



**City of Biddeford
City Council**

September 16, 2025 at 6:00 PM
City Hall Council Chambers & Zoom

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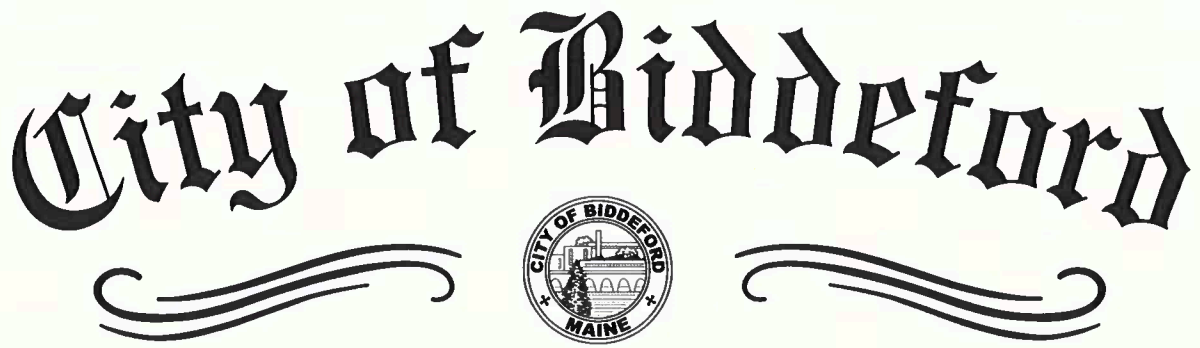
Meeting ID: 988 5601 4443

Passcode: 669827

1. Roll Call
2. Pledge of Allegiance
3. Adjustment(s) to Agenda
4. Recognition
 - 4.a UNE Cheer National Champions
5. Proclamation
 - 5.a September National Recovery Month
 - 5.b Hispanic Heritage Week Proclamation
6. Appointments
 - 6.a 2025.128 Maine Municipal Association Voting Delegates Ballot
7. Public Addressing the Council

(3 minute limit per speaker for up to a total of 15 minutes)
8. Consideration of Minutes
 - 8.a Council Minutes 9-2-25
 - 8.b Council Site Walk 9-9-25
9. Orders of the Day
 - 9.a 2025.123 Eastern Fire/EMS Substation Phase 1 Update and Authorization for New Phase 1-B
 - 9.b 2025.125 Approval/Purchasing Policy Amendments, Ch 2, Article V, Division 2
 - 9.c 2025.126 Approval/ Transfer of ownership of JFK School

- 9.d 2025.129 Resolve — Board, Committee, Commission Ordinance Template
- 9.e 2025.132 Approve/Change of Property Tax Deadline
- 9.f 2025.130 Approval/Date Change of November 4, 2025 Regularly Scheduled Meeting
- 9.g 2025.131 Approval of Code of Ethics Redraft to be Sent to Policy Committee
- 10. Public Addressing the Council
 - (5 minute limit per speaker)
- 11. City Manager Report
- 12. Committee Updates by Council
- 13. Other Business
- 14. Council President Addressing the Council
- 15. Mayor Addressing the Council
- 16. Executive Session
 - 16.a Executive Session 1 MRS 405 (6) e Legal Matters
- 17. Adjourn



PROCLAMATION

September As National Recovery Month

WHEREAS, National Recovery Month has been observed annually since 1989 to promote awareness of and support for evidence-based addiction treatment and recovery initiatives; and

WHEREAS, National Recovery Month recognizes the dedication of individuals, advocates, families, organizations, and communities in supporting recovery from substance use and mental health challenges; and

WHEREAS, It is important as a community that we provide opportunities to raise public awareness, reduce stigma, celebrate recovery success, and encourage community engagement in supporting individuals and families affected by substance use and mental health issues; now

Therefore Be It Resolved, that I Martin Grohman, Mayor of Biddeford do hereby proclaim September as National Recovery Month in the City and affirm our ongoing commitment to the health, dignity, and well-being of individuals and families affected by substance use disorders and mental health challenges.

*In Witness Whereof, We the undersigned have herewith affixed
our signatures this 16th day of September 2025.*

Mayor



City Clerk

City of Biddeford



PROCLAMATION

Hispanic Heritage Month

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

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

WHEREAS, as our community welcomes and integrates members of the Hispanic community, it is essential to cultivate an atmosphere of inclusion; and

WHEREAS, acknowledging the challenges that the Hispanic community faces today, it is our shared responsibility to ensure that acting upon bias, discrimination, and stereotypes has no place within our City, as we endeavor to create an environment of equity and acceptance; and

WHEREAS, the support we extend to our Hispanic neighbors is more than symbolic; our patronage at businesses such as 77 Convenience Store, Coco's, Woodgrain Barbers, and Edelweiss is a commitment to an environment where everyone, regardless of background, can thrive and contribute to the shared prosperity of our city.

NOW, THEREFORE, I, Martin Grohman, Mayor of the City of Biddeford, on behalf of the City Council and the residents of Biddeford, do hereby proclaim the observance of Hispanic Heritage Month from September 15 to October 15, 2025.

*In Witness Whereof, We the undersigned have herewith affixed
our signatures this 16th day of September 2025.*

Mayor



City Clerk

City of Biddeford



2025.128 IN BOARD OF CITY COUNCIL... SEPTEMBER 16, 2025

BE IT ORDERED, the Biddeford City Council does hereby authorize a Maine Municipal Association voting representative and a delegate for the MMA Annual Convention and and Annual Meeting, and

BE IT FURTHER ORDERED, that Mayor Martin Grohman be authorized to sign the MMA Voting Delegate form on behalf of the Biddeford City Council.

Attest by: _____
Robin Patterson, City Clerk



To: Key Municipal Officials of MMA Membership
From: Catherine Conlow, Executive Director
Date: September 8, 2025
Subject: MMA Annual Business Meeting & Voting Credentials

The Maine Municipal Association will hold its annual business meeting in conjunction with the 89th Annual Convention:

Date: Wednesday, October 8, 2025

Time: 1:15 p.m. (Immediately following the MMA Leadership & Recognition Luncheon)

Location: Cross Insurance Center, Bangor, Maine

Purpose & Highlights:

Join MMA President Melissa Doane, Vice President Justin Poirier, and Executive Director Catherine Conlow as they:

- Share strategic priorities for the year ahead.
- Present highlights of MMA's 2025 activities and accomplishments.
- Announce the results of the Executive Committee election.

This meeting offers a unique opportunity for municipal officers to participate directly in MMA's direction-setting, celebrate collective achievements, and engage in forward-looking dialogue.

Enclosed you will find the meeting agenda as well as a voting delegate credential form. Appointed delegates are authorized to vote on all items of business conducted during the meeting. To ensure your municipality is represented, please complete and submit the form by either: (1) bringing it to the Annual Business Meeting on October 8; (2) emailing it to kellymaines@memun.org, or mailing it, so the form arrives on or before Monday, October 6, to:

Kelly Maines
Executive Office Administrative Coordinator
60 Community Drive
Augusta, ME 04330

Note: This year, there are no proposed amendments to the MMA bylaws.

"From Partners to Progress" embodies our 2025 theme, spotlighting how partnerships pave the way to meaningful advancement across Maine's municipalities. The Convention delivers a rich blend of

educational breakout sessions, keynote presentations, and impactful networking opportunities, all focused on helping municipal leaders harness collaboration for local progress.

Enjoy the Member Appreciation Reception in the Exhibit Hall featuring live music by Star City Syndicate, delicious snacks, and refreshing beverages. During the reception, MMA will present the prestigious Ethel N. Kelley Memorial Award, recognizing one distinguished municipal official for outstanding service and dedication.

For more information about the 2025 Annual Convention, visit the MMA website at <https://www.memun.org/Training/Conferences-Conventions/Convention/Agenda>

Please mark your calendars, register for the event, and make arrangements to attend. Should you need assistance with the credential forms, ADA accommodations, or if you have any questions regarding the meeting, please contact Kelly Maines at either the email address listed above or 207-623-8428 ext. 2241.

I look forward to seeing you there!

