BE USED FOR CONVEYANCES

The City of Biddeford, Maine
OFFICIAL TAX MAP
Office of the Tax Assessor
Nicholas D. Desjardins, CMA
Assessor



This Map is Prepared by
The City of Biddeford, Maine
Technology Department
GIS Division
202 Maine Street • P.O. Box 580 • Biddeford, Maine 04005
207-571-4050 • gis@biddefordmaine.org

3

Tax Map

KENNESBURYPORT

Comments from the Biddeford Conservation Commission (BCC) re potential zone change at "226 Guinea Road:" (Map 78, Lot 1)

We understand that the planning board has asked for BCC input regarding an applicant's request to rezone a 17 acre parcel abutting Guinea Road from RF/SR-1 to entirely SR-1. Currently most of 78/1 is zoned RF.

Maine's Growth Management Act holds among its goals : "To safeguard ... agricultural and forest resources from development which threatens those resources." Biddeford's 1999 Comprehensive Plan closely mirrors and reflects that concern.

Following the adoption of the '99 plan the BCC spent much of its time working with the planning office and elected officials devising and implementing a "Cluster Ordinance" covering Biddeford's Rural Farm (RF) zone (52% of the city's land mass). If granted, the change to SR-1 would eliminate the cluster requirement for 78/1 and facilitate a perhaps complete "build-out" of the parcel.

We believe this is unwarranted and unwise.

As you know, virtually the entire eastern portion of Biddeford is within the State-identified "Biddeford-Kennebunkport Vernal Pool Complex." This (currently) largely un-fragmented / intact area is of state-wide significance and supports the web of life which supports us.

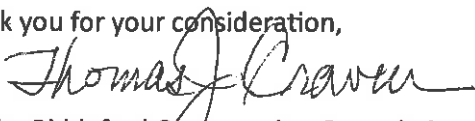
The 226 Guinea Road lot abuts a substantial wooded parcel on which the Saco Valley Land Trust holds a perpetual conservation easement. We believe that you have already received a letter from ecologist, and UNE adjunct Mark Ward documenting some of the unique environmental features of this easement-protected property.

We note here that the conservation easement covering this 170 acre "Cranberry Marsh North" parcel permits forest management under a plan approved by SVLT and that a timber stand improvement practice has recently been conducted there in cooperation with the USDA's Natural Resources Conservation Service (NRCS). SVLT actively collaborates with NRCS in the management/ stewardship of its fee holdings as well. (Please find attached a recent SVLT mailing showing the scope of its protected properties in this area.)

As you heard at the March 6th public hearing on this matter, the downslope Guinea Road neighbors are concerned about build-out of the 78/1 lot. The current erosion and storm water runoff concerns they expressed would likely only be increased by development under the existing zoning regime, much less by a change to SR-1 which would eliminate any requirement to permanently conserve a portion of 78/1 under the cluster ordinance. Frankly we find it hard to imagine how waving away the cluster provisions and the injection Saco River water into this shallow-to-bedrock and shallow-to-water table parcel can fail to impact the downslope abutters' "quiet enjoyment of their property."

In sum; the BCC observes that given the statewide significance of the area, the state/local goal to "safeguard...agricultural and forest resources from development which threatens those resources," the importance of the cluster ordinance within the context of an otherwise quite permissive RF zoning construct (unchanged since the 1960s), and the fact that an update of the 1999 Plan is currently ongoing, such an ad hoc zoning change would be unwise and ill-timed.

Thank you for your consideration,


For the Biddeford Conservation Commission
3/21/19

March 4, 2019

Members of the Biddeford Planning Board-

I am writing in regard to item 2019.04—the proposed rezoning of 226 Guinea Road (Tax Map 78, Lot 1) from a split between RF-1 and SR-1 to entirely SR-1. The planning board should take into consideration that the biological significance of eastern Biddeford is due to the presence of large blocks of undeveloped landscape with a high concentration of wetlands. Because of this, the Biddeford-Kennebunkport Vernal Pool complex has been designated as a natural area of statewide ecological significance.

The parcel in question (Map 78, Lot 1) lies within the largest block of undeveloped habitat east of the interstate (comprising ~1400 acres in Biddeford and ~3000 acres in Kennebunkport and Arundel). In past work with the Biddeford Conservation Commission we referred to this undeveloped habitat block (south of West St., west of Guinea Road and east of Route 1) as the Proctor Road Block. We considered it a high conservation priority because it includes large unfragmented interior forest, a high concentration of wetlands, and documented records of the state threatened spotted turtle.

While I have not personally visited the parcel in question, I have conducted ecological field work at the 170-acre Cranberry Marsh North parcel (Tax Map 3, Lot 32), which abuts this parcel on its west side. I conducted ecological work on the Cranberry Marsh North (CMN) parcel as an assistant on Rob Baldwin's graduate study project in 2003 and on behalf of Saco Valley Land Trust as a consultant for a forest management plan in 2011.

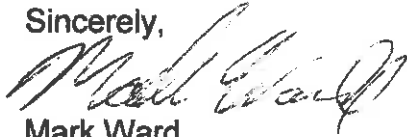
In 2003, I visited several potential vernal pools (on April 21, 2003 and May 9, 2003) including one (B53), which is located (UTM 383676E, 4812087N) in the area designated as Joy Hill on USGS topo maps and in close proximity to the parcel in question (Map 78, Lot1). The B53 wetland is a deep, open pool with scattered buttonbush stems and clear water. Its depth (waist deep in the spring) suggests a longer hydroperiod than many vernal pools, which typically indicates greater biological diversity. I counted a large number of wood frog egg masses (100) and observed numerous fairy shrimp (an obligate vernal pool species), which warrants its designation as a significant vernal pool in Maine and affords it protections for the associated wildlife values. The presence of fairy shrimp in a vernal pool is a particularly uncommon occurrence. Of the many vernal pools that I have visited in Maine, and which meet the state criteria to designate them as significant, I estimate that fairy shrimp were found in less than 2%. In short, B53 is a very special wetland. While it lies within the CMN parcel and is afforded some protection through a conservation easement, its wildlife values could nevertheless be compromised by impacts to adjacent lands.

The CMN parcel is also home to spotted turtles. I documented the presence of 5 spotted turtles on two visits in 2011 (April 22 & April 29, 2011) in the Cranberry Marsh proper and in nearby small wetlands. The open water of Cranberry Marsh is presumably the primary overwintering habitat for this population of spotted turtles. But spotted turtles move overland to foraging wetlands in the spring and females seek out upland nesting sites in summer. I have not observed any spotted turtles at the B53 vernal pool adjacent to the parcel in question, but it is entirely conceivable that spotted

turtles could use this wetland (especially given its long hydroperiod) or adjacent uplands.

The location of the parcel at 226 Guinea Road (Map 78, Lot 1) within a large unfragmented habitat block and its proximity to a high value vernal pool (B53) warrant maintaining the existing RF-1 zoning category for the portion of this parcel that falls under such provision.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Ward", written over the printed name.

Mark Ward
Ecological Consultant
28 Poor Farm Road
Bristol, ME 04539
207-350-6537

Little River Watershed Conservation Bridge Campaign

30 YEARS OF CONSERVING LAND IN BIDDEFORD AND SACO



**New England
Cottontail**



**Spotted
Salamander**



**Salt marsh
Sharp-tailed
Sparrow**

Building Bridges Together

You and the Saco Valley Land Trust-30 YEARS-32 PARCELS

Please help SVLT purchase two parcels (89 acres) that create a bridge to seven other parcels (569.6 acres) enabling the protection of forested wetlands, and early successional scrubland. These two parcels are a valuable part of the state significant Biddeford/Kennebunkport Vernal Pool Complex. This diversity-rich area is home to threatened and endangered species and species of concern: reptiles, amphibians, and migrating waterfowl and song birds. YOU can help by donating to our campaign.

Be a Part of Conserving Your Community for Our Future

1

LEARN

Project Details on back
and at
sacovalleylandtrust.org

2

PARTICIPATE

Interested in helping us
on this project? Please
contact us at
sacovalleymaine@gmail.com

3

DONATE

Please consider a factor
of \$30 in honor of our 30
years! \$30-\$300.

In our 30 years of existence,

SVLT has been fortunate to accumulate thirty two holdings in Biddeford, Saco and Buxton through easements, donations, and purchases. Funding from individuals, private foundations, and grants is essential to our all volunteer organization.

Eight of our parcels in eastern Biddeford (listed on our website and in our 2018 newsletter) are located near the intersection of West Street and Guinea Road. We have embarked on a fundraising campaign to purchase two additional parcels. We hope the entire community will help! All ten are within the *state-designated Biddeford /Kennebunkport Vernal Pool Complex that is significant habitat for a variety of species*. There are forested uplands that grew up after the 1947 fire and fields that are remnants of a farming past, interspersed with wetlands, brooks and tributaries to the Little and Batson Rivers and home to some endangered species.



Please donate today towards this significant purchase, by mail or by visiting our website:
www.sacovalleylandtrust.org

Please join these organizations who have already donated to this campaign:

Maine Outdoor Heritage Fund
 Davis Conservation Foundation
 Fields Pond Foundation
 Saco Biddeford Savings Institution

YES. I WANT TO SUPPORT THE LITTLE RIVER WATERSHED CONSERVATION CAMPAIGN



\$30



\$60



\$150



\$300



other

Name _____

Address _____ Phone (optional) _____

Email address _____

Company Match? _____

Please mail to: Saco Valley Land Trust, PO Box 1581, Saco, ME 04072

Donations by debit / credit card or Paypal accepted securely at our website: www.sacovalleylandtrust.org



CITY OF BIDDEFORD

PLANNING DEPARTMENT

2019.04

Greg D. Tansley, A.I.C.P.
205 Main Street
PO Box 586
Biddeford, ME 04005
(207) 284-9115

Greg.Tansley@Biddefordmaine.org

PLANNING BOARD REPORT

TO: William Southwick, Chair & Members of the Biddeford Planning Board

FROM: Greg Tansley, AICP, City Planner

A handwritten signature in black ink, reading "Greg Tansley", is written over the "FROM:" line.

DATE: February 26, 2019

RE: **NEW BUSINESS ITEM #A - Part III (Land Development Regulations), Article III (Official Zoning Map), be amended to rezone the entire property at 226 Guinea Road (Tax Map 78, Lot 1) from both R-F and SR-1 to entirely SR-1.**

MEETING DATE: March 6, 2019 @ 6:00 PM

The owner of the property at 226 Guinea Road has requested that the parcel be rezoned so that it is entirely Suburban Residential-1 (SR-1) rather than split between Rural Farm (RF) and SR-1. According to the applicant/owner's cover letter, the purpose of the rezoning would be to connect it with the rest of the SR-1 Zone in its entirety and eliminate the requirement that all lots be off of a new "internal" road. What is not noted is that in the R-F Zone Cluster Subdivisions are required. In the SR-1 Zone, Cluster Subdivisions are not required.

SAMPLE MOTIONS:

Motion to recommend/not recommend the Zoning Change pass at the City Council.

