

**COUNCIL MEETING
MARCH 3, 2020**

Mayor Casavant called the meeting to order at 6:01 p.m.

Roll Call: William Emhiser, John McCurry, Jr., Stephen St. Cyr, Amy Clearwater, Norman Belanger, Michael Ready, Doris Ortiz, Marc Lessard

Robert Quattrone, Jr. was excused.

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

Adjustment to the Agenda:

- Add Executive Session: 1MRSA 405(6)(E)..Consultation with Legal Counsel

Presentation: My Place Teen Center – 72 Bacon Street

Donna Dwyer from the My Teen Center organization provided an overview of the My Teen Center Program and what it could mean for the City of Biddeford. If the City chooses to move forward with this program, it would mean providing funding of \$80,000 annually.

Presentation: Local Effects on Climate Change – Conservation Commission

Conservation Commission Chair, Steven Reiter gave a PowerPoint presentation. The information presented can be found on the City's website. Chairman Reiter also read a proposed climate emergency resolution into the meeting record.

Presentation: Update on Lead Paint Abatement Grant

The City's lead contact for the Lead Paint Abatement Grant, Gayle Wilkinson gave an overview of the grant, program and how the City is proceeding with the implementation of the program.

Consent Agreement: MDOT – Construction Area – Precourt Street

Motion by Councilor McCurry, seconded by Councilor Clearwater to enter into a Consent Agreement with Maine Department of Transportation for Construction Area Provisions on Precourt Street.

Vote: Unanimous.

Consideration of Minutes: February 18, 2020

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

Vote: Unanimous.

Order of the Day:

2020.12

IN BOARD OF CITY COUNCIL...MARCH 3, 2020

A resolution of the City Council of the City of Biddeford expressing opposition to LD 2090 An Act to Amend the Laws Governing Arbitration under Certain Public Employees Labor Relations Laws.

WHEREAS, one of the most important roles of local government in Maine is to establish the property tax burden for each community by thoughtful and public debate prior to the adoption of an annual budget; and

WHEREAS, an equally important role of the elected leadership in Maine communities is to establish compensation policies for their employees which balances the desire to employ highly motivated and talented professionals with the unique fiscal challenges that exist in every municipality; and

WHEREAS, it is estimated that wages, benefits and insurances of employees account for nearly seventy five percent of local municipal budgets; and

WHEREAS, for more than 40 years, current Maine state law regarding impasse resolution for public employees and unionized workforce has resulted in labor contracts that have been voluntary agreed to by both sides; and

WHEREAS, the unique balance between the parties established by current labor laws has not at any time in history resulted in an impasse between a municipal employer and its employees that was not resolved by voluntary agreement by the parties, and

WHEREAS, LD 2090 *An Act to Amend the Laws Governing Arbitration under Certain Public Employees Labor Relations Laws* ' would dramatically shift that effective balance; and

WHEREAS, \$2,644,071,685 of property tax revenue was raised in the state of Maine in 2018, and each dollar was determined by local elected leadership through a public budgeting process, including through the most purely democratic form of local taxation decision making on the floors of annual Town Meetings; and

WHEREAS, LD 2090 would grant the authority to determine wages, benefits and insurances exclusively to a so-called "neutral arbitrator" who is appointed by two other arbitrators during impasse resolution, and

WHEREAS, nearly two billion dollars of estimated property tax burden, the most regressive form of taxation in Maine, would be solely determined by binding arbitration which would take place in secrecy and without any recourse for the property taxpayers;

NOW THEREFORE BE IT RESOLVED that the Biddeford City Council in due regular and legal session convened expresses its opposition to LD 2090 for the following reasons:

- LD 2090 is unnecessary because there is no known case in the last forty years where the current method of dispute resolution did not result in a labor contract that was agreed to by both parties;
- LD 2090 would result in property tax rates being established without transparency and without affording citizens the ability to directly speak with their elected officials about their concerns;
- LD 2090 would result in compensation decisions being made in isolation, absent a complete understanding of the challenges and strategic direction of the community that only the elected leadership of the community can truly understand; and
- LD 2090 would fundamentally change the balance in Maine between public employers and their employees.

BE IT FURTHER RESOLVED, that the Biddeford City Council encourages the Maine Legislature and the Governor to reject LD 2090 and further encourages other Maine communities to join them in encouraging the same.

Motion by Councilor McCurry, seconded by Councilor Lessard to accept the resolution.

Vote: 6/2; Councilors Clearwater and Ortiz opposed.

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

Motion carries.

Public Addressing the Council..(5 minute limit per speaker; 30 minute total time limit):

One citizen addressed the Council.

City Manager Report:

Chief Operating Officer, Brian Phinney spoke on a couple of items.

Other Business:

Councilor Lessard: recommends that in future meetings, the Council does not take a break in the middle of the meeting to allow the UNE students to have their forms signed proving that they have attended the meeting. He feels that the Council is doing a disservice to the students by allowing them to leave on their own time and not waiting until the end of the meeting.

Urged the City to look at inventories and ensure that departments and staff have the resources needed, especially in the next four to six months. This is due to the drop in production in other countries affected by the coronavirus.

With the recent drop in interest rates, he feels that putting a robust bond referendum out to the voters in the upcoming June 2020 election would be a good idea; and in doing so, will save the City money over time.

Councilor Clearwater: expressed her agreement with Councilor Lessard's recommendation to have a bond referendum for the June 2020 election.

She shared that she had spent most of the day at the poll today and was pleased with all the folks turning out to vote. She noted that everything was running efficiently.

She now serves on the Solid Waste Management Commission is has learned a lot thus far. One thing that she shared is that if folks use the orange overflow trash bags, to please put them on top of the green trash container. This allows the automated trash truck to scoop up both the orange overflow bags, as well as the green trash container.

Council President Addressing the Council: Councilor McCurry noted that budget season is upon us and he urged the public to get involved, and to come to the public hearings and share their concerns regarding the City and School budgets.

Mayor Addressing the Council: Mayor Casavant spoke about a conference call that he had along with Brian Phinney, Roby Fecteau and Jeremy Ray with the Maine CDC about the coronavirus. He urged folks to go to the State CDC website to keep up-to-date on the latest information and tips on the coronavirus. He also suggested subscribing to the Biddeford Beat to receive regular updates.

Executive Session:

- **1 MRSA 405(6)(C)...Disposition of City Property**
- **1 MRSA 405(6)(E)...Consultation with Legal Counsel, re: Update on Legal Matters**

Motion by Councilor McCurry, seconded by Councilor Lessard to move into Executive Session.
Vote: Unanimous. Time: 7:30 p.m.

Motion by Councilor McCurry, seconded by Councilor Lessard move out of Executive Session.
Vote: Unanimous. Time: 8:03 p.m.

Motion by Councilor McCurry, seconded by Councilor Lessard to adjourn.
Vote: Unanimous. time: 8:03 p.m.

Attest by: _____
Carmen J. Morris, City Clerk