**Maine Municipal Association
Annual Business Meeting
Wednesday, October 8, 2025
1:15 p.m. – 2:30 p.m.
Cross Insurance Center
Bangor, Maine**

AGENDA

1. **Introductions and Welcoming Remarks** – MMA President Melissa Doane, Bradley Town Manager will welcome members to the business meeting.
2. **Election Results** – Melissa Doane will share the results of the Maine Municipal Election that took place August 29, 2025.
3. **Approval of 2024 MMA Annual Business Meeting Minutes** – Melissa Doane will ask for approval of the 2024 Annual Business Meeting minutes to be approved as presented.
4. **MMA President's Report** – Melissa Doane will discuss her term in office and the remainder of the year.
5. **Executive Director's Report** – Catherine Conlow, MMA Executive Director will discuss MMA business taking place throughout the year.
6. **Other Business** (*comments from the floor*)
7. **Adjournment**

**Maine Municipal Association
Annual Business Meeting
Wednesday, October 2, 2024, 1:15 p.m.
Augusta Civic Center - Penobscot Room
Meeting Minutes**

Members in Attendance: See attached record.

Introductions and Welcoming Remarks -MMA President Diane Hines welcomed members of MMA to the 2024 Annual Business meeting and called the meeting to order at 1:15 p.m.

Election Results - Diane Hines shared results of the MMA Executive Committee Election that took place August 23, 2024, as follows:

New Members begin their terms on January 1, 2025.

Officers for 2025:

- President – Melissa Doane, Town Manager, Bradley
- Vice President - Justin Poirier, Town Manager, Monmouth

Re-elected for a three-year term:

- David Cyr, Town Manager, Frenchville

Newly elected for a three-year term:

- Matt Garside, Town Manager, Poland
- Michele Varuolo-Cole, Selectperson, Bethel

Filling a vacant position with a term ending December 31, 2026:

- Pious Ali, Councilor, Portland

Approval of the 2023 MMA Annual Business Meeting Minutes – Diane Hines asked for approval of the 2023 MMA Annual Business Meeting.

Elaine Aloes MOVED, and the motion was seconded by David Cyr that the MMA Annual Business Meeting minutes be approved by voting members present. The motion passed with all in favor.

MMA President's Report - Diane Hines shared highlights from the past nine months of her presidency and her plans for the last three months. She shared the importance of Post Traumatic Stress Disorder (PTSD) that is suffered by many first responders and the ServeStrong initiative implemented by MMA. ServeStrong is an online platform that all members can use to connect with resources and real help to overcome this difficulty. It is free to all members and confidential for all users.

She continued by discussing improvements to the MMA facility, and she shared her and MMA's commitment to Diversity, Equity and Inclusion pointing out the scholarships and educational opportunities made available by MMA. Next, she talked about the membership survey that was sent out to town officials to engage members. She stated, "Your input matters."

Executive Director's Report – Executive Director, Catherine Conlow discussed the activities taking place at MMA over the past year and plans for the future. She thanked President Diane

Hines and the Executive Committee for their guidance, vision and unwavering commitment to local government. She gave a special welcome to the new committee members and thanked those about to retire from the board.

Cathy discussed the challenges with staffing at MMA and discussed all the projects that each department at MMA has been working on throughout the year. Notable accomplishments include Servestrong, website improvements, more hybrid training opportunities, and the membership survey designed to ensure that MMA meets its members' needs and expectations.

In closing Cathy shared that MMA is well positioned to continue thriving and thanked the members for their continued support.

Other Business (*comments from the floor*) – Steven Bunker complemented the convention and shared his appreciation of the sessions. He shared with the meeting participants that he is a volunteer firefighter that has survived brain cancer contracted on the job. He works reducing these risks for others and helping to develop best practices for firefighters. He encouraged all to become a part of the process in promoting safety in this profession.

Adjournment – The meeting adjourned at 1:44 p.m.

**MAINE MUNICIPAL ASSOCIATION
VOTING DELEGATE CREDENTIALS**

_____ Is hereby designated as the official Voting
Delegate and

(print name)
_____ as the alternative Voting Delegate for

(print name)

(municipality)

to the Maine Municipal Association's Annual Business Meeting, which is scheduled to be held, on Wednesday, October 8, 2025, at 1:15 p.m., at the Bangor Cross Insurance Center, Bangor, Me.

The voting delegate credentials may be cast by a majority of the municipal officers, or by a municipal official designated by a majority of the municipal officers of each municipal member.

Date: _____ Municipality: _____

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

Name: _____ Position: _____

Or signature of the majority of municipal officers:

Please return this form no later than Monday, October 6, 2025, or bring it with you to the MMA Annual Business Meeting. If mailing send to:

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

City of Biddeford
City Council
September 2, 2025 at 6:00 PM
City Hall Council Chambers & Zoom

1. Roll Call - all present

Council President LaFountain
Councilor Lessard
Councilor Ortiz
Councilor Emhiser
Councilor Whiting
Councilor Beaupre
Councilor Gross
Councilor Belanger
Councilor Doughty

2. Pledge of Allegiance

3. Adjustment(s) to Agenda

One executive session will be added.

One item from the Finance meeting today will be added to Orders of the Day.

4. Appointments

4.a 2025.116 Approval/Mayoral Appointments to a Committee- Citizen

Motion: Councilor Emhiser

Second: Councilor Belanger

Vote: Unanimous in favor.

Motion passed.

4.b 2025.117 Approval Planning Board-Removal of Member

Motion: Councilor Emhiser

Motion not seconded. No action taken.

Public Addressing the Council

One citizen spoke about the committee communication process and had questions about the institutional zone in the master plan.

6. Consideration of Minutes

6.a Council Minutes 8-19-25

Motion: Councilor Whiting

Second: Councilor Belanger

Vote: Unanimous in favor.

Motion passed.

6.b Special Council Meeting minutes 8-26-25

Motion: Councilor Whiting

Second: Councilor Belanger

Vote: Unanimous in favor.

Motion passed.

7. Second Reading

7.a 2025.112 Approval / Amend Code of Ordinances, Chapter 42 - Motor Vehicles and Traffic, Article IV - Specific Street Regulations, Sec. 42-92 Limited Parking - Main Street

Motion: Councilor Beaupre

Second: Councilor Belanger

Councilor LaFountain requested to abstain from this item.

Councilor Belanger – motion to allow Councilor LaFountain to abstain from this item.

Second: Councilor Lessard

Vote on the motion – Unanimous in favor.

Motion passed.

Vote on the order: Unanimous in favor; Councilor LaFountain abstained.

Motion passed.

7.b 2025.108 Amend/Part II: Code of Ordinances, Chapter 42 Motor Vehicles and Traffic, Article IV Specific Street Regulations, Sec. 42-90(a) - No Parking Hill Street from Birch/Granite Streets to West Street.

Motion: Councilor Belanger

Second: Councilor Emhiser

Councilor Belanger has had a lot of positive feedback on this proposal, and he is in support now.

Councilor Lessard – motion to amend to include the “public works recommendation for 19 additional parking spots at St. Louis Field”

Second: Councilor LaFountain.

Public comment – two citizens spoke in support of this item.

Public Works Director Jeff Demers described the fencing that he proposes to use in that area and the paving details. He can have pricing quotes in the next few days.

Councilor Lessard – added to his amendment to “not exceed \$25,000”

Councilor LaFountain agreed to the change as the second.

Vote on the amendment: Unanimous in favor.

Amendment passed.

Vote on the order as amended: Unanimous in favor.

Motion passed.

8. Orders of the Day

Order added: 2025.120 Approval Audit Contract with CBIZ

Finance Director Gerry Matherne explained the proposal and answered questions.

Councilor LaFountain – motion to approve the order out of the audit account.

Second: Councilor Lessard

Vote: Unanimous in favor.

Motion passed.

8.a 2025.106 Approval Resolution for Westbrook Development Corporation

Councilor Doughty requested to recuse himself from discussing and voting on this order and also 2025.115.

Councilor Belanger – motion to allow Councilor Doughty to recuse himself from these 2 items.

Second: Councilor Whiting

Vote: Unanimous in favor.