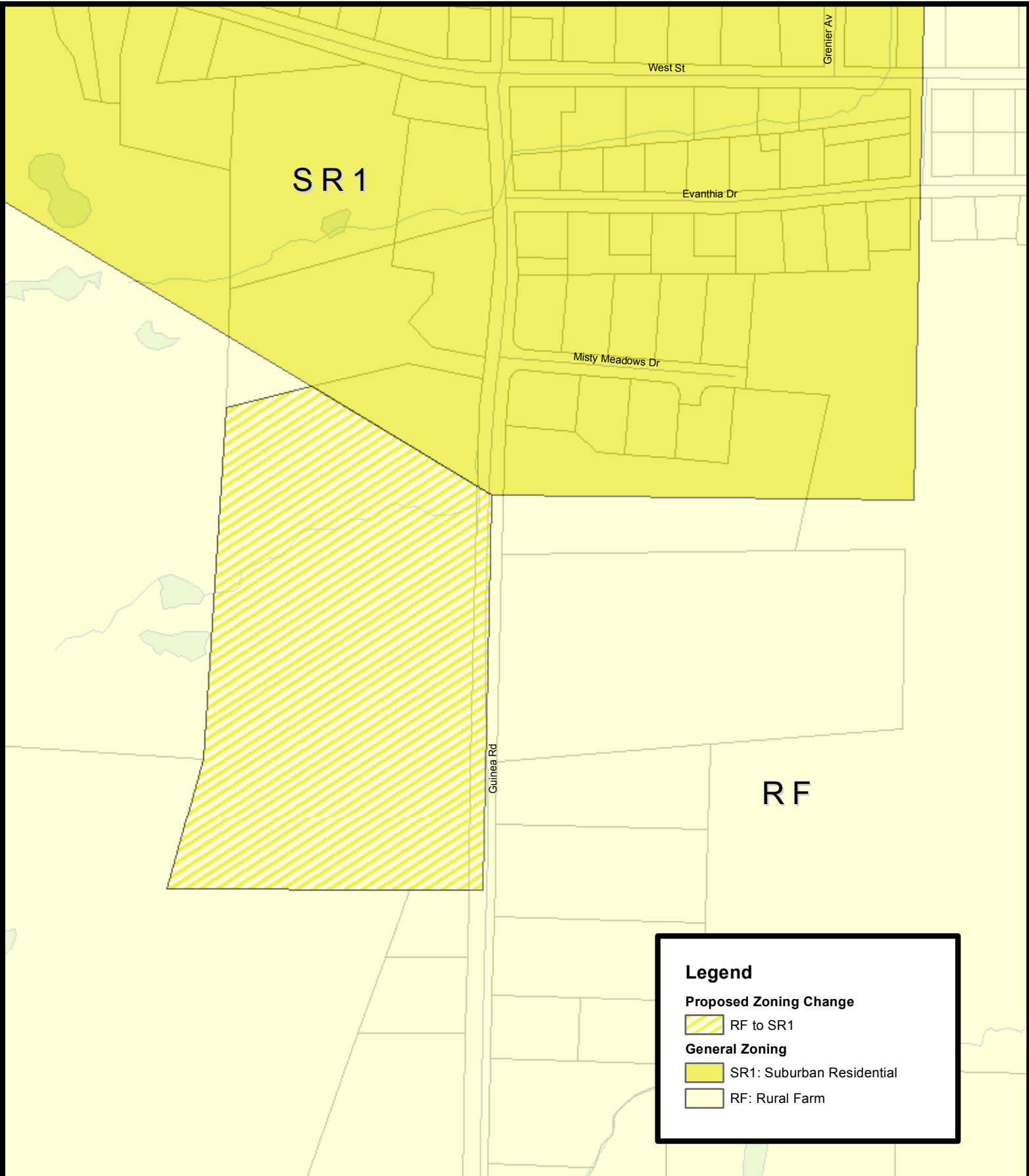
ATTACHMENTS

1. Proposed Map Amendment
2. Table A and Table B of the Zoning Ordinance

Sincerely,

Greg D. Tansley, A.I.C.P.
City Planner

Cc: File



Proposed Zoning Change - RF to SR1



This map was prepared by:
BiddGIS



The City of Biddeford, Maine
Technologies Department - GIS Mapping

205 Main Street • P.O. Box 586 • Biddeford, Maine 04005-0586"
Tel. 207-571-0660 • Email gis@biddefordmaine.org



0 300 600 Feet
1 inch = 300 feet

TABLE A: TABLE OF LAND USES

*	Subject to Article VI, Performance Standards, of this ordinance
{BLANK}	Not Permitted
P	Permitted
C	Conditional Use
A	Accessory Use

Residential uses:	Article VI Section	SR-1	R-F
Accessory dwelling units* 27	78	P	P
Accessory structure*	2	P3	P
Boarding, rooming house*	10		
Bed-and-breakfast*	9		C
Cluster development*	18	C	C17
Congregate housing*	19		C
Duplex/2-family	24	C	C
Home occupation*	38	C	C
Manufactured housing*	See Article VI, Section 45.		
Mobile home park*	See Article VI, Section 45.		
Multifamily dwelling*	47		
Planned unit development*	73		
Single-family dwelling 11	2	P	P
Commercial uses:	Article VI Section	SR-1	R-F
Adult business	3		
Amusement center*	5		
Art gallery			C
Art studio			C
Auto body shops			
Automobile graveyard, automobile recycling business, junkyard*	7		
Automobile repair, sales			
Boat building, repair, marine services, sales, boat livery, marina, yacht club			
Building materials retail sales			C
Carwash*	14		
Commercial gardening, commercial greenhouse*	17	C	P
Commercial recreation*	18		C
Commercial school*	53		
Drugstore/medical supply			
Financial institution			
Firewood processing*	33		P
Fisheries processing, storage*	34		

Funeral parlor			
Gasoline service station*	36		C
Hotel/motel*	40		
Indoor theater			
Kennel, veterinary hospital*	42		P
Medical marijuana dispensaries			
Medical marijuana growing facilities			
Neighborhood convenience store/service		C4	P
Off-street loading and parking lot and facilities, commercial parking garage	49		C
Offices, business and professional*	52		
Planned unit developments*	73		
Publishing, printing			
Restaurant*	56		C
Retail store			C
Sawmill*	33		C
Services			C
Shopping center			
Telecommunications facilities	71		C
Wholesale business			
Industrial uses:	Article VI Section	SR-1	R-F
Air transportation related use			
Air transportation dependent use*			
Airport	4		
Bulk oil terminal*	41		
Contractor's storage yard			C
Demolition disposal*	23		
Experimental research and testing laboratory	29		
Light manufacturing*	41		
Light trucking dependent industry*	41		
Manufacturing*	41		
Planned unit developments*	73		
Resource recovery facility			
Recycling facilities	76		
Redemption centers			
Storage of bulk gaseous fuels*	41		
Transportation facilities			
Trucking, distribution terminal*			
Warehousing and storage*	60		
Self-storage facilities*	60		

Educational, institutional public uses:	Article VI Section	SR-1	R-F
Addiction treatment facility	22		
Church, synagogue*		C	C
Civic, convention centers			
Community centers, clubs			
Day-care center, adult	22	C	C
Day-care home, adult	22	C	C
Day-care home, children's	22	C	C
Day-care center, children's	22	C	C
Essential services	27	C	C
Fire, police station			C
Group homes, hospice	19	C	C
Hospital*	39		
Municipal use	47.1	C	C
Museum, library			C
Nursing home*	39	C	C
Public and private schools*	53		P
Public facility		C	C
Rehabilitation facility			
University/college*		C	C
University uses*		C	C
Water supply system	27	C	C
Outdoor, resource-based uses:	Article VI Section	SR-1	R-F
Agriculture*	3, 31		P
Agricultural products processing and storage*	3, 31		P
Animal breeding or care	42		P
Campground*	13		C
Cemetery	14.1	C	P
Extractive industry*	30		P2
Farm stands* 13	31		P
Timber harvesting	64		P
Golf course excluding miniature golf		P	P
Parks and recreation*		P	P

TABLE B: DIMENSIONAL REQUIREMENTS

Zoning District	Minimum Lot Size, Square Feet Per Unit A				Frontage			Minimum Setback, Feet**				Maximum	
	Water and Sewer	Water, No Sewer	Sewer, No Water	Neither Water Nor Sewer	Water and Sewer	Water or Sewer	Neither Water Nor Sewer	From Major R.O.W.	From Other R.O.W	Side	Rear	Stories	Feet
SR-1	15,000 C	20,000 C	20,000 C	40,000 C	100	100	200	40	25	10	10	3	35
R-F, single-family M	20,000	20,000	20,000	40,000	120	120	200	40 H	25 H	25	25	3	35
R-F, duplex M	20,000	20,000	20,000	40,000	120	120	200	40 H	25 H	25	25	3	35
R-F, all other	40,000	40,000	40,000	40,000	200	200	200	40 H	25 H	25	25	3	35

From: [Richard Rhames](#)
To: [Tansley, Greg](#)
Cc: [Ken Buechs](#)
Subject: Guinea Rd rezone request
Date: Tuesday, April 2, 2019 4:07:50 PM

Greg,

I took the liberty of sharing the BH2M comment in the April packet with ecologist Mark Ward. If the vernal pool is not, in fact, duly registered with the state, it's purely an oversight (and news to me). Anyway.... Mark's response is below. Sorry to be so slow in this—got a beastly bug.

Richard Rhames
BCC

I don't get back until Friday, 4/5. Can I count on you to attend the PB meeting and, if allowed, address this point please? I hope you are feeling better Richard.

Ken

-----Original Message-----

From: Richard Rhames
Sent: Mar 29, 2019 9:47 AM
To: tom craven
Cc: Susan Amons , Ken Buechs , Bill Murray , Steve Reiter , Marsha Reynolds , denis
Subject: Re: Van Hertl - Guinea Road--- Mark Ward's reply

Here's Mark's reply. Kinda interesting. When Rob Baldwin was doing his vernal pool research years ago I signed a letter/ permission form authorizing him to do so. I guess I assumed (always dangerous) that I was therefore allowing the fruits of the research to be public. Based on Mark's reply, I guess not. Anyway..... BH2M is perhaps attempting to dismiss the environmental critique as uninformed.

It's not.

Hi Richard-

I agree with you that the BH2M consultant conveniently left the location of the fairy shrimp pool off of the map that he provided and does not adequately address its proximity to the portion of the parcel that is currently zoned RF. That pool does not appear on state maps of sensitive features, because I don't believe that it was ever submitted to the state as an example of a significant vernal pool. The original visits by Rob and me in 2002 and 2003 preceded the legislation that provided protection for such pools. As the landowner, you could authorize permission to submit biological evidence to support its inclusion in the state database of significant vernal pools (though we might have to submit more recent biological evidence-- with either egg mass counts or documentation of fairy shrimp). If you were to authorize that, it would mean that the pool would show up on future maps as a significant vernal pool. Regardless, it would be worthwhile to demonstrate where the actual fairy shrimp pool is for the benefit of the planning board so that

they don't complete dismiss the points that I made about that pool in the letter. On the aerial photo of NWI wetlands in the packet the fairy shrimp pool is one of the "freshwater ponds" in blue (not the one that has adjacent forested swamp--PFO1E, but the larger and closer of the two small solated "ponds" located due west from the SW corner of the 226 parcel).

I also think that it would be helpful for the planning board to see a visual of the 2 proposed build-out scenarios that the consultant describes, but does not provide any plans for, in the argument that he makes about how the rezoning would actually offer better protections.

Hope that this is helpful.

Mark



CITY OF BIDDEFORD

PLANNING DEPARTMENT

2019.04

Greg D. Tansley, A.I.C.P.
205 Main Street
PO Box 586
Biddeford, ME 04005
(207) 284-9115

Greg.Tansley@Biddefordmaine.org

PLANNING BOARD REPORT

TO: William Southwick, Chair & Members of the Biddeford Planning Board

FROM: Greg Tansley, AICP, City Planner

A handwritten signature in black ink, reading "Greg Tansley".

DATE: April 25, 2019, 2019

RE: **NEW BUSINESS ITEM #C - 2019.04 Public Hearing, take comments, and make recommendations to the City Council, regarding a property owner's REVISED proposed amendment to the Official Zoning Map to rezone a portion of the property (300 feet deep off Guinea Road) at 226 Guinea Road (Tax Map 78, Lot 1) from R-F to SR-1.**

MEETING DATE: May 1, 2019 @ 6:00 PM

The owner of the property at 226 Guinea Road *had* requested that the parcel be rezoned so that it is entirely Suburban Residential-1 (SR-1) rather than split between Rural Farm (RF) and SR-1. Following the April Planning Board Public Hearing, the applicant has withdrawn this request based on the Planning Board's negative recommendation to the City Council.

