

**Policy Committee Meeting
June 10, 2019**

Committee Chair, Councilor Lessard called the meeting to order at 6:30 p.m.

Roll Call: Councilors Marc Lessard, Laura Seaver and Norman Belanger; Committee Members Renee O’Neil and Nathan Bean

Also present: Staff Members Carmen Morris, City Clerk, Brian Phinney, Chief Operating Officer, Carl Marcotte, Asst. Public Works Director

The Committee Members and all who were present recited the Pledge of Allegiance.

Adjustment to the Agenda:

Remove -Request by C.M. Cimino Realty, Inc. of Ledgewood Apartments to Waive Code Enforcement Fees for Multi-Unit Buildings

Acceptance of Minutes: **April 22, 2019**

Motion by Councilor Belanger, seconded by Member O’Neil to accept the minutes as printed.

Vote: Unanimous

**1. Ch. 42, Motor Vehicles & Traffic/Sec. 42-66-Beach permit parking regulations
enumerated/Increase Beach Permit Fees**

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.

Motion by Councilor Seaver, seconded by Councilor Belanger to recommend approval of the ordinance amendment to the City Council.

This ordinance amendment was recommended by Councilor Swanton. He was in attendance to present this item. He explained that the reason for his proposed amendment is to raise additional funds in order to cover the costs due to the increase in the State's minimum wage.

Councilor Seaver expressed her concern that even though the Council has approved the FY20 Budget, this ordinance amendment would become effective for next year's beach season; therefore, the additional revenue would initially hit the FY20 Budget, and then into the FY21 Budget.

Vote on proposed amendment: Unanimous

2. Disposal Fees at Public Works Recycling Facility for Non-Profits

BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, **Chapter 58, SOLID WASTE, Article III, WASTE FLOW CONTROL AND TRANSFER STATION, Sec. 58-64-Large item and recycling programs**, is amended by adding and ~~deleting~~ to read as follows:

Sec. 58-64. Large item and recycling programs.

(a) Free disposal.

- Residents may dispose of up to one yard of household items in any one day for free. (furniture, stereos, lamps, fixtures, etc.) Any additional loads of household items may be disposed of for a fee of \$20 per yard.
- Up to four tires per year from Biddeford residents.
- Twice a year, for two-week intervals, residents will be allowed to deliver up to one cubic yard per delivery of construction materials and/or wood debris.
- Wet cell and dry cell batteries.
- Metals (items that have had the Freon removed by licensed vendors must show a certificate of proper removal for free disposal of the item at this facility).
- Cardboard
- Plastic Nos. 1 and 2
- Paper/magazines
- Glass (jars and bottles)
- Tin cans
- Grass clippings, leaves, brush and branches
- Waste motor oil
- Telephone books

(b) Fees.

- (1) Fees for the disposal of the following acceptable items will be charged “at cost”.
Note: “at cost” means that the charges for the disposal of the following items will be based upon the previous quarter’s actual disposal costs incurred by the City for the particular item.

- a. Freon containing items
- b. Tires (car and pickup truck only, greater than four tires per year)
- c. CRTs (televisions, computer monitors, laptops)
- d. Computer CPU, keyboard, mouse and printers

- (2) Fees for the disposal of the following acceptable items will be established by the Public Works Director.

- a. Construction materials / wood debris
- b. Grass clippings:
 - i. Commercial - \$10.00/cubic yard
- c. Brush and branches:
 - i. Commercial - \$10.00/cubic yard
- d. Demolition Debris: \$20.00/cubic yard

(3) Exemptions.

Bonafide non-profit organizations, including: churches, parsonages, cemeteries, schools and other qualifying organizations shall be exempt from paying disposal fees for acceptable items listed in subsection (b)(2) above. Each qualifying non-profit organization must register yearly with the DPW Director, with proof of their non-profit status, and submit a list of names of those persons who are doing work on their behalf prior to any fee being

Motion by Councilor Seaver, seconded by Councilor Belanger to recommend approval of the ordinance amendment to the City Council.

Councilor Swanton noted that he had brought forward this issue during a Council Meeting when the Biddeford Pool Association expressed concern about paying to dispose of brush and debris.

Erica Doyon and Carl Walton from the Greenwood Cemetery Association spoke in support of this ordinance amendment. They estimate that without a fee waiver, it would cost the Association between \$5,000 and \$6,000 annually to dispose of brush and debris; which would end up crippling their budget.

Councilor Seaver asked if the Greenwood Cemetery Association has a 501(C)(3) status. Ms. Doyon stated that she’s almost certain that they are, but has never seen any paperwork to prove it.

Councilor Belanger expressed his concern about the broad language in the proposed amendment; notably, “qualifying non-profit organization.” He’d like to see a more specific definition of what

a qualifying non-profit is. He suggested that the Solid Waste Management Commission take a look at the proposed amendment and come back with their recommendation.

Member Bean pointed out that the Public Works Director, Jeff Demers submitted a letter in which he requested that the ordinance not be changed at this time, as it would prove to be very cumbersome for the DPW Staff.

Asst. Public Works Director, Carl Marcotte explained that the disposal fee structure was recently instituted because the in-take of brush and debris at the Recycling Facility was getting out of control. Since the institution of the disposal fees structure, DPW Staff has seen a significant reduction in loads being brought to the Andrews Road Landfill. His concern is mostly about the DPW being able to realistically manage and keep track of all the various non-profits in the City. He supports sending this ordinance amendment to the SWMC.

Councilor Lessard would definitely like to see an ordinance amendment that would exempt cemeteries and other like entities. With that said, he agrees that the current proposed language needs to be worked on.

Member O'Neil pointed out that there is a distinction between the volunteer organizations within the City versus those who hire out for clean up and debris disposal for their respective properties.

Motion by Councilor Belanger, seconded by Councilor Seaver to table this item and send to the Solid Waste Management Commission for review, and ask that the Commission focus on cemeteries and other like non-profit entities, and come up with proper parameters for financial criteria.

Vote: Unanimous

3. Ch. 2, Administration/Sec. 2-336-Competitive sealed bidding

Councilor Lessard introduced this discussion item and his intent on having this item on the agenda. He explained that his reason for bringing this item forward stems from recent action by the Council regarding the acceptance of a bid that was not the lowest bid. He understands that there were reasons for not accepting the lowest bidder that could not be discussed publicly. However, he is uncomfortable with the optics and the perception that the public is left with. At the July Policy Committee meeting, he'd like to have a more in-depth discussion and consideration of language that would make the competitive sealed bidding language more specific.

Member O'Neil agrees with Councilor Lessard and is also concerned with what the optics look like, and that the public could view the process as favoritism. She would like to see the process more standardized and transparent.

Councilor Lessard requested that this item be placed on the July Policy Committee meeting agenda.

Motion by Councilor Seaver, seconded by Councilor Belanger to adjourn.

Vote: Unanimous

Time: 7:01 p.m.