Motion passed.

Councilor Belanger – motion to remove from Table

Second: Councilor Emhiser

Vote to remove from Table: 4 yeas – Councilors Ortiz, Belanger, Whiting and Emhiser.

4 nays – Councilors Lessard, LaFountain, Beaupre and Gross.

Councilor Doughty abstained.

Mayor Grohman voted yea to remove from Table for discussion.

Councilor Belanger motion to amend the order to replace the resolution version that refers to blight and replace it with the resolution that refers to remediation.

Second: Council Emhiser.

Public comment – one citizen commented about the language change and whether or not it was appropriate. One citizen commented about the points for the project.

Councilors discussed the merits of the remediation language.

COO Brian Phinney shared details from the brief to confirm the remediation status.

Vote on the amendment: 7 yeas – Councilors Ortiz, Belanger, Gross, Beaupre, Whiting, Emhiser and LaFountain.

1 nay – Councilor Lessard.

Councilor Doughty abstained.

Amendment passed.

Vote on the order as amended:

7 yeas – Councilors Ortiz, Belanger, Gross, Beaupre, Whiting, Emhiser and LaFountain.

1 nay – Councilor Lessard.

Councilor Doughty abstained.

Motion passed.

8.b 2025.107 Bid Approval – Lead Hazard Reduction at 146 Cleaves Street

Motion: Councilor Belanger

Second: Councilor Lessard

Vote: Unanimous in favor.

Motion passed.

8.c 2025.113 Approval Allocation No. 2 of FY26 Capital Improvement Funds

Motion: Councilor Belanger

Second: Councilor Lessard

Vote: Unanimous in favor.

Motion passed.

8.d 2025.114 Approval Reallocation of FY26 CIP Funds

Motion: Councilor Belanger

Second: Councilor Lessard

Vote: Unanimous in favor.

Motion passed.

8.e 2025.115 Approval Resolution for Avesta Housing

Motion: Councilor Belanger

Second: Councilor LaFountain

Councilor Doughty was previously approved to abstain from this item.

Public Comment – one citizen spoke about credit enhancements.

One citizen spoke about this item as a growth area.

Vote: Unanimous in favor; Councilor Doughty abstained.

Motion passed.

8.f 2025.119 Approval of Funds for Paving-Playground Project, J. Richard Martin

Community Center

Motion: Councilor Belanger

Second: Councilor Lessard

Councilor Lessard explained that this will replace the old concrete.

Vote: Unanimous in favor.

Motion passed.

*8.g 2025.118 Approval of Change Order - Irrigation System - J. Richard Martin Community
Playground Project*

Motion: Councilor Belanger

Second: Councilor Emhiser

Councilor Lessard reviewed the item as discussed in the Finance Committee. They recommended not to exceed \$25,000. They want to get this taken care of before the weather changes.

Recreation Director Lisa Thompson gave additional details and answered questions about the quote.

Councilor Lessard – motion to amend the order to add “not to exceed \$25,000”

Second: Councilor Emhiser

Vote on the amendment: Unanimous in favor.

Amendment passed.

Vote on the order as amended: Unanimous in favor.

Motion passed.

9. Public Addressing the Council

One citizen commented on the positive progress at the playground but expressed concern with a lack of a clear scope of work.

10. City Manager Report

City Manager Dever gave an update on the Economic Development Director search. The city has received feedback from the State on the wetlands at the proposed Eastern Fire station location, there will be more information coming once they evaluate it. She will be serving on the MMA Legislative Policy Committee.

11. Committee Updates by Council

Councilor Belanger gave an update on the work that the Policy Committee has been doing to standardize the format of city committees. It should be ready to come to Council soon.

12. Other Business

Councilor Lessard asked about the leaf clean up dates.

13. Council President Addressing the Council

Council President LaFountain did not address the Council at this time.

14. Mayor Addressing the Council

Mayor Grohman provided several updates regarding the schools.

Enrollment is up for the 13th straight year.

Fall Sports enrollment is up to 251.

We have the highest percentage of multilingual learners.

We have two student representatives on the School Committee.

He would like to set up a site walk at the JFK school for the Council.

The APEX bike bus to school is tomorrow at 7:45 am.

15. Executive Sessions

15.a Executive Session 1 MRS 405 (6) e Legal Matters and (6) d Labor Negotiations

Motion to enter executive sessions by Councilor Belanger at 7:31 pm

Second: Councilor Lessard

Vote: Unanimous in favor.

Motion passed.

Motion to exit executive sessions by Councilor Belanger at 8:44 pm

Second: Councilor Lessard

Vote: Unanimous in favor.

Motion passed.

16. Adjourn

Motion to adjourn at 8:44 pm by Councilor Belanger

Second: Councilor Lessard

Vote: Unanimous in favor.

Meeting adjourned.

City of Biddeford
City Council
September 9, 2025 at 5:30 PM
JFK School
64 West Street, Biddeford, ME 04005

1. Roll Call

Council President LaFountain - present
Councilor Lessard - present
Councilor Ortiz - excused
Councilor Emhiser - excused
Councilor Whiting - excused
Councilor Beaupre - present
Councilor Gross - present
Councilor Belanger - present
Councilor Doughty - present

2. Pledge of Allegiance

3. Presentation

3.a JFK School Site Walk with Superintendent Ray

4. Adjourn

Motion to adjourn at 6:23 pm by Councilor Belanger

Second: Councilor Doughty

Vote: Unanimous in favor.

Meeting adjourned.



City Council

Meeting Date: September 16, 2025

Meeting Time: 6:00 PM

Agenda Item 9.a

No:

Item 2025.123 Eastern Fire/EMS Substation Phase 1 Update and Authorization for

Description: New Phase 1-B

Submitted By: Lawrence D. Best, Fire Chief

Key Terms:

Eastern Fire/EMS Substation

Executive Summary:

Approval of this Order modifies the amount of funds previously authorized under Order 2023.92 and Order 2025.35 by reallocating funding designated for future phases of the work to increase the funding for a new Phase 1-B in the amount of \$5,800 as part of the schematic design and due diligence work. The approval also modifies the three decision points of the process to add Phase 1-B before proceeding to Phase 2 to prevent unnecessary expenditures should the site prove unsuitable at any one of the decision points. The three decision points essentially gets modified to four decision points, Phase 1, Phase 1-B, Phase 2, and Phase 3.

Detailed Review:

Phase 1- Wetlands & Vernal Pools Assessment Update:

The Phase 1 wetlands and watercourse delineation, along with the vernal pool assessment, was completed by Flycatcher LLC. The report and Memorandum of Findings (Attachment 1) was issued to Fire Department staff on June 3, 2025. Review of the report recommended coordination with the Maine Department of Inland Fisheries and Wildlife (MIFW) on a couple of the findings. Flycatcher LLC conducted two (2) site visits and provided a detailed report identifying both significant and non-significant vernal pools, as well as wetlands. There are three (3) vernal pools that Flycatcher LLC felt could be reclassified based on their findings, which would help clarify any necessary set-back boundaries. One (1) vernal pool was classified as "potentially significant" (vernal pool, VP-CMS1), and the other two (2) were classified as "not significant" (vernal pools W-CMS3 and W-CMS4). During the April/May 2025 assessment, vernal pool VP-CMS1 was found to have a low egg mass count and W-CMS3 and W-CMS4 were

found to have no egg mass counts. The MIFW was consulted to see if these vernal pools could be reclassified. We were told from their perspective and understanding of Chapter 335, vernal pools are those which meet hydrology and origin qualifications and which may provide habitat for indicator species. Additionally, the tracking system is intended to serve multiple goals, including to keep a history of a site's past surveys and findings. Therefore, they do not intend to change the way pools are represented or classified on the MIFW dashboard.

New Phase 1-B- Conceptual Site Layout Plan

Upon reviewing the Phase 1 information and feedback from MIFW with our consultants at Context, it was recommended by them that we add Phase 1-B to the scope of work at a cost of \$5,800. Phase 1-B would be preparation of a conceptual site layout plan, given the wetlands and vernal pool map information. The conceptual site layout plan would evaluate potential wetland and vernal pool critical habitat impacts on the proposed site. This recommendation is based on the information obtained during Phase 1, which potentially reduces the construction area of the site. The goal of Phase 1-B is to ensure a Fire/EMS Substation will conceptually fit on the site before proceeding to Phase 2.