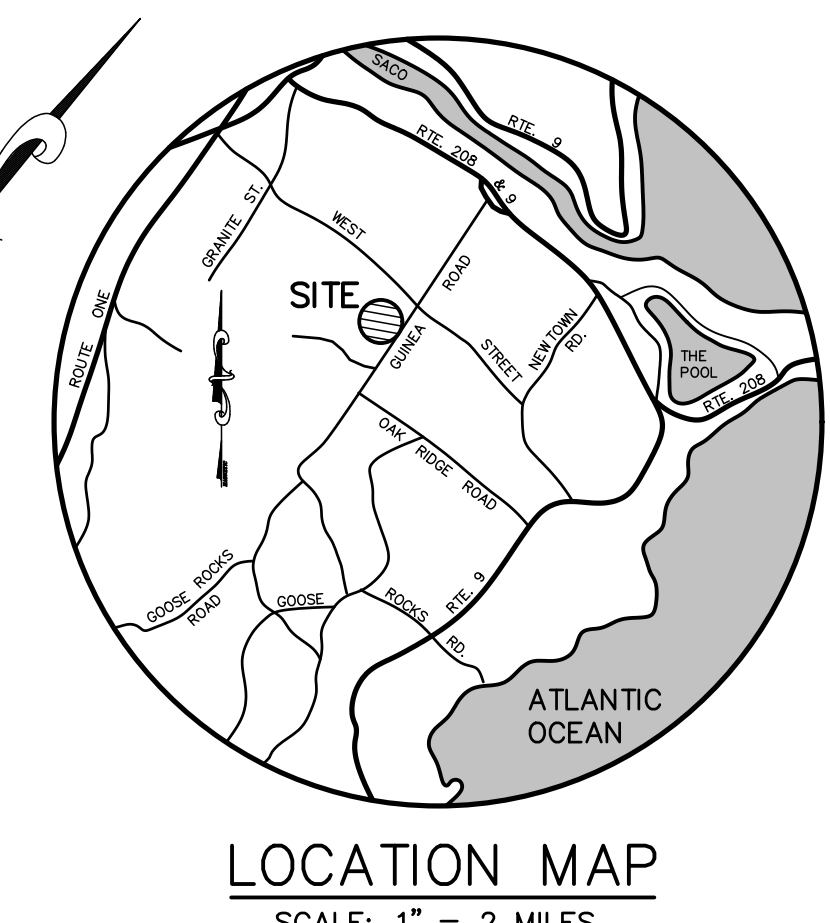
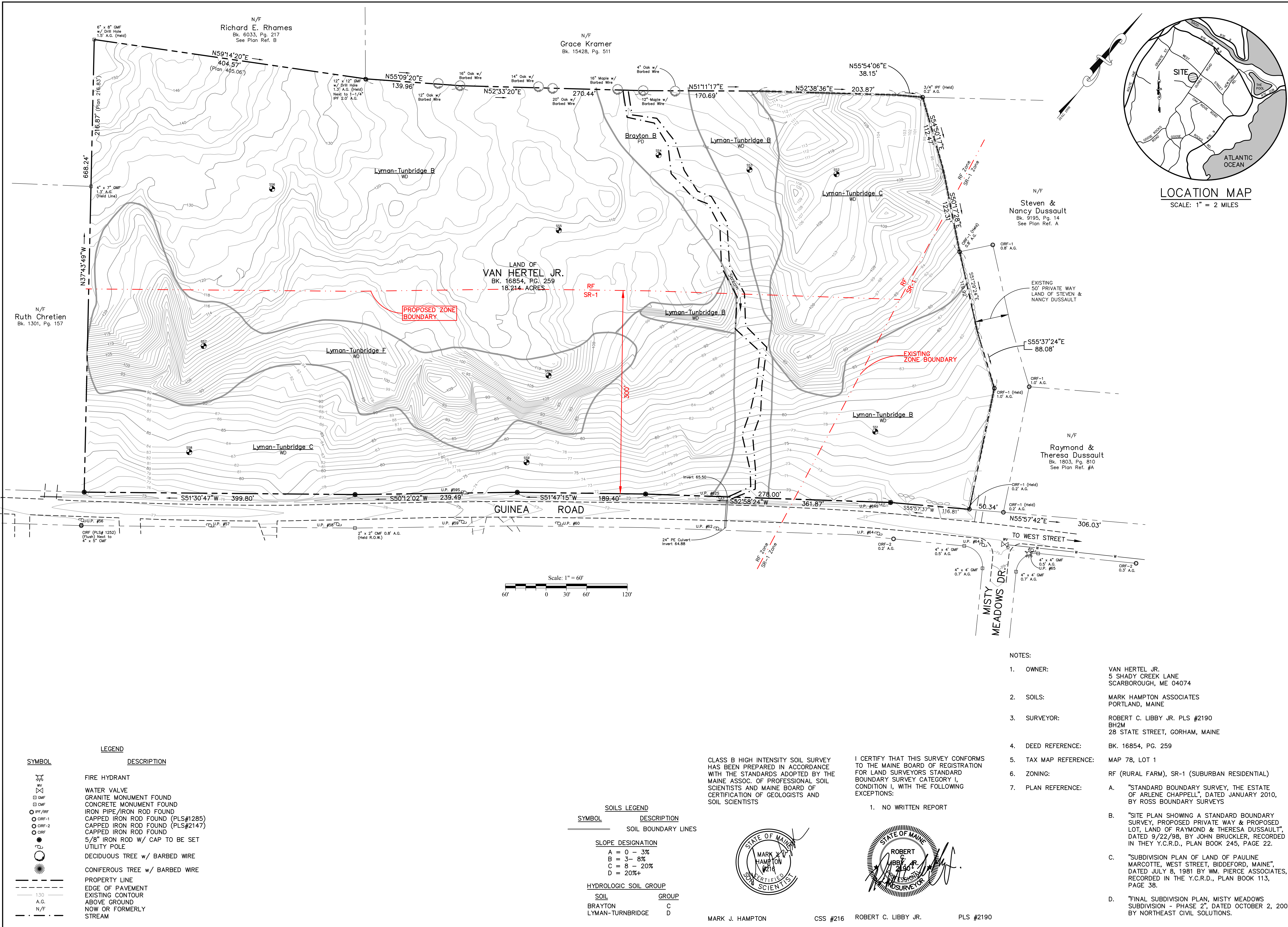
Instead, this new proposal has been submitted. It limits the zone change to only the first 300' off Guinea Road. Staff are of the opinion this represents a reasonable compromise in this case.

SAMPLE MOTIONS:

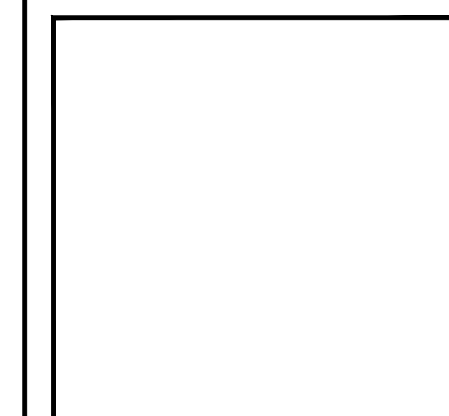
Motion to recommend/not recommend the Zoning Change pass at the City Council.

ATTACHMENTS: Applicants Revised Request

G:\2014\1004\1004.dwg 5/11/2019 03:43:30 AM AutoCAD PLOT (High Quality) 100% 100%



REVISION	DESCRIPTION
NO.	DATE



BH2M

Berry, Huff, McDonald, Milfigan Inc.
Engineers, Surveyors

28 State Street
Gorham, Maine 04038
Tel. (207) 839-2771
Fax (207) 839-8250

FOR
Van Hertel, Jr.
5 Shady Creek Lane
Scarborough, Maine 04074

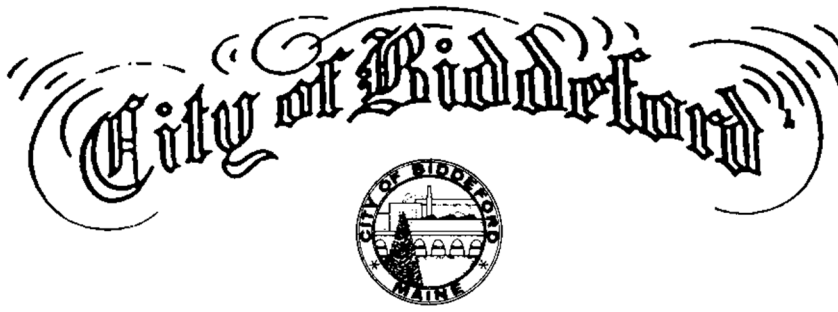
EXISTING CONDITIONS &
STANDARD BOUNDARY
SURVEY

LAND OF
VAN HERTEL JR.
226 GUINEA ROAD
BIDDEFORD, MAINE

DESIGNED W. Thompson	DATE March 2017
DRAWN Dept	SCALE 1" = 60'
CHECKED R. Libby Jr.	JOB. NO. 14064

SHEET 2

REPRODUCTION OR REUSE OF THIS DOCUMENT WITHOUT THE EXPRESSED WRITTEN CONSENT OF BH2M INC. IS PROHIBITED.



2019.58

IN BOARD OF CITY COUNCIL...JUNE 18, 2019

BE IT ORDAINED by the City Council of Biddeford, Maine to amend the Code of Ordinances of the City of Biddeford as follows:

Part III (Land Development Regulations), Article III (Official Zoning Map), be amended to extend the B-2 Zone to include the rear portions of 472, 480, and 486 Elm Street (Tax Map 18, Lots 32, 29, 29-1, and 29-2) as depicted on the attached map.



CITY OF BIDDEFORD

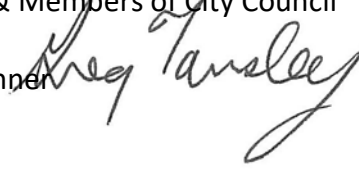
PLANNING DEPARTMENT

Greg D. Tansley, A.I.C.P.
205 Main Street
PO Box 586
Biddeford, ME 04005
(207) 284-9115

Greg.Tansley@Biddefordmaine.org

MEMORANDUM

To: Mayor Casavant
Council President McCurry & Members of City Council

From: Greg Tansley, AICP, City Planner 

Date: June 7, 2019

Re: Proposed Amendment to proposed amendment to the Official Zoning Map to rezone the rear portions of 472, 480, and 486 Elm Street (Tax Map 18, Lots 32, 29, 29-1, and 29-2) from R-1-A to B-2.

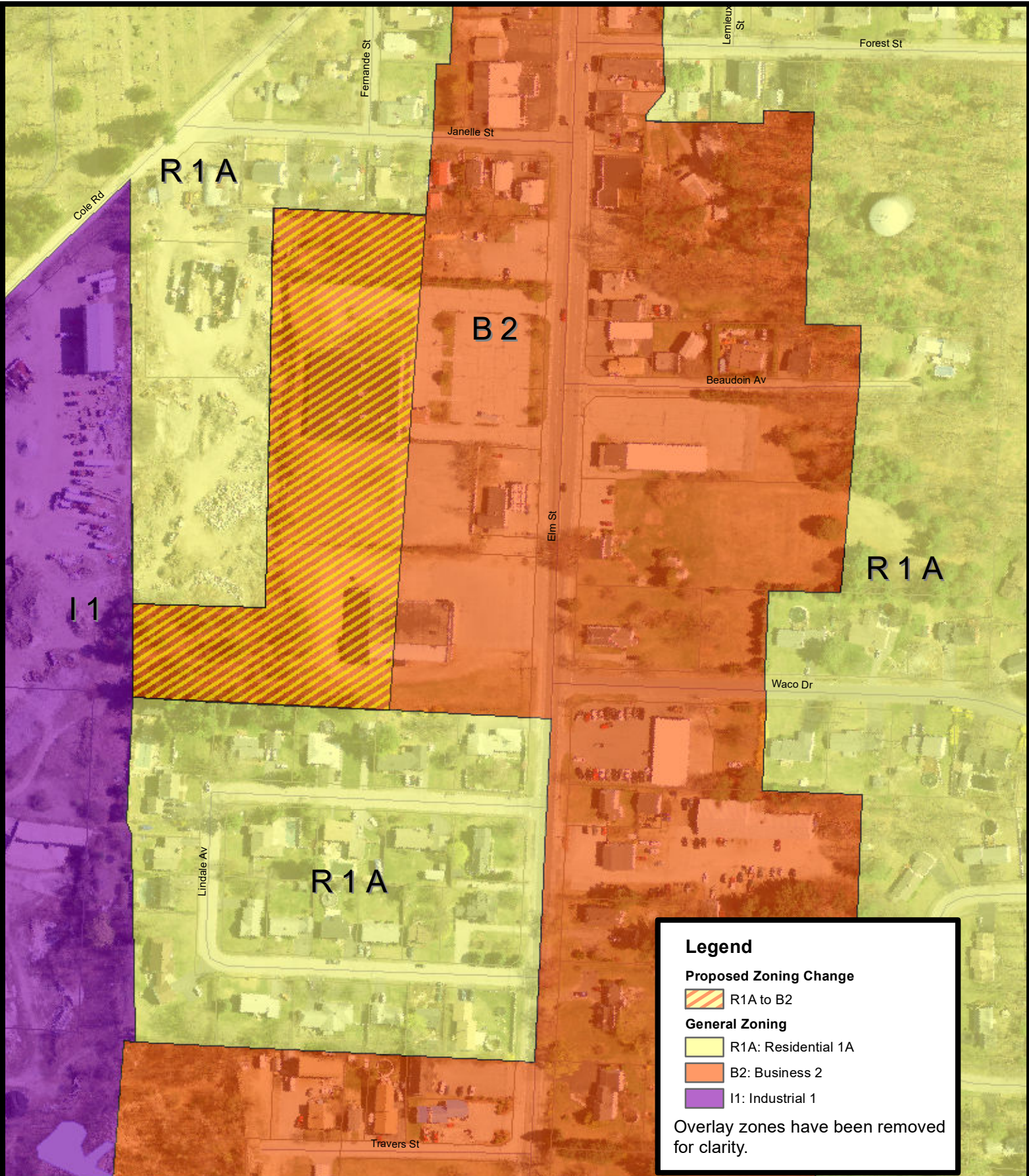
At the request of the City Council, the Planning Board held a Public Hearing about the proposed above-mentioned amendment. I am providing this recommendation back to the City Council based on the outcome of the Public Hearing.