Context will prepare a conceptual base plan using aerial photography, lidar topography, and the wetland/vernal pool map prepared by Flycatcher, LLC. They will also add tax map, lot boundaries, zoning and environmental setbacks and buffers to this plan. They will prepare one (1) high-level conceptual building and site layout plan for the proposed fire station. They will add conceptual site design information, including access drives and apparatus aprons in front of the apparatus bays, staff and visitor parking, approximate stormwater management space, and approximate grading limits. They will review City and Maine DOT driveway standards relative to the allowed curb cut widths off Pool Street. Based on the conceptual site layout plan, they will evaluate the environmental permitting impacts and constraints and provide guidance on the feasibility of permitting the fire station design based on impacts to wetlands, wetland setbacks, and vernal pool critical habitat areas. Included in the fee is one client meeting with Context Architecture and the civil engineer.

This continues the step-wise approach, providing the City Council with the ability to make informed decisions about the suitability of the site as the work progresses rather than at completion of all due diligence work. The step-wise approach adds \$5,800 for Phase 1-B to the original site due diligence proposal (Order 2025.35 [City Council Meeting \(Live\) • Agendas and Minutes - City of Biddeford, ME • CivicClerk](#)) due to added reporting and subcontractor expenses and continues to provide control over decision-making should the site prove to be unsuitable, thus preventing spending on additional design and due diligence work at the earliest opportunity.

History:

In August 2023, the City Council authorized the City Manager to enter into an agreement with Context Architecture (Context) for the Phase I design of a so-called Eastern Fire/EMS

Substation, Order 2023.92. ([City Council Meeting • Agendas and Minutes - City of Biddeford, ME • CivicClerk](#)). This work involved schematic design followed by design development. The work was intended to develop sufficient information to allow for a referendum vote on funding for the proposed substation. A specific site had not been identified at the time of the authorization. It was noted that certain aspects of the design work were not included in the authorization due to the site-specific nature of the work and the impact site constraints and physical characteristics of a site have on the evaluation of a site-specific design. The authorization was for \$150,000 plus \$8,000 in discretionary funds for a site survey. This included schematic design work at \$70,000 and design development work at \$80,000. Context has expended \$38,500 under the schematic design category to date.

In September 2024, a potential site was identified as a portion of #16 Old Pool Road, a part of the UNE Campus property. The City Council tabled Order 2024.150 Approval for Eastern Fire/EMS Station Land Transfer and Order 2024.123 Approve Funds for Eastern Fire/EMS Station Property/Site Conditions Review and Additional Architectural Work authorizing the City Manager to enter into these agreements. Order 2024.123 was an agreement with Context for site-specific geotechnical and architectural design work, Order 2024.123 in the amount of \$58,500. This was broken down into two parts — additional site-specific schematic design work (\$25,000) and additional site-specific civil and due diligence work (\$33,500). No work had been done relative to this Order because of it being tabled. Questions regarding the order of events and the uncertainty of site suitability delayed action. Specifically, the additional schematic design work should not proceed until the due diligence work has been completed, and certain due diligence work may exclude the site from further evaluation.

Context has since modified the original proposal relative to what was in Order 2024.123. The modification was approved by the City Council on April 1, 2025, through Order 2025.35 ([City Council Meeting \(Live\) • Agendas and Minutes - City of Biddeford, ME • CivicClerk](#)). This modification established three decision points within the due diligence review process. The first decision point follows completion of the vernal pool survey and wetlands and watercourse delineation (\$10,800). The second decision point follows completion of the geotechnical investigation and LSE survey (septic design) work (\$16,200). The third decision point follows the existing conditions topographic survey and civil site assessment work (\$13,000). The total cost approved was \$40,000.

Funding Source:

Authorization of City Council Order 2025.35 approved \$40,000 for site due diligence assessments. It is staff's recommendation to appropriate \$5,800 from Phase 3 of the due diligence work that is included in Order 2025.35, for the new Phase 1-B. Should the site be found appropriate to move into the Phase 3 work, then at that time staff's recommendation would be to approve the additional \$5,800 to complete the Phase 3 work. Even though we are introducing Phase 1-B, we will maintain the original three decision points of the due diligence

process established in Order 2025.35 and will add a fourth decision point at Phase 1-B.

Authorizations to date total \$198,000 (\$150,000 + 8,000 + 40,000). Expenses to date total \$49,300. The approvals are assigned to account 22003-65000.

Eastern Fire/EMS Station Approved Funds				
Council Order	Date	Scope	Approved Funds	Expended Funds
2023.92	8/1/2023	Total Funds Approved:	\$150,000	
		Architectural	\$92,400	\$38,500
		Engineering (mechanical, Electrical Etc.)	\$11,000	
		Civil and Permitting	\$12,000	
		Cost Estimating	\$12,420	
		Accessibility & Code	\$2,400	
		Structural	\$14,000	
		Landscape	\$5,780	
		Survey	TBD	
		Total:		\$38,500
2025.35	4/1/2025	Total Funds Approved:	\$40,000	
		Phase 1- Wetlands & Vernal Pool Assessment	\$10,800	\$10,800
		Phase 2- Geotechnical & LSE Pits	\$16,200	
		Phase 3- Existing Conditions, Topographic Survey, Civil Site Assessment	\$13,000	
		Total:		\$10,800

Staff Recommendation:

Staff recommends the Phase 1-B process be approved in the amount of \$5,800 using funds from the already approved amount in Phase 3 of the due diligence work. Phase 1-B allows the determination to be made if a Fire/EMS Substation will fit on the site given the known wetland and vernal pool data, before proceeding to Phase 2 to gather geotechnical and LSE test pit data. If it is determined because of the wetland and vernal pool data that a Fire/EMS Substation will not fit within the parameters of the site, then it does not make sense to proceed with Phase 2.

Next Steps:

If approved, Context will prepare a conceptual site layout plan to determine if a Fire/EMS Substation will fit within the site parameters. Once completed, this data will be reported back to the City Council for further direction.

Attachments:

1. ORDER 2025.123 City Council Order for Eastern Fire EMS Substation Context Architecture Agreement 09-16-2025
2. ATTACHMENT 1- Wetlands Findings Flycatcher_ContextArc-BiddefordFire_NatResourceMemo
3. ATTACHMENT 2- Wetlands 1 CA_25H-001_Biddeford_Delin_Fig2_rev-5-23-2025

4. ATTACHMENT 3- Context 2025.09.03_Amendment #2 - Conceptual Site Layout Plan Proposal Phase 1-B
5. ATTACHMENT 4- Context 2025.03.26_Amendment #1-Site Analysis Original Phases 1-3
6. PRESENTATION 1- Reference Maps Wetland & Vernal Pool Maps

City of Biddeford



2025.123 IN BOARD OF CITY COUNCIL... September 16, 2025

BE IT ORDERED, that the City Manager be authorized to enter into an agreement with Context Architecture to conduct site-specific due diligence work, known as Phase 1-B, on the #16 Old Pool Road property for the Eastern Fire/EMS Substation in the amount of \$5,800.

BE IT FURTHER ORDERD, that this authorization supersedes the previous authorization under ORDER 2025.35 by adding Phase 1-B to that Order.

BE IT FURTHER ORDERD, that the City Council receive a report at the four stages of the work referenced as Phase 1, Phase 1-B, Phase 2, and Phase 3 and that no subsequent work shall proceed until specific authorization to proceed is issued.

The amount requested is from the Reserve 2024 surplus funds consistent with the original approval, 22003-65000.

Attest by: _____

Memorandum of Findings

Date: May 30, 2025

To: Sean Coveney, AIA, MCPPO (Context Architecture)

From: Jessie Hutchinson (Flycatcher)

Cc: Rodney Kelshaw (Flycatcher)

Subject: Route 9, Biddeford - Wetland/Watercourse Delineation and Vernal Pool Survey Results

At the request of Gorrill Palmer, on April 15 and May 2, 2025, scientists from Flycatcher completed a wetland, waterbody and vernal pool survey on an approximately 30-acre parcel at the University of New England (UNE) campus, along Poll Street (Route 9) in Biddeford, Maine (referred as the Survey Area). This memo report provides a summary of the methods and findings of our field surveys.

Methods

Wetlands

Wetland delineations were conducted in accordance with the U.S. Army Corps of Engineers (USACE) Wetland Delineation Manual¹ and the Northcentral and Northeast Regional Supplement (Version 2.0).² The manual and supplement provide a repeatable methodology to identify wetland areas and are the accepted wetland delineation methodology of the Maine Department of Environmental Protection (MDEP) and the USACE.

The Survey Area was investigated by wetland scientists via a meander survey. When a location appeared to have the requisite three factors that constitute a wetland (i.e., hydrophytic vegetation, indicators of hydrology, and the presence of hydric soils) the scientists analyzed the site-specific data to determine if the area met the criteria to be considered a wetland. Boundaries of wetlands identified in forested areas were marked with pink survey flagging labelled with the word “Wetland Delineation” and numbered in sequential order. The location of each flag was collected via GPS as described in **GPS Location** below.

Watercourses and Waterbodies

Stream identification followed the Natural Resources Protection Act (NRPA) definition of a “river, stream or brook” (38 M.R.S. §. 480-B9). The boundary of a waterbody is identified by an “Ordinary High-Water Mark” (OHWM), as defined by the USACE as “that line on the shore established by the fluctuations of water and indicated by physical characteristics such as: 1) a clear, natural line impressed on the bank; 2) shelving; 3) changes in the character of soils; 4) destruction of terrestrial vegetation; or 5) the presence of litter and debris. If a stream or waterbody meeting the above definition was observed, blue survey flagging was hung, and GPS data collected, along the centerline for streams less than ten feet in width, or along the top of the bank for streams ten feet or wider.

¹ Environmental Laboratory. (1987). *Corps of Engineers Wetlands Delineation Manual*, Technical Report Y-87-1, U.S. Army Corps of Engineers Waterways Experiment Station. Vicksburg, MS.

² USACE (2011). *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast region (Version 2.0)*, ed. J.S. Wakely, R.W. Lichvar and C.V. Noble, and J.F. Berkowitz. ERDC/EL TR-08-27. Vicksburg, MS: U.S. Army Engineer Research and Development Center.

Vernal Pools

A formal vernal pool survey was conducted within the Survey Area. This survey followed the definitions provided in Chapter 335 of the NRPA³, USACE Maine General Permit⁴, and the methods described in the Maine Association of Wetland Scientists (MAWS) Vernal Pool Technical Committee Vernal Pool Survey Protocol (April 2014)⁵. Vernal pools are temporarily/seasonally flooded wetlands that provide the primary breeding habitat for vernal pool indicator species, and a host of secondary faunal species. Wood frogs (*Lithobates sylvaticus*), spotted salamanders (*Ambystoma maculatum*), blue spotted salamanders (*Ambystoma laterale*), and fairy shrimp (*Eubrachipus spp.*) are vernal pool indicator species that depend on vernal pools to complete their life cycle. The primary metric used by regulatory authorities to assess vernal pool quality is productivity of breeding vernal pool species; thus, vernal pools must be assessed during the breeding season (generally mid-April to late-May).

In Maine, a subset of vernal pools that exhibit a high level of breeding productivity are regulated as “Significant Vernal Pools” and are afforded protection under the NRPA. If a project triggers USACE jurisdiction, the USACE may regulate certain vernal pool habitats. A vernal pool survey was previously conducted by a different company and that data was previously submitted to MDIFW, and is depicted on their Vernal Pool Summary Dashboard. Their data included eight total vernal pools, one of which was mapped as potentially significant and another as being significant. Flycatcher requested the Maine State Vernal Pool Assessment Forms for these pools from MDIFW on May 12, 2025 to verify and potentially update those findings.

For each vernal pool, the location of the spring high water line was flagged and geolocated and biologists collected photos and completed a Maine State Vernal Pool Assessment Form. Due to the timing of amphibian breeding (salamanders tend to breed slightly later than wood frogs), two site visits to each pool were completed to accurately assess pool productivity.

GPS Location

Environmental features identified during this field survey were geolocated using Juniper Systems’ Geode mapping-grade GPS unit, and ArcGIS Field Maps software to achieve submeter data accuracy.

Wetlands of Special Significance (WoSS)

Chapter 310 of the Maine Natural Resources Protection Act (NRPA)⁶ defines a subset of wetlands that provide a high level of valuable functions and/or values to the surrounding and regional environment as Wetlands of Special Significance (WoSS). WoSS are afforded additional protection and generally more rigorous permitting oversight if a permittee’s project will result in unavoidable impacts. Flycatcher made preliminary WoSS determinations based on observations of physical features noted during the delineation.

³ MEDEP. *Significant Wildlife Habitat*. Chapter 335, Section 9.

⁴ USACE (2020). *Department of the Army General Permits for the State of Maine*. Section IV. 20.

⁵ MAWS (2014). *Vernal Pool Technical Committee Vernal Pool Survey Protocol*. April 2014.

⁶ MEDEP. Natural Resources Protection Act. Chapter 310. Wetlands and Waterbodies Protection Rules. Section 4. A. Wetlands of Special Significance.

Results

Survey Area Description

The Survey Area is situated to the east of Pool Street (Route 9) and extends northeasterly to Old Pool Road. The University of New England's Biddeford Campus is located adjacent to the Survey Area to the north. The site is primarily forested with a tennis court located in the northern corner of the property, and an old stone foundation in the southeastern corner, both along Old Pool Road. The forested upland is composed of northern red oak (*Quercus rubra*) and eastern white pine (*Pinus strobus*) forest, with an understory composed of lowbush blueberry (*Vaccinium angustifolium*) and eastern teaberry (*Gaultheria procumbens*). The upland at this property is composed of a relatively dry forest community, due to shallow bedrock. Many outcroppings of the granitic Biddeford Pluton and metasedimentary rocks of the Kittery Formation create a rolling topography throughout the site⁷, with topography and hydrology sloping to the north in the northern portion of the Survey Area, and draining south near the southern extent of the property.

Typical wetlands are forested swamps with associated vernal pool habitats and/or streams. It is our understanding that the vernal pool habitats at this site provide scientific value to UNE students, professors, and researchers, allowing further understanding about vernal pool ecology.

Wetlands

Five wetland areas were mapped at this site. A summary description of each wetland is provided in Table 1. The location of the mapped wetlands are depicted in Figure 2. USACE Wetland Determination Forms are included in Attachment 2.

Watercourses

Two perennial, three intermittent, and one ephemeral stream are identified in the Survey Area. A summary description of each stream is provided in Table 2, and the locations are depicted in Figure 2.

Vernal Pools

A total of five vernal pools were identified on the property: two significant vernal pools and three non-significant vernal pools. A summary description of each identified pool is presented in Table 3, and locations are depicted in Figure 2. For each significant vernal pool, the corresponding 250-foot critical terrestrial habitat (CTH) is also depicted. The pool and corresponding CTH are considered "significant wildlife habitat" (SWH) and are protected under Chapter 335 of the Natural Resources Protection Act. Proposed activities CTH must avoid unreasonable impacts to the habitat, and unavoidable impacts must be approved by MDEP through a Permit by Rule or individual NRPA permit. Maine Vernal Pool Assessment Forms are included in Attachment 3.