Prior to, and during the course of, the Public Hearing an agent representing 472 Elm Street approached myself, and then the Board, and requested on behalf of their client, that 472 Elm Street also be included in this proposal. The Council Order before you reflects the Planning Board's support for including 472 Elm Street in the rezoning proposal.

On June 5, 2019 the Planning Board held a duly noticed Public Hearing on the proposal. Following the Public Hearing the Planning Board voted 4-0 to recommend the proposed amendment be approved by the City Council.

STAFF NOTE: While we recognize that from time-to-time Zoning Ordinance amendments may be warranted, we are in the process of finishing the Comprehensive Plan and beginning the zoning ordinance re-write. More and more, we will want to consider incremental future Zoning Ordinance amendments (such as that originally discussed here) in the context of an overall Zoning Ordinance rewrite that is consistent with the new Comprehensive Plan.

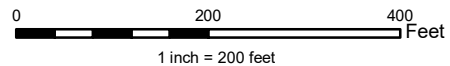
Cc: M. Eddy, Planning and Development Director

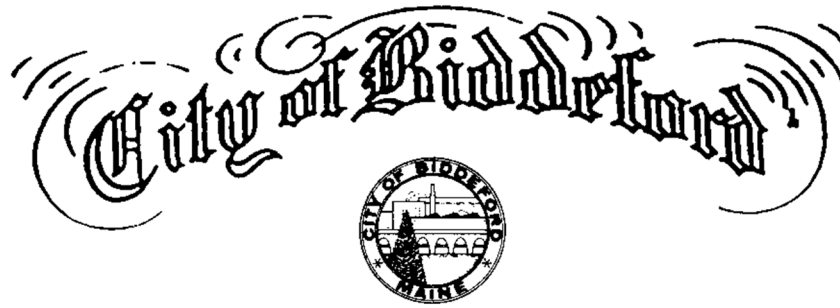


Proposed Zoning Change - R1A to B2

The City of Biddeford, Maine
Technologies Department - GIS Mapping

205 Main Street · P.O. Box 586 · Biddeford, Maine 04005-0586
 Tel. 207-571-0660 · Email gis@biddefordmaine.org





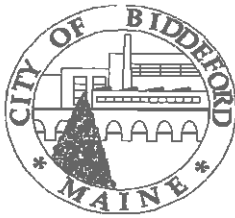
2019.59

IN BOARD OF CITY COUNCIL ... JUNE 18, 2019

BE IT ORDERED, pursuant to Chapter 62, Section 101 of the Code of Ordinances, the City Council of the City of Biddeford does hereby waive the following requirements for Crickett Lane Off Buzzell Road, for purposes of their pending subdivision review by the Planning Board and for future consideration of the acceptance of Crickett Lane, as a public street.

1. Waive the requirements for a 5 foot sidewalk. Instead the developer will construct a 3-foot paved walkway as indicated on the submitted Planning Board Preliminary Subdivision Plans.
2. Install striping to define the 3 foot sidewalk and to install signage to depict the sidewalk/street separation line.

NOTE: The Capital Projects Committee will discuss this item at their June 18, 2019 meeting and vote to send the waiver requests to the full City Council for consideration.



City of Biddeford, Maine
Public Works Department
371 Hill Street Biddeford, Maine 04005
Phone: (207) 282-1579 Fax: (207) 286-9395

June 4, 2019

To: Robert Quattrone, Chair, Capital Projects Committee

From: Jeff Demers, Public Works Director

Cc: Alan Casavant, Mayor; Jim Bennett, City Manager; Tom Milligan, City Engineer; Greg Tansley, City Planner; BH2M for applicant

Re: Sidewalk Waiver Request for Cricket Lane

The applicant, Jason Labonte, through his engineers BH2M, is requesting a waiver from the city sidewalk requirements for a public street. The applicant previously installed a 3 foot wide striped pedestrian walkway, serving the existing 7 lots through a previous waiver by the city council, dated 11/21/2017. City staff feels this will be sufficient to accommodate the foot traffic from 7 lots to 13 lots in this subdivision. See attached letter from the applicant's engineers.

Staff has reviewed this request and would concur that this request has merit for a couple reasons:

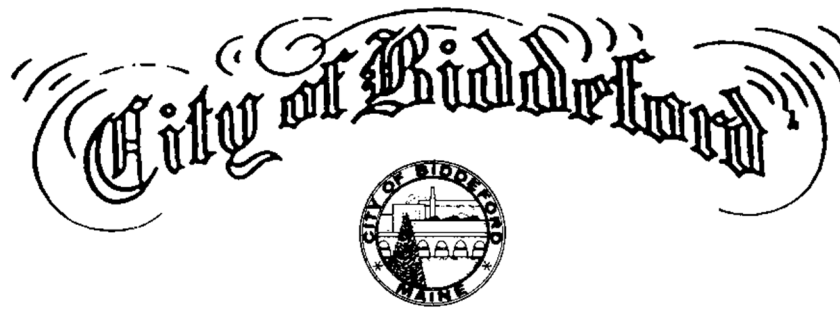
1. From a storm water perspective, adding no additional sidewalk will result in less impervious area and therefore will reduce the amount of runoff.
2. The proposed road is in a rural area that has no nearby sidewalks in the area leading to this site.

This request is in addition to the prior request for Cricket Lane, previously approved by Council.

Based on the above, Staff recommends approval of the waiver request and respectfully requests that the Capital Projects Committee act on this request and forward it on to the City Council for their action.

Respectfully,

A handwritten signature in black ink, appearing to read "Jeff Demers", is written over a circular stamp or seal.
Jeff Demers



2019.60

IN BOARD OF CITY COUNCIL.....JUNE 18, 2019

BE IT ORDERED, that the City Manager be authorized to purchase three (3) 2020 Ford Explorer utility police cars as per bid of June 7, 2019 (the “Equipment”) from Arundel Ford (the “Vendor”) and may pay the Vendor an amount not to exceed \$100,824.00 (before discounts valued at \$14,900.00) for the Equipment, and 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 June 18, 2019 and vote to recommend it to the City Council for approval. The purchase of these cars are included in the FY20 Budget line 21146-60603

BID OPENING FOR 3 UTILITY POLICE INTERCEPTORS

PRESENT: Carl Marcotte—Public Works

Michelle LeVasseur-- Public Works

Bids for 3 Utility Police Interceptors were opened at the Public Works Department on June 7, 2019 at 11am. Staff is recommending the low bid from Arundel Ford with trades in the amount of \$85,924.00 these cars are approved in the FY 20 budget line 21146-60603

<u>Arundel Ford:</u>	(3) 2020 Ford interceptor	\$100,824.00
	Trades:	\$14,900.00
	Total:	\$85, 924.00

<u>Stoneham Motor Co.</u>	(3) 2020 Ford interceptor	\$102,474.00
	Trades:	\$11,000.00
	Total:	\$91,474.00

<u>Rowe Ford:</u>	(3) 2020 Ford interceptor	\$104,352.00
	Trades:	\$10,000.00
	Total:	\$94,352.00

PROPOSAL

3 Ford Utility Police Interceptor

The UNDERSIGNED agrees to furnish the City of Biddeford, Maine with 3 Ford Utility Police Interceptor as follows and in accordance with the attached notice and General Specification dated 6/5/19 and the following delivery times and prices.

Price for 3 Ford Utility Police Interceptor	\$ <u>100,824</u>
Trade-in allowance for car # 113	\$ <u>4700</u>
Trade-in allowance for car # 114	\$ <u>4700</u>
Trade-in allowance for car # 120	\$ <u>5500</u>
Total Cost	\$ <u>85924.00</u>

MAKE: FORD EXPLORER INTERCEPTOR

GUARANTEE: _____

GUARANTEED DELIVERY DATE: ASAP

SIGNED: ARUNDEL FORD
(Corporation, Firm, or Company)

BY: Randy Brackett
(Officer, authorized individual or owner)

DATE: 6/5/19 ADDRESS: 1561 PORTLAND RD

ARUNDEL

ZIP CODE: 04046

Trade:

Car 113, 2016 Ford Utility Ser. # 1FM5K8AR1GGB07003 with 152,000 miles

Car 114, 2016 Ford Utility Ser. # 1FM5K8AR8GGB07001 with 140,000 miles

PROPOSAL

3 Ford Utility Police Interceptor

The UNDERSIGNED agrees to furnish the City of Biddeford, Maine with 3 Ford Utility Police Interceptor as follows and in accordance with the attached notice and General Specification dated 6-7-19 and the following delivery times and prices.

Price for 3 Ford Utility Police Interceptor

\$ 102474⁰⁰

Trade-in allowance for car # 113

\$ 4000

Trade-in allowance for car # 114

\$ 3500

Trade-in allowance for car # 120

\$ 3500

Total Cost

\$ 91474⁰⁰

MAKE: Ford

GUARANTEE: 3yr/36000 mile Base Bumper to Bumper, 5yr/100,000 mile powertrain

GUARANTEED DELIVERY DATE: 24 Weeks From order / Date P.O. Issued

SIGNED: Stoneham Motor Co
(Corporation, Firm, or Company)

BY: Stephen Crossman
(Officer, authorized individual or owner)

DATE: 6-5-19

ADDRESS: 185 Main St

Stoneham, MA

ZIP CODE: 02180

Trade:

Car 113, 2016 Ford Utility Ser. # 1FM5K8AR1GGB07003 with 152,000 miles

Car 114, 2016 Ford Utility Ser. # 1FM5K8AR8GGB07001 with 140,000 miles

Car 120, 2015 Ford Utility Ser. # 1FM5K8AR6FGB51657 with 114,000 miles

PROPOSAL

3 Ford Utility Police Interceptor

The UNDERSIGNED agrees to furnish the City of Biddeford, Maine with 3 Ford Utility Police Interceptor as follows and in accordance with the attached notice and General Specification dated _____ and the following delivery times and prices.

Price for 3 Ford Utility Police Interceptor	\$ <u>104,352</u>
Trade-in allowance for car # 113	\$ <u>-3,500</u>
Trade-in allowance for car # 114	\$ <u>-3,500</u>
Trade-in allowance for car # 120	\$ <u>-3,000</u>
Total Cost	\$ <u>94,352</u>

MAKE: Ford

GUARANTEE: 3yr/36k bumper to bumper 5yr/100k powertrain

GUARANTEED DELIVERY DATE: Dec, 2019

SIGNED: [Signature] Rowe Westbrook
(Corporation, Firm, or Company)

BY: Tim Caron 207-856-7493
(Officer, authorized individual or owner)

DATE: 6-6-19 ADDRESS: 91 Main St
Westbrook ME

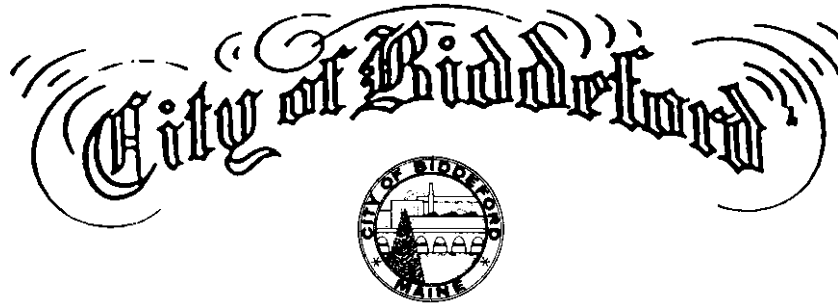
ZIP CODE: 04092

Trade:

Car 113, 2016 Ford Utility Ser. # 1FM5K8AR1GGB07003 with 152,000 miles

Car 114, 2016 Ford Utility Ser. # 1FM5K8AR8GGB07001 with 140,000 miles

Car 120, 2015 Ford Utility Ser. # 1FM5K8AR6FGB51657 with 114,000 miles



2019.61

IN BOARD OF CITY COUNCIL...JUNE 18, 2019

BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the purchase of a Concrete Vault/Actuator for the Public Works Department's Wastewater Division from D&C Construction Company, Inc. of Waterboro, Maine in an amount not to exceed \$189,255.00. This project will be funded from Account 31322-60609 – CSO Capital Projects.