MDIFW Vernal Pool Summary Dashboard

MDIFW depicted eight vernal pools on their Vernal Pool Summary Dashboard. Flycatcher requested data forms for the eight pools on the database which indicated that vernal pool surveys were previously completed in 2023. MDIFW vernal pool center points and their previous determinations of significance are depicted on Figure 3. The findings of the 2023 mapping of the eight vernal pools were that one was

⁷ Hussey II, A.M., Bothner, W.A., Thompson, P.J., Marvinney, R.G., Tucker, R.D. & Tolman, S.S. 2008. *Bedrock Geology of the Kittery 1:100,000 Quadrangle, Maine and New Hampshire*. Maine Geological Survey.

significant, one was potentially significant, four were non-significant pools, and two pools did not have egg masses. The 2025 Flycatcher findings are as follows:

- Our significant vernal pool (SVP-CMS-5) aligned with their significance determination.
- We did not determine their potentially significant vernal pool to be significant during our visits due to low egg mass counts (VP-CMS-1).
- Flycatcher found that one of the MDIFW non-significant vernal pools (#5516), met the criteria for significance (SVP-CMS-4). This pool had previously been submitted as having an un-natural origin resulting from ditching, however site evidence indicates this as a natural pool with ditching only in portions of the depression, as well as significant egg mass counts.
- Flycatcher did not find evidence of breeding within one of the previously mapped pools within W-EEG-1 (MDIFW pool number 5519).
- We confirmed the two pools that previously did not have egg masses in the 2023 survey, again did not have egg masses and therefore do not meet the definition of a vernal pool (MDIFW Pool #5518 and #5520). Flycatcher recommends that these two pools be removed from the MDIFW Vernal Pool Summary Dashboard. These pools are depicted in Figure 2 with an “X” over the MDIFW center point symbol.

WOSS

Preliminary WoSS determinations are included in Table 1. WoSS determination may require consultation with the Maine Department of Inland Fisheries and Wildlife and the Maine Natural Areas Program to ascertain known or potential presence of certain threatened or endangered natural resources or natural communities. Flycatcher did not perform these consultations.

Table 1. Wetland Summary							
Resource ID	Cowardin Class [1]	Dominant Vegetation	Wetland Hydrology Indicators [2]	Hydric Soil Indicators [3]	WoSS [4]	Associated Resources	Description
W-CMS-1	PFO	Red maple (<i>Acer rubrum</i>), eastern white pine, eastern hop-hornbeam (<i>Ostrya virginiana</i>), common winterberry (<i>Ilex verticillata</i>), highbush blueberry (<i>Vaccinium corymbosum</i>), speckled alder (<i>Alnus incana</i>), cinnamon fern (<i>Osmundastrum cinnamomemum</i>), sensitive fern (<i>Onoclea sensibilis</i>), May-apple (<i>Podophyllum peltatum</i>)	A2- High water table, A3- Saturation, B9- Water-stained leaves, C4- Presence of reduced iron, D2- Geomorphic position	A11. Depleted Below Dark Surface, A12. Thick Dark Surface, F3. Depleted Matrix	Yes , Contains significant wildlife habitat & areas within 25 ft. of a stream	S-CMS-3 & 4	Forested wetland occupying low-lying areas riparian to two perennial streams.
W-CMS-2	PFO	Red maple, quaking aspen (<i>Populus tremuloides</i>), paper birch (<i>Betula papyrifera</i>), eastern white pine, yellow birch (<i>B. alleghaniensis</i>), eastern hop-hornbeam, maleberry (<i>Lyonia ligustrina</i>), cinnamon fern, sensitive fern, highbush blueberry, broad-leaf meadowsweet (<i>Spiraea latifolia</i>) cottongrass bulrush (<i>Scirpus cyperinus</i>), bluejoint (<i>Calamagrostis canadensis</i>), northern long sedge (<i>Carex folliculata</i>)	A1- Surface water, A2- High water table, A3- Saturation, B9- Water-stained leaves, C4- Presence of reduced iron, D2- Geomorphic position, D4- Microtopographic relief	A11. Depleted Below Dark Surface, A12. Thick Dark Surface, F3. Depleted Matrix	Yes , Contains significant wildlife habitat & areas within 25 ft. of a stream	VP-CMS-1, 2, & 3; SVP-CMS-4 & 5; S-CMS-2, 5, & 6	Large wetland complex composed of an undisturbed forested swamp, with vernal pools and streams throughout.
W-CMS-3	PFO	Red maple, highbush blueberry, beaked hazelnut (<i>Corylus cornuta</i>)	A1- Surface water, A2- High water table, A3 Saturation, B8- Sparsely vegetated concave surface, B9- Water-stained leaves, D2- Geomorphic position	S5. Sandy Redox	Not likely	-	Isolated wetland with a potential vernal pool. Area used for scientific study of vernal pool habitat.
W-CMS-4	PFO	Red maple	A2- High water table, A3 Saturation, B8- Sparsely vegetated concave surface, B9- Water-stained leaves, D2- Geomorphic position	A11. Depleted Below Dark Surface,	Yes , Contains significant wildlife habitat	-	Isolated wetland, with limited vegetation. Young trees morphologically adapted to survive in saturated soil conditions.
W-EEG-1	PFO	Red maple, eastern white pine, quaking aspen, broad-leaf meadowsweet, speckled alder, maleberry, highbush blueberry, sensitive fern, bluejoint, cinnamon fern	A1- Surface water, A2- High water table, A3- Saturation, B9- Water-stained leaves, C4- Presence of reduced iron, D2- Geomorphic position, D4- Microtopographic relief	A11. Depleted Below Dark Surface, F3. Depleted Matrix, F8. Redox Depressions	Yes , Areas within 25 ft. of stream.	S-CMS-1	Large, forested swamp with a shallow, bedrock-controlled water table.
[1] Determined using Cowardin System: Federal Geographic Data Committee. 2013. Classification of wetlands and deepwater habitats of the United States. FGDC-STD-004-2013. Second Edition. Wetlands Subcommittee, Federal Geographic Data Committee and U.S. Fish and Wildlife Service, Washington, DC.							
[2] U.S. Army Corps of Engineers. 2011. Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region (Version 2.0), ed. J. S. Wakeley, R. W. Lichvar, C. V. Noble, and J. F. Berkowitz. ERDC/EL TR-12-1. Vicksburg, MS: U.S. Army Engineer Research and Development Center.							
[3] United States Department of Agriculture, Natural Resources Conservation Service. 2024. Field Indicators of Hydric Soils in the United States, Version 9.0.							
[4] Wetlands of Special Significance (WoSS), as defined in NRPA Chapter 310 (4)(A), further WoSS qualifiers may be met following receipt of updated responses from the MDIFW and MNAP.							

Table 2. Watercourse Summary								
Resource ID	Flow Regime	Dominant Substrate	Average Bank Width (ft.)	Average Bank Height (ft.)	Average Water Depth (in.)	Flow Direction	Associated Resources	Description
S-CMS-1	Intermittent	Mucky sand	2.5	1.0	8.0	South	W-EEG-1	Small stream flowing through a forested swamp.
S-CMS-2	Intermittent	Organic	3.0	1.5	7.0	Northeast	W-CMS-2	Channel draining SVP-CMS-4 to SVP-CMS-5.
S-CMS-3	Perennial	Sand, gravel	6.0	1.5	10.0	Northeast	W-CMS-1	Moderate size stream flowing through a forested wetland into S-CMS-4.
S-CMS-4	Perennial	Gravel, sand	11.0	3.0	12.0	East	W-CMS-1	Large stream with woody debris, flowing along the property boundary. Stream beginning west of survey area.
S-CMS-5	Intermittent	Organic	2.5	0.5	3.0	Northeast	W-CMS-2	Narrow channel draining SVP-CMS-5 to a culvert along Old Pool Road.
S-CMS-6	Ephemeral	Organic	1.0	1.0	3.0	Northwest	W-CMS-2	Man-made ditch, draining VP-CMS-2&3 through a narrow upland passage.

Table 3. Vernal Pool Summary													
Resource ID	Pool Origin	Faunal Vernal Pool Indicator Species							*NRPA Significant	USACE Regulated	MDIFW Vernal Pool Number	MDIFW Database Significance	Description
		(based on two site visits)											
		Wood Frog Egg Masses		Spotted Salamander Egg Masses		Blue Spotted Salamander Egg Masses		Fairy Shrimp or RTE					
VP-CMS-1	Natural	0	0	11	8	0	0	0	No	Likely	5515	Potentially Significant	Large pit and mound complex in a forested swamp.
VP-CMS-2	Natural-modified	8	6	12	13	0	0	0	No	Likely	5514	Not Significant	Excavation in a forested wetland. Permanently ponded.
VP-CMS-3	Natural-modified	5	7	37	38	0	0	0	No	Likely	5513	Not Significant	Deep excavation with large woody debris. High egg masses counts but pool is permanently ponded, doesn't meet significance requirements.
SVP-CMS-4	Natural-modified	3	0	22	23	0	0	0	Yes	Likely	5516	Not Significant	Pit and mound pool in a forested swamp with historic ditching. Previous mapping called it not-natural, however our observations are that it is natural modified.
SVP-CMS-5	Natural	36	18	22	84	0	0	0	Yes	Likely	5517	Significant	Expansive pit and mound complex in a forested swamp.
*NRPA vernal pool significance is determined in breeding season by the criteria found in: MEDEP. Significant Wildlife Habitat. Chapter 335, Section 9.													

Thank you for the opportunity to assist you with natural resource identification for this project. If you have any questions regarding the results provided in this report, please do not hesitate to contact me.

Respectfully submitted,

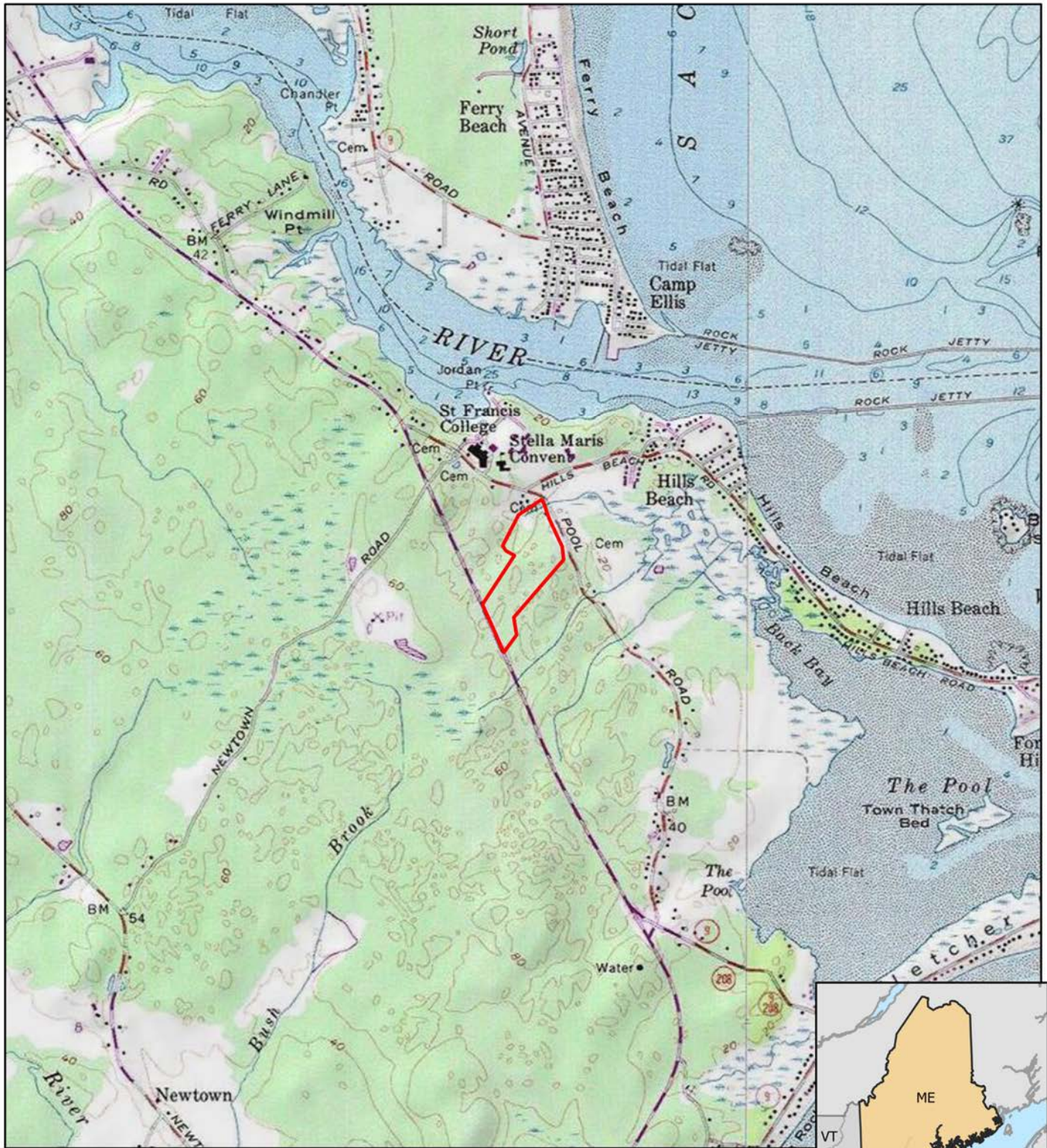
A handwritten signature in black ink that reads "Jessie Hutchinson". The signature is written in a cursive, flowing style.

Jessie Hutchinson
Environmental and Permitting Specialist - Flycatcher LLC
(207) 491-9029 – jessie@flycatcherllc.com

ATTACHMENT 1

Figure 1. USGS Survey Area Location Map

Figure 2. Natural Resource Map



BASE MAP FROM USGS 7.5 MINUTE TOPOGRAPHIC QUADRANGLE SERIES.



1" = 2,000'
1:24,000

0 2,000 4,000
FEET



context
ARCHITECTURE

Flycatcher
LAND • SCIENCE • PEOPLE

PROJECT:

**CONTEXT ARCHITECTURE
ROUTE 9 / POOL STREET
BIDDEFORD, YORK COUNTY, MAINE**

LEGEND:



SURVEY AREA

DRAWN BY:

G. BOZEK

CHECKED BY:

J. HUTCHINSON

MONTH:

MAY

YEAR:

2025

PROJ. NO.:

25H-001

CLIENT:

CONTEXT ARCHITECTURE

FIGURE 1 - USGS LOCATION MAP

Coordinate System: NAD 1983 StatePlane Maine West FIPS 1802 Feet



LEGEND

- SURVEY AREA
- DELINEATED EPHEMERAL STREAM
- DELINEATED INTERMITTENT STREAM
- DELINEATED PERENNIAL STREAM
- DELINEATED WETLAND BOUNDARY
- DELINEATED PERENNIAL STREAM WATERBODY
- DELINEATED WETLAND
- SIGNIFICANT VERNAL POOL
- VERNAL POOL
- 250 ft. CRITICAL TERRESTRIAL HABITAT
- CULVERT

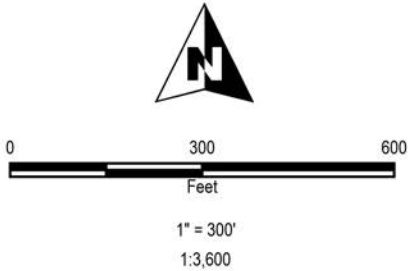
MDIFW VERNAL POOL CENTERPOINT

- SIGNIFICANT
- POTENTIALLY SIGNIFICANT
- NOT SIGNIFICANT*

USACE PLOT

- UPLAND
- WETLAND

*FOR MDIFW VERNAL POOLS WITH AN "X" SYMBOL, FLYCATCHER RECOMMENDS REMOVAL FROM THE VERNAL POOL DATABASE.