MEMORANDUM

June 5, 2019

TO: Finance Committee/City Council
FROM: Jeff Demers /Director Public works / Wastewater
RE: Concrete Vault/Actuator for Elm Street
CC: James Bennet/City manager; Tom Milligan /City Engineer, Alex Buechner
Superintendent wastewater
SUBJECT: Approval of Vault/Actuator

RECOMMENDATION

The Public Works Department's Wastewater Division advertised for proposal's for a concrete vault/Actuator to be supplied and installed. We received (2) proposal packages. Staff recommends that the Finance committee approve and send forward to council to authorize the Public Works Department's Wastewater Division to award the bid to the low bidder being D&C Construction in the amount of \$189,255.00.

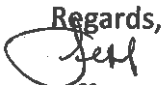
DISCUSSION

The structures and valve will play a very important part of regulating any higher than normal flows during storm events from the sanitary sewer line into the storm line as needed. This will allow the city to report only true combined sewer flows to the department of environmental protection as needed in the city's yearly discharge report.

FUNDING

Funding for this project will come out of the Bond # 411-31322

Regards,



Jeff Demers

Director Public Works / Waste Water Dept.

BID RESPONDER FOR VAULT / ACTUATOR	
SPECIFICATION CRITERIA	D&C Construction Shaw Brothers
Installation	Yes
4' dia and 6' dia Vault	Yes
Valve and Actuator	Yes
Furnish pavement in roadway/sidewalk	Yes
Coordinate electrical with City staff	Yes
Ledge included	No
BID Price:	\$189,255.00 \$387,621.00

D&C CONSTRUCTION COMPANY, INC.

P.O.BOX 123

Waterboro, Maine 04087

Ph: (207)247-6023 / Fx:(207)247-6013

tlancotb@haoo.com

5/17/19

Jeff Demers

City of Biddeford

Public Works Department

371 Hill Street

Biddeford, Maine 04005

RE: Round Concrete Vault and Actuator Bid

D&C Construction proposes to supply all the materials and labor for the completion of the bypass chamber, manholes, piping, conduits, paving and clean up, per the preliminary plan (for reference only 5-1-19) from Wright-Pierce for the sum of \$189,255.00.

Exclusions:

Permits, fees, ledge, wiring

Respectfully Submitted

Rene L. Perron

D&C Construction Co.

Corporate Office: 649 Broad Street Weymouth, MA 02189

Phone: (781) 871-8200 / Fax: (781) 871-8871

Phone: (207) 653-3889 / Fax: (207) 761-9599

D&C Construction Company, Inc.

Postal Box 123
Waterboro, Maine 04087
P: 207-247-6023
F: 207-247-6013

CERTIFICATE OF VOTE

I, Antonio DiGiacomo, hereby certify that I am the duly-qualified and acting Secretary of D&C Construction Company, Inc., a corporation incorporated in the Commonwealth of Massachusetts, Federal Identification Number 04-2857181. I further certify that at a meeting of the Directors of D&C Construction Company, Inc., duly called and held on April 11th, 2014, at which time all Directors were present and voted, the following was unanimously passed :

VOTED : TO AUTHORIZE AND EMPOWER

Bradford S. Cleaves, President and Treasurer
Antonio DiGiacomo, Secretary/Clerk
Giuseppe DiGiacomo, Director
Duncan S. Peterson, Vice President
Rene Perron, Project Manager

Any one of these individuals may act singly to execute Forms for General Bid, Sub-Bids, Contracts or Bonds on behalf of D&C Construction Company, Inc.. I further certify that the above vote is still in effect and has not changed nor been modified in any respect as of this signing.

By : Antonio DiGiacomo
Antonio DiGiacomo, Secretary

Date : 5/15/19

A true copy :

TAMMY LANCTOT
NOTARY PUBLIC
STATE OF MAINE
MY COMM. EXP. SEPTEMBER 4, 2023
Attest: Tammy Lanctot

We Propose hereby to furnish material, labor and equipment to complete the work described above for the sum of: \$387,621.00
-----**Three hundred eighty seven thousand six hundred twenty one dollars and zero cents**-----

Payment to be made as follows: Net 30 days

Interest at 1.5 percent per month on accounts over 30 days. Collection costs and reasonable attorney's fees will be added to account.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. All alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Our workers are fully covered by Workers Compensation Insurance.

Authorized
Signature

Robert Brady

NOTE: This proposal may be withdrawn by us if not accepted within 30 days.

Acceptance of Proposal- The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to the work as specified. Payment will be made as outlined above.

Signature _____

Date of Acceptance: _____

Signature _____



SHAW BROTHERS CONSTRUCTION, INC.
341 Mosher Road., P.O. BOX 69 GORHAM, ME 04038
(207) 839-2552 Fax (207) 839-6239

PROPOSAL

PROPOSAL SUBMITTED TO:	TO:	DATE:
City of Biddeford Public Works	File	May 17, 2019
ADDRESS:	JOB NAME:	FAX:
371 Hill Street	Elm Street Bypass Chamber	
CITY, STATE, AND ZIP	JOB LOCATION:	PHONE:
Biddeford, ME	Biddeford	207-282-1579
ATTN:	E-MAIL ADDRESS	CELL PHONE:
Jeff Demers, Public Works Director	jeff.demers@biddefordmaine.org	

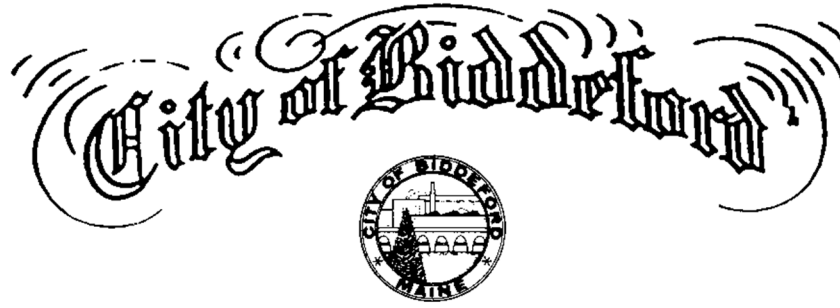
Shaw Brothers Construction, Inc. is pleased to provide the following lump sum price to install the Bypass Chamber and associated pipe and structures on Elm Street in Biddeford as detailed on plan sheet C-1 and C-2 dated 5/1/19 by Wright Pierce. Our scope of work, lump sum price and clarifications are as follows:

Scope of Work:

- Dig Safe
- Equipment mobilization.
- Construction Layout
- Furnish and install 12", 18" and 24" pipe
- Furnish and install 4' diameter manholes
- Furnish and install 6' diameter drop manhole (inside drop)
- Furnish and install Valve pit w/ plug valve and actuator
- Coordinate installation of electrical conduit within trench
- Remove & reset granite curb as required
- Furnish, place and compact gravel
- Finegrade & prep for paving
- Furnish place and compact Bituminous pavement for roadway and sidewalk
- Loam and seed disturbed areas
- Clean up and demobilization.

Exclusions/Clarifications:

- Performance and payment bond costs are not included.
- Federal, State, and local permits and fees are not included except as noted.
- Sales tax on materials incorporated into the project has not been included.
- Contaminated/Hazardous soil excavation and disposal is not included.
- Unsuitable soil excavation and replacement below subgrade is not included.
- Ledge and large boulder excavation and removal is not included.
- Electrical, including conduit, wire, ultra sonic and redundant pressure level sensor, CMP fees and junction boxes are not included
- Electrical enclosure and power feed are not included
- Concrete encasement of electrical is not included
- It is assumed that the conduit from existing SMH in Elm Street to the existing SMH to the north of Elm Street will be installed in the existing abandoned 18" pipe as called out on the plans. Excavation, backfill and restoration for this conduit is not included.
- Work to be performed Monday thru Friday between 7 am and 7 pm
- Alternating one way traffic will be allowed on Elm Street during working hours with flaggers and traffic officers
- We have included 200 hours of traffic officer at \$100/hr in this proposal
- Shaw Brothers cannot commit to completing this work by July 15th. A schedule with a fall completion will be negotiated prior to contract award



2019.62

IN BOARD OF CITY COUNCIL...JUNE 18, 2019

BE IT ORDERED, that the City Council of the City of Biddeford does hereby suspend the enforcement of parking regulations relating to the charging of parking fees in the Brown Parking Lot (Wastewater Treatment Facility) and the Maroon Parking Lot (Gas House) on Thursday, June 20, 2019 between the hours of 7:00 a.m. to 12:00 midnight during the LaKermesse Block Party, including setup and tear down.

City of Biddeford, Maine

From: Bennett, James
Sent: Thursday, June 6, 2019 9:36 AM
To: 'mrsjessieq@yahoo.com' <mrsjessieq@yahoo.com>
Cc: Quattrone, Robert <Robert.Quattrone@Biddefordmaine.org>; Paul Gagne <bfp808@gwi.net>; Ray Gagne <pat.ray29@yahoo.com>; Mom And Dad <joeyleblond@yahoo.com>
Subject: RE: Parking lots down on water street

No need for a separate request, I will just use the email chain as the request. In the future, I suggest that any new, different or significantly modified requests should be coordinated through this office. The business as usual stuff can be handled via the department heads as they have been in the past to prevent the issue.



James A. Bennett, ICMA-CM

City Manager

Biddeford, Maine

Please note the change in email address to James.Bennett@biddefordmaine.org

Phone [207.284.9313](tel:207.284.9313)

FAX [207.571.0678](tel:207.571.0678)

Follow me on Twitter: <https://twitter.com/BiddMECityMgr>

www.biddefordmaine.org

Under Maine's Freedom of Access ("Right to Know") law, all email and email attachments received or prepared for matters concerning City business are likely to be regarded as public records which may be inspected by any person upon request, unless otherwise made confidential by law. If you have received this message in error, please notify this office immediately by return email. Thank you in advance for your cooperation.

City of Biddeford, Maine

From: mrsjessieq@yahoo.com <mrsjessieq@yahoo.com>

Sent: Thursday, June 6, 2019 9:31 AM

To: Bennett, James <James.Bennett@Biddefordmaine.org>

Cc: Quattrone, Robert <Robert.Quattrone@Biddefordmaine.org>; Paul Gagne <bf808@gwi.net>; Ray Gagne <pat.ray29@yahoo.com>; Mom And Dad <joeyleblond@yahoo.com>

Subject: Re: Parking lots down on water street

I'll be honest that the request was mentioned at our board meeting and I really had no idea what I was supposed to ask for, so I apologize for the confusion. We only specifically need access to those two parking lots on water street for that one day (June 20th) from 9:00am until 11:00pm (rough estimate on time). Again, I apologize for the vagueness as this whole parking thing is so new I honestly don't even know what is what in regards to lots.

So yes, fine tuning the request for reconsideration to be only those two lots for that one day would be fantastic!

I'm happy to write another request if that will help.

Sent from my iPhone

On Jun 6, 2019, at 9:01 AM, Bennett, James <James.Bennett@biddefordmaine.org> wrote:

Jess and all,

I certainly understand the frustration. It appears that the major problem was that the request was not specific to the those lots on the agenda. There was probably some misunderstanding. It was placed on the agenda without any discussion with this office. As listed on the agenda (a complete waiver of all parking fees for all lots) is nearly impossible to grant with the amount of monthly permits that are sold for the blue and green lots. In fact, the green lot is completely sold out.

Following my discussion with Bob after the meeting and his email the next day, I sent the following email to him:

"If you want to use the two lots on Water St, we only have a couple of permit holders. That might be very doable. Do you want me to see if I can come up with a plan that would work for consideration on the 18th? No promises but that is much different than the blue and green lots that are essentially sold out."

I have not heard back. If this is the direction the organization would like to go, please let me know right off as we have to figure out how to deal with the 4 permit holders that have guarantee in the two lots.

<[image001.png](#)>

James A. Bennett, ICMA-CM

City Manager

Biddeford, Maine

Please note the change in email address to James.Bennett@biddefordmaine.org

Phone [207.284.9313](tel:207.284.9313)

FAX 207.571.0678

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www.biddefordmaine.org

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City of Biddeford, Maine

-----Original Message-----

From: mrsjessieq@yahoo.com <mrsjessieq@yahoo.com>

Sent: Wednesday, June 5, 2019 1:24 PM

To: Bennett, James <James.Bennett@Biddefordmaine.org>

Cc: Quattrone, Robert <Robert.Quattrone@Biddefordmaine.org>; Paul Gagne <bfp808@gwi.net>; Ray Gagne <pat.ray29@yahoo.com>; Mom And Dad <joeyleblond@yahoo.com>

Subject: Parking lots down on water street

Good afternoon Jim

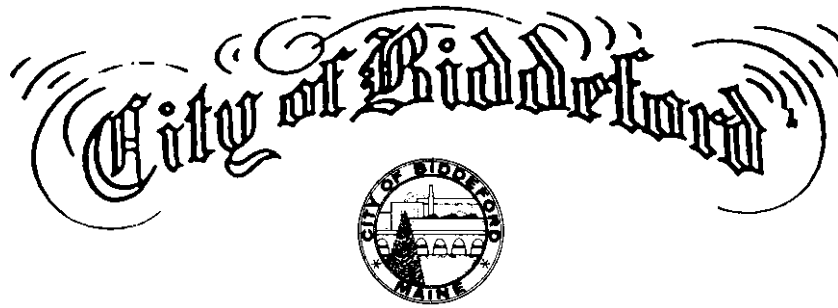
I was disappointed to hear that our request to be able to have access to use the parking lots on water street did not pass last night. Those two parking lots have historically been where we put rides for the block party to keep them off of the street and for a holding area for the trailers for the ride company (the parking lot across from the water treatment plant). I am concerned with the impact of not being able to use these lots in regards to logistics and safety. I am unsure of what steps we need to do from here to try to get this worked out. My understanding is that there are no active parking permits for either lot at this time so I don't see how we would impact anybody.

Having access to the "yellow" lot that was allowed to be used during Winterfest will not help us and honestly, that's quite a distance for people to walk. It is more vital to the actual execution of the Block party itself that we be able to use the two lots I've asked about, not for parking for patrons, but for placement of rides.

Please let me know what I can do from here to have this worked out.

Sent from my iPhone

The contents of this e-mail message and any attachments are confidential and are intended solely for addressee. The information may also be legally privileged. This transmission is sent in trust, for the sole purpose of delivery to the intended recipient. If you have received this transmission in error, any use, reproduction or dissemination of this transmission is strictly prohibited. If you are not the intended recipient, please immediately notify the sender by reply e-mail or phone and delete this message and its attachments, if any.



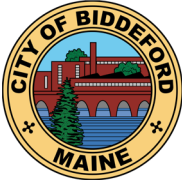
2019.63

IN BOARD OF CITY COUNCIL...JUNE 18, 2019

BE IT ORDERED, that the City Council of the City of Biddeford does hereby approve the expenditure for the reconfiguration of the Green (Federal Street) Parking Lot; with the project work being done by the Public Works Department. The cost of this project will be charged to the parking fund 31235-60105 (labor) and 31235-60313 (materials) as follows:

Labor total:	\$11,630.40
Materials total:	<u>\$7,700.10</u>
Project total:	\$19,330.50

NOTE: This item will be reviewed by the Finance Committee at their June 18, 2019 meeting to recommend approval by the City Council.



City of Biddeford

Chief Operating Officer/Technology Dept/IPP
P.O. Box 586 • 205 Main Street
Biddeford, ME 04005
Phone: (207) 571-0032 • Fax: (207) 571-0656

Briefing Memo

TO: Honorable Mayor Alan Casavant
Honorable City Council

CC: James Bennett
Jeff Demers

FROM: Brian S. Phinney, COO/Technology/IPP

DATE: June 14, 2019

RE: Reconfiguring Green Lot

Since implementation of the various parking changes, the public has expressed concern with signage, lot identification, awareness of time/permit restrictions, and general use within the Green/Yellow Lot. Staff also recognized many of the same issues.

In evaluating possible “fixes”, the root cause of many of the issues seem to fall in the categories of physical layout and lot proximity. The lack of separation within the lots and need for 30-min spaces, hourly only, and long-term permit signage further complicate the issue.

As a result, and as had been proposed by the city manager, modifying the layout of the lots is expected to greatly reduce the number of variables involved. Staff considered the following items in formulating a preliminary approach to the shortcomings of the existing layout.

- Traffic flow
- Signage from the perspective of the driver
- Signage from the perspective of the non-resident
- Congestion
- Entry/exit points
- Sign pollution
- Critical messaging

To illustrate these issues, please refer to the Existing Conditions map. After meetings with the Downtown Committee, and input from adjacent businesses, DPW prepared a plan to reconfigure the lots in an attempt to eliminate as many negative factors as possible, refer to Proposed Change map.

The reconfiguration plan includes the following:

1. Reduce the number of available entry and exit points to control traffic and simplify signage.
 - a. Eliminate Federal Street and remove the parking lot entrance from Washington Street. The closure of Federal Street creates more parking spaces and result in two defined entry/exit points to the lots – one off of Jefferson Street and one off of Main Street.
 - b. Change the Main Street section of Franklin Street to two-way traffic.
 - i. Allows a clear line of sight from both entrances resulting in better visibility and the need for fewer signs. This also eliminates the no left turn restriction that currently exists when traveling on Federal toward Franklin.
 - c. Eliminate parking on Franklin Street to accommodate two-way traffic.
2. Create separate and distinct lots to the extent possible, first by physical separation and then by use.
 - a. The Green Lot design includes a fully separated lot utilizing the space formerly occupied by Federal Street as parking and to join the current lots.
 - b. The entrances to the Green Lot(s) is now reduced to one - off of Franklin Street versus the existing seven distinct entrances.
 - c. Maintain the Yellow Lot as hourly parking and convert all exiting outward facing parking to hourly.
 - d. Users of the Green Lot will be aware of the “new” configuration as a permit holder.
 - e. The majority of signage can be redesigned to address the information needs of the hourly users. The existing lots have multiple entrances and exits. Each requires signage to provide users with appropriate information about each specific lot. “Sign pollution syndrome” is significantly reduced by reducing the number of available entrances.
 - f. As part of this process, a “swap” of spaces needs to occur with 27 Washington Street. Currently 27 Washington Street controls 12 spaces in the Green Lot. The owner has agreed to the concept of relocating 9 spaces adjacent to 5 Washington Street and 3 spaces within the Green Lot. The City would not enforce or police these spaces. The swap allows the owner to control the dedicated spaces and eliminates the need to possible public access to the Green Lot.
3. Maintain the existing number of 30-minute spaces but relocate all of them to the curbed area adjacent to the Louis Pizza property.
 - a. This serves to reduce sign requirements and improves the ability to mark spaces as either hourly requiring a permit, or 30-minute and free.

The reconfiguration can be performed by DPW and is estimated to cost \$19,330.50, see attached cost estimate. The reconfiguration will result in a change to the space counts. The Yellow Lot will gain 27 new spaces (all the outward facing spaces adjacent to Franklin St). The 30-min spaces will expand to 14. The count doesn't technically need to increase but the location adjacent to Louis Pizza contains that number of spaces. The Green Lot will hold 105 spaces, which is the current need based on permits, absent the need to account for hourly users.

As part of the process, Brad Favreau discussed the plan with the adjacent business owners. The majority of the comments were positive and in support of the proposed plan. A summary of the comments is attached for review.

EXISTING CONDITIONS



PROPOSED CHANGES



Cost estimate from DPW for Green Lot Reconfiguration

MATERIALS

2 JERSEY BARRIERS @ \$375	\$	750.00
34 YDS 3 MINUS @ \$9/YD	\$	306.00
20 YDS 3/4 GRAVEL @ \$13.50/YD	\$	270.00
46 TONS OF 3/4 BASE HOT TOP @ \$45.95	\$	2,113.70
24 TONS OF 3/8 SURFACE HOT TOP @ 60.85	\$	1,460.40
30 YDS CONCRETE FOR CURBING	\$	2,800.00
TOTAL:	\$	7,700.10

LABOR	Hours	Rates:	Totals:
EXCAVATOR		3 DAYS TEAR OUT	
2 WHEELERS		3 DAYS TEAR OUT	
1 PICKUP		3 DAYS TEAR OUT	
OPER 1	24	\$ 24.20	\$ 580.80
TD 1	24	\$ 22.40	\$ 537.60
TD 1	24	\$ 22.40	\$ 537.60
TD 2	24	\$ 20.70	\$ 496.80
LABORER	24	\$ 18.50	\$ 444.00
			\$ 580.80
		Total:	\$ 3,177.60

BACKHOE		4 DAY LAY CURB	
1-6 WHEELER		4 DAY LAY CURB	
1 PICKUP		4 DAY LAY CURB	
OPER 2	32	\$ 22.50	\$ 720.00
TD 1	32	\$ 22.40	\$ 716.80
TD1	32	\$ 22.40	\$ 716.80
TD 2	32	\$ 20.70	\$ 662.40
		Total:	\$ 2,816.00

BACKHOE		2 DAYS PREP FOR PAVEMENT	
2-6 WHEELERS			
1 PICKUP			
OPER 2	16	\$ 22.50	\$ 360.00
TD2	16	\$ 20.70	\$ 331.20
TD2	16	\$ 20.70	\$ 331.20
TD1	16	\$ 22.40	\$ 358.40
LABORER	16	\$ 18.50	\$ 296.00
		Total:	\$ 1,676.80

2-6 WHEELERS		2 DAYS HOT TOP	
1 PICKUP UNIT 5			
1 ROLLER			
TD2	16	\$ 20.70	\$ 331.20
TD2	16	\$ 20.70	\$ 331.20
TD1	16	\$ 22.40	\$ 358.40
TD1	16	\$ 22.40	\$ 358.40
TD2	16	\$ 20.70	\$ 331.20
LABORER	16	\$ 18.50	\$ 296.00
LABORER	16	\$ 18.50	\$ 296.00
		Total:	\$ 2,302.40

2-6 WHEELERS		1 DAY PREP ESPANADE/SIDEWALK	
BACKHOE			
PICKUP			
TD2	8	\$ 20.70	\$ 165.60
TD2	8	\$ 20.70	\$ 165.60
TD1	8	\$ 22.40	\$ 179.20
TD1	8	\$ 22.40	\$ 179.20
LABORER	8	\$ 18.50	\$ 148.00
		Total:	\$ 837.60

2-6 WHEELERS		1 DAY TO PAVE ESPANADE/SIDEWALK	
1 PICKUP			
1 ROLLER			
TD2	8	\$ 20.70	\$ 165.60
TD1	8	\$ 22.40	\$ 179.20
TD1	8	\$ 22.40	\$ 179.20
LABORER	8	\$ 18.50	\$ 148.00
LABORER	8	\$ 18.50	\$ 148.00
		Total:	\$ 820.00

Labor total:	\$	11,630.40
Materials:	\$	7,700.10
Grand Total:	\$	19,330.50

Proposed Green Lot Reconfiguration – Area Business Comments

Docs

- Good that Federal Street will close – drivers turn left from Federal onto Franklin to get to hourly parking.
- Hourly parking nearby will be good for business

George's Sandwich

- New design will simplify parking – drivers are still confused. Employees go out to direct traffic.
- Sign that says 'Public Parking' implies parking is at no charge. This annoys customers.

Louis Pizza

- Closing Federal Street will assist traffic flow.
- Creating 2-way traffic on Franklin Street will make Louis more visible and will be good for business
- Hourly parking along Franklin Street will be good for business

Sub Shop

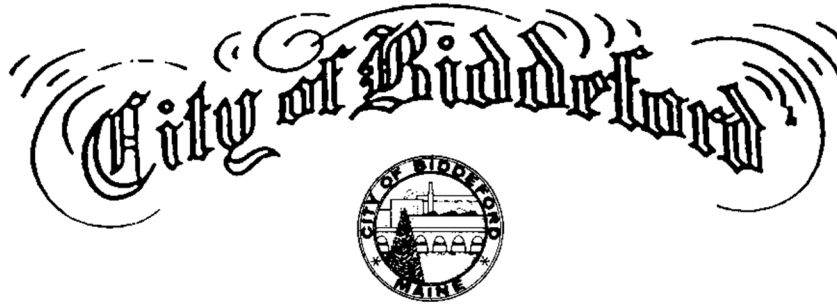
- 30-minute parking along Louis pizza building will be good for business.
- Two-way traffic on Franklin Street will be good for business.

Tammy Ackerman

- Franklin Street should be one-way, single lane from Main Street to the Yellow lot. On either side of the single-lane street should be wide sidewalks for café-style seating.

Palace Diner

- Changes since parking management was initiated have been confusing for employees and customers.
- Parking management has been difficult for seasonal visitors.
- Two-way on Franklin Street will benefit the flow of traffic – currently people mistakenly drive the wrong way on Franklin.
- A dedicated lot for permits will help alleviate some confusion.
- Any further changes should be accompanied by an information campaign.
- Parking enforcement officers have been less quick to ticket and a bit more quick to explain the rules.



2019.64

IN BOARD OF CITY COUNCIL..JUNE 18, 2019

BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, Chapter 42, MOTOR VEHICLES & TRAFFIC, **Section 42-66 Beach permit parking regulations enumerated, Sub-section (2) & (3).** is amended by adding or ~~deleting~~ to read as follows:

(2) For the purpose of this section, the word “resident” shall meet one of the following criteria:

- a. Person who pays real estate property taxes to the City;
 - b. Person who is a registered voter in the City;
 - c. Person who can provide a vehicle registered both in the City and the State of Maine.
- All residents of the City may obtain parking permits for compliance with this Section for a fee of ~~\$25~~ \$28 for the first vehicle, \$15 per additional vehicle registered at the same address, \$15 for residents 65 and older, payable to the City Clerk. Proof of eligibility will be the burden of the applicant.

(3) Persons ineligible under Subsection (2) may obtain a parking permit to be in compliance with this section for a fee of ~~\$125~~ \$153 for a season permit; ~~\$65~~ \$79 for a seven-day permit; ~~\$40~~ \$46 for a three-day permit; and ~~\$20~~ \$22 for a one-day permit. The seven-day and three-day permits are valid in consecutive days only, and are not transferable from vehicle to another.

NOTE: This item was submitted by Councilor Michael Swanton; and was reviewed by the Policy Committee at their June 10, 2019 meeting with a unanimous vote to forward to Council for approval.



Biddeford Cable TV Committee
c/o Biddeford Public Access
15 Columbus Way
Biddeford, Maine 04005

June 11, 2019

Honorable Mayor Alan Casavant
Honorable City Council
City of Biddeford
P.O. Box 586
Biddeford, ME 04005

RE: Cable Renewal Contract/Franchise Agreement dated July 7, 2005

Honorable Alan Casavant and Honorable City Council,

The Cable TV Franchise Agreement between the City of Biddeford and Time Warner Cable (now Spectrum) expires in July of 2020. The Cable Television Committee wishes to bring this to your attention and to ask for guidance on what support you wish of the Cable Television Committee and how you would like to proceed with a new cable franchise agreement.

Section 2-403(b) of the Code or Ordinance identifies the duties of the Cable Television Committee, in part, as, "(1) Recommend terms of negotiation to issuing authority on nonexclusive cable franchise matters."

The Cable Television Committee stands ready to support the City as deemed appropriate. Please relay your wishes at your earliest opportunity. In the meantime, the Committee offers an initial suggestion that you consider issuing a Request for Letter of Interest in order to understand the competitive landscape and get an idea who may be interested in a franchise agreement before starting any franchise discussions.

I look forward to your response.

Sincerely,

Michael Swanton
Chairman, Cable Television Committee

cc: Cable Television Committee

We, the undersigned citizens qualified to vote in the City affairs, per Article XII, Section 4 of the Charter of the City of Biddeford, request a special meeting to be held at the "Little Theater" at Biddeford High School before the 21st day of June 2019. At this meeting, a moderator will be selected by the voters in attendance, and the moderator will present an order that instructs the City Council to remove the parking meters installed downtown and prohibit the City from charging for parking within one mile of City Hall. Furthermore, the order will instruct the City Council that it may not charge for parking within one mile of City Hall unless the referendum from 2014 that prohibits parking meters is overturned.

Article XII, Sec.4. General meetings of Citizens. [Amended 11-8-2016]

"General meetings of the citizens qualified to vote in the City affairs may from time to time be held to consult upon the public good, to instruct their representatives, and to take all lawful measures to obtain redress of any grievances according to the right secured to the people by the Constitution of this State; and such meetings may and shall be duly warned by the City Council, upon the requisition of 100 qualified voters of said City. A moderator shall be selected by majority vote of the citizens attending the meeting."

Printed Name	Age	Address in Biddeford	Signature
✓ 1. JASON C. LITALIEN	43	8 SAPPHIRE DR	
✓ 2. NICOLE HARLOW	23	608 Guinea Rd	
N/R 3. Justin C Sawyer	26	608 Guinea Rd.	
N/R 4. Erik Pettis	34	140 Main St	
✓ 5. Brant Belanger	31	316 guinea RD	
✓ 6. Camden Ege	30	59 W CATHS ST	
N/R 7. Matt Jerome	24	8 Yates St	
✓ 8. Corey Collard	23	365 South St.	
✓ 9. Kirk Webb	24	15 Hager St	
N/R 10. Salvador A Perea	30	8 Ivy St #1	
N/R 11. Richard Hubbard	44	156 main St asked me	
N/R 12. Peyton Rendleton	26 ^{10/6}	106 Granite St	
✓ 13. Kyle Binette	27	123 Prospect St	
N/R 14. Barry Dauterail	32	44 Prospect St	
N/R 15. Dakota Green	23	55 south St	

(1)

We, the undersigned citizens qualified to vote in the City affairs, per Article XII, Section 4 of the Charter of the City of Biddeford, request a special meeting to be held at the "Little Theater" at Biddeford High School before the 21st day of June 2019. At this meeting, a moderator will be selected by the voters in attendance, and the moderator will present an order that instructs the City Council to remove the parking meters installed downtown and prohibit the City from charging for parking within one mile of City Hall. Furthermore, the order will instruct the City Council that it may not charge for parking within one mile of City Hall unless the referendum from 2014 that prohibits parking meters is overturned.

Article XII, Sec.4. General meetings of Citizens. [Amended 11-8-2016]

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	Printed Name	Age	Address in Biddeford	Signature
✓	Vita Martel	49	27 High Str.	Vita Martel
NIP	Kasandra Lam	38	31 Summer St	Kasandra Lam
NIP	Daniel Sawborn	36	4 Grace Ln <u>Saw</u>	Daniel Sawborn
NIP	Israel Garcia	39	Foss St	Israel Garcia
NIP	MERYL PEASLEE	42	62 Adams St.	Meryl Peaslee
NIP	Gabriel Peaslee	18	↓ ↓	Gabriel Peaslee
?	Don Martel	35	██████████	Don Martel
✓	DIANE Martel		4 Kason Ln #101	Diane Martel
✓	Donna Martel		4 Kason Lane #101	Donna Martel
NIP	Tonya Legere	39	63 Western Ave #3	Tonya Legere
NIP	Jessica Grandin	32	74 South St. 202	Jessica Grandin
NIP	DEREK HALL	31	74 South St. 202	Derek Hall
NIP	Dimitri Baumann	27	30 Emery St.	Dimitri Baumann
✓	Joe Poisson	38	2 ADAM WAY	Joe Poisson
✓	Diane P. Cyr	61	20 Buzzell Rd.	Diane P. Cyr

(2.)

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Printed Name	Age	Address in Biddeford	Signature
1. Alexander Dupras	21	6 Clark Street	
2. Fionna Richardson		140 Main St.	
3. Christopher Jehlen	35	25 Java Falls Ferry	
NIR 4. Matthew Cairns		193 Main St	
NIR 5. Israel Garcia		39 Foss St	
6. Dennis Crowley		104 Foss St	
NIR 7. Josh McKay		143 Main St	
NIR 8. Destiny Smith		193 Main St	
NIR 9. RONALD PEREIRA	46	87 POOL ST	
NIR 10. Lucayannys		91 FOSS ST	
11. Jenny Richardson		High St Bidd	
NIR 12. Matthew Adlard		10 Foss Street	
NIR 13. Frank Breton		145 Main St	
14. Stuart Caron		189 Full St	
15. Kelly Lorrimer	49	18 Freeman St	
16. Mike Miller		27 Crescent St Apt 20	
17. Kyle Andrei		27 Crescent St	
18. Charles J Mouzas		3 Harvard ST	

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Printed Name	Age	Address in Biddeford	Signature
SANDRA McVicar	70	114 PROSPECT ST, BIDD	Sandra McVicar
1. Denise Poirier	53	4 Tibbets Ave	Denise Poirier
2. Tammy J Savigny		24 Old 20 Ridge Drive	Tammy J Savigny
3. STANISLAW / FLAVIA T		369 A/FRAI ST	Stanislaw Flavia T
4. RICHARD HEURANT		105 ELKE ST	Richard Heurant
5. Andrea Sartori		9 Red Oak Ln	Andrea Sartori
6. CHARLOTTE PINARD		2 WILDBROOK DR	Charlotte Pinard
7. Theresa MacKenzie		58 Westmore Ave	Theresa MacKenzie
8. Doris J Lawrence		215 South St	Doris J Lawrence
9. Peter D Pet	Peter D. Petrie	10 Pappia AVE	Pet D Pet
10. James A. Grogan		5 Wells Place	James A. Grogan
11. Ronald P LaBranche		21 Lafayette St	RONALD PLABRANCHE
12. PAUL SAUCIER		8 JACQUELINE RD	Paul Saucier
13. James M. Coomes		315 Granite St. EXT.	James M Coomes
14. Robert R Roll of air		2 Raymond St	R Roll of air
15. Deborah Litalien		9 Lynn Ave	Deborah Litalien
Joni Emmons		West Street	Joni Emmons
Jane A. Bergeron		11 Plymouth Dr.	Jane A Bergeron

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Printed Name	Age	Address in Biddeford	Signature
1. Cecile Rogers	48	348 South St ^{Apt. 225}	Cecile B. Rogers
2. JOHN ALLEN	45	24 SIMARD AVE	John Allen
3. NORMAN RUCK	72	7 PROCTOR RD.	Norman Ruck
4. JOHN JOHN MARCOTTE		3 NEWTON	John Marcotte
5. ANITA M. CHALOUET		37 MOUNTAIN RD	Anita M Chalouet
6. PATRICIA CREPEAU	58	2 GLAUNE AVE	Patricia Crepeau
7. DOUG ALBERT		220 POOL ST	Doug Albert
8. GUY LAMONTAGNE		225 WEST ST	Guy Lamontagne
9. ROBERT SPULICH		350 ELAST AVE	Robert Spulich
10. William H. Hopkins		8 GLAUNE AVE	NO
11. NIR Joan Lafford		C. Waterbro	Joan Lafford
12. Sarah Poirier	23	107 May St.	Sarah Poirier
13. PAUL CONNER	57	5 RUGBY ST	Paul F. Conner
14. NIR Don Goff	40	381 MAIN STREET	Don Goff
15. NIR Keri Thibault		30 May St	Keri Thibault
16. NIR K. Mares		330 Granite St. ext.	Kathy Mares
17. NIR Jim Starnes		14 Marshall Ave	Jim Starnes
18. RENEALD BOLDUC		15 FOREST ST	Renald Bolduc
19. Rose Littlefield		73 Birch St 2nd	Rose Littlefield

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Printed Name	Age	Address in Biddeford	Signature
1. Bonnie Toussaint	48	406 West	Bonnie Toussaint
NIR 2. Bruce Hackett	36	9 Ray St.	Bruce Hackett
NIR 3. Gregory Strna	64	7 Fogg Ave	Gregory Strna
NIR 4. Justin Dow		3 Proctor Rd.	Justin Dow
NIR 5. Mike Couture		109 Apt 2 West Field	Mike Couture
6. JACUW NOYES		109 Prospect Apt 2	JACUW NOYES
7. Brady Goulet		5 Windsor Lane Apt 102	Brady Goulet
8. John R. Goulet		5 ALISON AVE.	John R. Goulet
NIR 9. Jason BARK		9 Ray St.	Jason BARK
10. DEAN A USHER		74 South St	DEAN A USHER
11. JAMES M DONOFRAN ⁷⁵		2 Plymouth Dr	JAMES M DONOFRAN
12. Denis M Salvat	63	311 West St.	DENIS SALVAS
NIR 13. TIM CARROLL		26 GEORGE ST	TIM CARROLL
NIR 14. WAYNE ROY		143 MAY ST	WAYNE ROY
15. OSCAR ROBERGE		241 ALFRED ST	OSCAR ROBERGE

(6.)

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Printed Name	Age	Address in Biddeford	Signature
1. ✓ Sean Appleby	62	48 St Marys St.	Sean Appleby
NIP 2. Bergeron Kevin	44	6 Kid cin.	Kevin A Bergeron
✓ 3. Pelletier Steve	52	4 Forest St	Steve Pelletier
NIP 4. Marshall Vanden Hoem		118 Prospects	Marshall Vanden Hoem
✓ 5. BERNARD G Lemelin		16 EVANTHIA DR.	Bernard G. Lemelin
NIP 6. Brenda Fisher	64	80 Washington	Brenda Fisher
✓ 7. RONALD DesMARAIS		3 EDWARDS AVE BIDD	Ronald Desmarais
✓ 8. BERNARD SEVIGNY		20 GOUVE BIDD	Bernard Seigny
✓ 9. MICHAEL LECLERC		106 WESTERN AVE. BIDD.	Michael Leclerc
✓ 10. Tammy Clegg	54	42 OLD POOL Rd Bidd	Tammy Clegg
✓ 11. Lynn C. Cagney		634 Elm St. Biddeford Me.	Lynn C. Cagney
✓ 12. NORMAND SOULIERE		9 ALISON AVE. BIDDEFORD ME	Normand Soulier
✓ 13. DARRELL DALLAIRE		44 GUINEA RD Bidd	Darrell Dallaire
✓ 14. Paulette POIRIER		15 RIDGEVIEW Dr Bidd	Paulette Poirier
✓ 15. Dalani Ray		93 NEWTON Rd.	Dalani Ray

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Printed Name	Age	Address in Biddeford	Signature
1. VINCENT KEELY	85 YR	Biddeford	Vincent Keely
2. PATRICIA FANCULI	45 yrs	Biddeford	Patricia Fanculi
3. LINDA D. KEELY	78	Biddeford	Linda D. Keely
4. MARY MAKOS		Biddeford	Mary Makos
5. RICHARD BURGESS		Biddeford	Richard Burgess
6. ROBERT R. PROVENCER	77	BIDDEFORD	Robert R. Provencer
7. BRIAN KEELY	48	13 KEELY WAY	Brian Keely
8. GUY CASAVANT	66	23 WESTLAND AVE	Guy Casavant
9. JEAN-PAUL MORIN	84	33 CLIFFORD ST	Jean-Paul Morin
10. DOLORES MORIN	83	33 CLIFFORD ST	Dolores Morin
11. Carlton Dionne	59	48 Union St apt 201	Carlton Dionne
12. BRENDA DIONNE	57	48 Union St Apt 201	Brenda Dionne
13. CLIFFORD C. CLIFFORD JR.	71	356 ELM ST	C C Clifford Jr.
14. William J. Robbins	86+	205 QUINERD	William Robbins
15. PAUL L. CAMIRE	37	meetinghouse Rd	Paul Camire

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Printed Name	Age	Address in Biddeford	Signature
1. GRADY SEXTON	73	158 GUINEA RD.	<i>[Signature]</i>
2. William Sexton	45	9 Kennedy DR.	<i>[Signature]</i>
3. Suzanne Sexton	70	158 Guinea Rd	<i>[Signature]</i>
4. Jaelun Boutford	32	Quimby St	<i>[Signature]</i>
5. Richard Guay		18 Marion Ave	Richard Guay
6. Jonathan C. Carr		5 Pine Corn Circle	Jonathan Carr
7. Jonathan Carr	39	193 Main Street	Jonathan Carr
8. Samuel Burt	33	326 Middle St	<i>[Signature]</i>
9. Luc Vachon	36	326 main st	<i>[Signature]</i>
10. Josh McKay		193 main st Biddeford	<i>[Signature]</i>
11. Jesse Nelson	35	193 Main St Biddeford	<i>[Signature]</i>
12. Nathan Tarbox	29	23 middle st Apt 202	<i>[Signature]</i>
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Printed Name	Age	Address in Biddeford	Signature
1. GAIL LEMIEUX	59	40 WESTMORE AVE	Gail Lemieux
2. Joan Bergeron	63	5 Berry Lane #101	Joan Bergeron
3. ALICE PAQUETTE	89	62 SULLIVAN ST.	Alice Paquette
4. DANA A. PERRY Sr	63	12 DuPont AVE	Dana G Perry Sr
5. Margaret Perry	60	12 DuPont AVE	MARGARET PERRY
6. Claire Poissant	57	14 Breton St.	Claire P. Po
7. James D. Poissant	56	14 Breton St.	James D Po
8. ALINE C. BOUCHER	85	17 MIDDLE ST	Aline C. Boucher
9. Elaine Boucher	56	17 middle St.	Elaine Boucher
10. Don Collins	59	106 Granite St Biddeford	Don Collins
11. Scott Tuttle	44	326 Elm St	Scott Tuttle
12. Melissa Tuttle	43	326 Elm St	Melissa Tuttle
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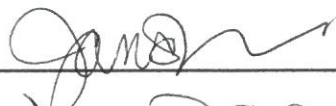
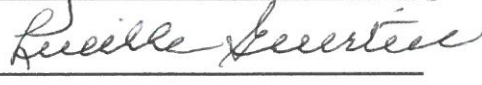
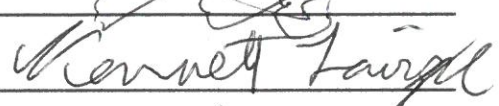
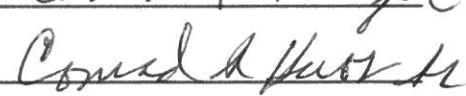
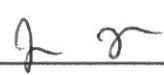
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Printed Name	Age	Address in Biddeford	Signature
✓ Janice Nadeau	55	8 Cliff Lane	
✓ Lynn C Cote		14 Georgetown Dr	
✓ Lucille Guertin		22 Ridgerview Dr.	
NIR ✓ Stacy Benabe		53 Pool	
✓ Zachary Goulet		559 Pool St	
✓ Kenneth Laugre		169 Granite St	
✓ ^{COURT REPORTER} Conrad A. Hunt		27 ATLANTIC AVE	
✓ Joe Denbow		49 Granite St.	
NIR ✓ George Jadauskas		100 Washington St	
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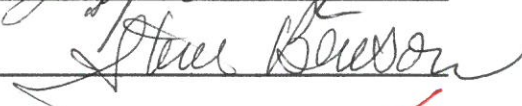
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Printed Name	Age	Address in Biddeford	Signature
1. ✓ Stephen L. Shea	68	254 West St	
2. ✓ Jeff Orne SR	56	1 Sadie Ln	
3. ✓ STEVEN BEWSON	63	6 PLYMOUTH DR	
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Printed Name	Age	Address in Biddeford	Signature
1. Kathleen Russell	59	2 Ferry Lane	KR Russell
2. Peter Russell	56	2 Ferry Lane	Peter Russell
3. Seth Russell	49	5 Ferry Ln	Seth Russell
4. Judy Doo	64	4 Jerry Dr.	Judy Doo
5. Alphonse Lambert	62	9 Ferry Ln	Alphonse Lambert
6. Brian D Greppie	42	18 Gove St	Brian D Greppie
7. Casey Pridham	31	2 Granite St	Casey Pridham
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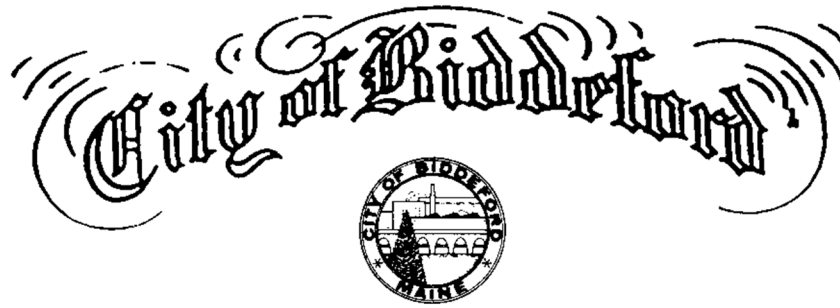
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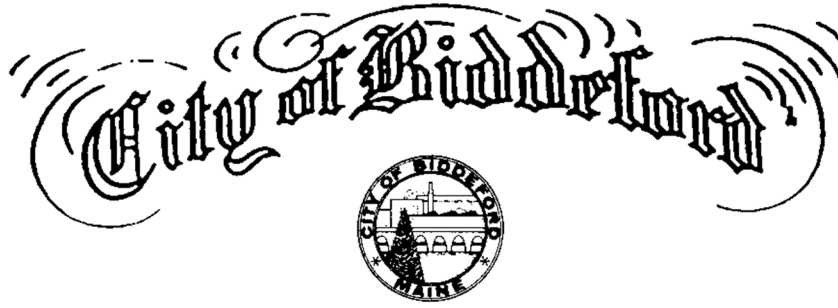
Printed Name	Age	Address in Biddeford	Signature
1. Molly Lovell Keely	37	13 Keely Way	Molly Lovell Keely
2. SAMUEL BRADY	81	355 Spring Dr	Samuel Brady
3. JAMES FOLEY	N/A	149 CLEVELAND ST	James Foley
4. MARK DUBOIS		140 MAIN #39	Mark Dubois
5. The Syntes		US Green St 102	for Jan
6. MORE MARCIA JR	23	47 Union street (D)	More Marcia
7. Dina McKee		3 Newtown Rd	Dina McKee
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14.



IN BOARD OF CITY COUNCIL...JUNE 18, 2019

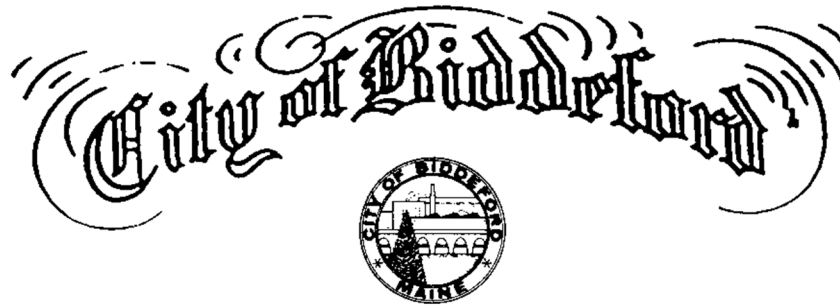
ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby appoint Martin Grohman as Chairperson on the *Solid Waste Management Commission* for the remainder of 2019; thus making Adam Bellefeuille, who is currently serving as Chairperson, a regular voting member.



IN BOARD OF CITY COUNCIL...JUNE 18, 2019
ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby
appoint:

Public Works Director, Jeff Demers
and
Chief Operating Officer, Brian Phinney

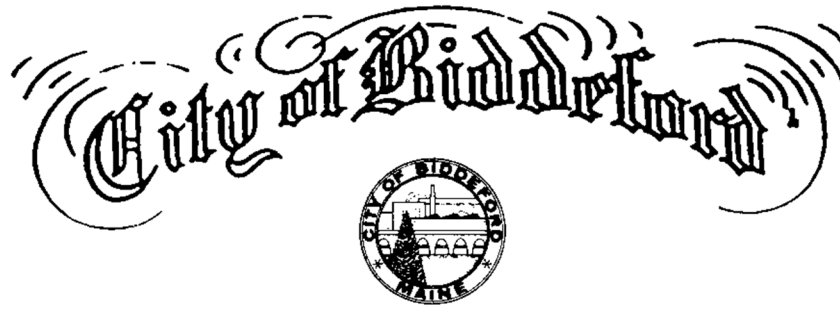
as Alternate Voting Members for PACTs.



IN BOARD OF CITY COUNCIL...JUNE 18, 2019

ORDERED, that I, Alan Casavant, Mayor of the City of Biddeford, do hereby appoint the following City Councilors to the **Social Services Committee**:

**Michael Ready
Norman Belanger
Robert Quattrone, Jr.**



2019. IN BOARD OF CITY COUNCIL...JUNE 18, 2019
BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the City Manager to execute the proposed Public Works Supervisors Union Contract substantially in the form presented to the City.