PROJECT:		CONTEXT ARCHITECTURE ROUTE 9 / POOL STREET BIDDEFORD, YORK COUNTY, MAINE	
TITLE: DELINEATED NATURAL RESOURCES MAP			
DRAWN BY: G. BOZEK		PROJ NO.: 25H-001	
CHECKED BY: J. HUTCHINSON		FIGURE 2	
MONTH: MAY			
YEAR: 2025			
			
FILE NO.:			

ATTACHMENT 2

USACE Wetland Determination Forms

U.S. Army Corps of Engineers WETLAND DETERMINATION DATA SHEET – Northcentral and Northeast Region See ERDC/EL TR-12-1; the proponent agency is CECW-CO-R	OMB Control #: 0710-0024, Exp: 9/30/2027 Requirement Control Symbol EXEMPT: (Authority: AR 335-15, paragraph 5-2a)
--	---

Project/Site: Biddeford Fire City/County: Biddeford Sampling Date: 5/2/2025

Applicant/Owner: Context Architecture State: ME Sampling Point: UP: W-CMS-2

Investigator(s): Cortney Stevenson (Flycatcher) Section, Township, Range: _____

Landform (hillside, terrace, etc.): Hillside Local relief (concave, convex, none): Convex Slope %: 6

Subregion (LRR or MLRA): LRR R Lat: 43.454827 Long: -70.384765 Datum: WGS 84

Soil Map Unit Name: Lyman loam, 8 to 15 percent slopes, rocky (LnC) NWI classification: N/A

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No _____ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes X No _____

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes _____ No <u>X</u> Hydric Soil Present? Yes _____ No <u>X</u> Wetland Hydrology Present? Yes _____ No <u>X</u>	Is the Sampled Area within a Wetland? Yes _____ No <u>X</u> If yes, optional Wetland Site ID: _____
---	---

Remarks: (Explain alternative procedures here or in a separate report.)

HYDROLOGY

Wetland Hydrology Indicators: <u>Primary Indicators (minimum of one is required; check all that apply)</u> _____ Surface Water (A1) _____ Water-Stained Leaves (B9) _____ High Water Table (A2) _____ Aquatic Fauna (B13) _____ Saturation (A3) _____ Marl Deposits (B15) _____ Water Marks (B1) _____ Hydrogen Sulfide Odor (C1) _____ Sediment Deposits (B2) _____ Oxidized Rhizospheres on Living Roots (C3) _____ Drift Deposits (B3) _____ Presence of Reduced Iron (C4) _____ Algal Mat or Crust (B4) _____ Recent Iron Reduction in Tilled Soils (C6) _____ Iron Deposits (B5) _____ Thin Muck Surface (C7) _____ Inundation Visible on Aerial Imagery (B7) _____ Other (Explain in Remarks) _____ Sparsely Vegetated Concave Surface (B8)	<u>Secondary Indicators (minimum of two required)</u> _____ Surface Soil Cracks (B6) _____ Drainage Patterns (B10) _____ Moss Trim Lines (B16) _____ Dry-Season Water Table (C2) _____ Crayfish Burrows (C8) _____ Saturation Visible on Aerial Imagery (C9) _____ Stunted or Stressed Plants (D1) _____ Geomorphic Position (D2) _____ Shallow Aquitard (D3) _____ Microtopographic Relief (D4) _____ FAC-Neutral Test (D5)
---	---

Field Observations: Surface Water Present? Yes _____ No <u>X</u> Depth (inches): _____ Water Table Present? Yes _____ No <u>X</u> Depth (inches): _____ Saturation Present? Yes <u>X</u> No _____ Depth (inches): <u>18</u> (includes capillary fringe)	Wetland Hydrology Present? Yes _____ No <u>X</u>
--	---

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:
 Saturation may be due to high precipitation occurring prior to, and during survey.

VEGETATION – Use scientific names of plants.

 Sampling Point: UP: W-CMS-2

Tree Stratum (Plot size: <u>30' radius</u>)	Absolute % Cover	Dominant Species?	Indicator Status																	
1. <u>Populus tremuloides</u>	<u>20</u>	<u>Yes</u>	<u>FACU</u>	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>2</u> (A) Total Number of Dominant Species Across All Strata: <u>9</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>22.2%</u> (A/B)																
2. <u>Acer rubrum</u>	<u>30</u>	<u>Yes</u>	<u>FAC</u>																	
3. <u>Pinus strobus</u>	<u>45</u>	<u>Yes</u>	<u>FACU</u>																	
4. _____	_____	_____	_____																	
5. _____	_____	_____	_____																	
6. _____	_____	_____	_____																	
7. _____	_____	_____	_____																	
	<u>95</u>	=Total Cover		Prevalence Index worksheet: <table style="width: 100%;"> <tr> <th style="width: 50%;">Total % Cover of:</th> <th style="width: 50%;">Multiply by:</th> </tr> <tr> <td>OBL species <u>0</u></td> <td>x 1 = <u>0</u></td> </tr> <tr> <td>FACW species <u>0</u></td> <td>x 2 = <u>0</u></td> </tr> <tr> <td>FAC species <u>40</u></td> <td>x 3 = <u>120</u></td> </tr> <tr> <td>FACU species <u>135</u></td> <td>x 4 = <u>540</u></td> </tr> <tr> <td>UPL species <u>0</u></td> <td>x 5 = <u>0</u></td> </tr> <tr> <td>Column Totals: <u>175</u> (A)</td> <td><u>660</u> (B)</td> </tr> <tr> <td colspan="2">Prevalence Index = B/A = <u>3.77</u></td> </tr> </table>	Total % Cover of:	Multiply by:	OBL species <u>0</u>	x 1 = <u>0</u>	FACW species <u>0</u>	x 2 = <u>0</u>	FAC species <u>40</u>	x 3 = <u>120</u>	FACU species <u>135</u>	x 4 = <u>540</u>	UPL species <u>0</u>	x 5 = <u>0</u>	Column Totals: <u>175</u> (A)	<u>660</u> (B)	Prevalence Index = B/A = <u>3.77</u>	
Total % Cover of:	Multiply by:																			
OBL species <u>0</u>	x 1 = <u>0</u>																			
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Column Totals: <u>175</u> (A)	<u>660</u> (B)																			
Prevalence Index = B/A = <u>3.77</u>																				
Sapling/Shrub Stratum (Plot size: <u>15' radius</u>)																				
1. <u>Lonicera morrowii</u>	<u>15</u>	<u>Yes</u>	<u>FACU</u>																	
2. <u>Rubus allegheniensis</u>	<u>10</u>	<u>Yes</u>	<u>FACU</u>																	
3. <u>Vaccinium angustifolium</u>	<u>10</u>	<u>Yes</u>	<u>FACU</u>																	
4. <u>Acer rubrum</u>	<u>10</u>	<u>Yes</u>	<u>FAC</u>																	
5. _____	_____	_____	_____																	
6. _____	_____	_____	_____																	
7. _____	_____	_____	_____																	
	<u>45</u>	=Total Cover																		
Herb Stratum (Plot size: <u>5' radius</u>)																				
1. <u>Maianthemum canadense</u>	<u>25</u>	<u>Yes</u>	<u>FACU</u>	Hydrophytic Vegetation Indicators: <u>1</u> - Rapid Test for Hydrophytic Vegetation <u>2</u> - Dominance Test is >50% <u>3</u> - Prevalence Index is ≤3.0 ¹ <u>4</u> - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) <u> </u> Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.																
2. <u>Uvularia sessilifolia</u>	<u>10</u>	<u>Yes</u>	<u>FACU</u>																	
3. _____	_____	_____	_____																	
4. _____	_____	_____	_____																	
5. _____	_____	_____	_____																	
6. _____	_____	_____	_____																	
7. _____	_____	_____	_____																	
8. _____	_____	_____	_____																	
9. _____	_____	_____	_____																	
10. _____	_____	_____	_____																	
11. _____	_____	_____	_____																	
12. _____	_____	_____	_____																	
	<u>35</u>	=Total Cover																		
Woody Vine Stratum (Plot size: <u>30' radius</u>)																				
1. _____	_____	_____	_____	Definitions of Vegetation Strata: Tree – Woody plants 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height. Sapling/shrub – Woody plants less than 3 in. DBH and greater than or equal to 3.28 ft (1 m) tall. Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall. Woody vines – All woody vines greater than 3.28 ft in height.																
2. _____	_____	_____	_____																	
3. _____	_____	_____	_____																	
4. _____	_____	_____	_____																	
	_____	=Total Cover		Hydrophytic Vegetation Present? Yes <u> </u> No <u> X </u>																

Remarks: (Include photo numbers here or on a separate sheet.)

SOIL

Sampling Point UP: W-CMS-2

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-8	7.5YR 4/2	100					Loamy/Clayey	A; VFSL
8-16	7.5YR 4/6	100					Loamy/Clayey	Bs1; SiL
16-20	7.5YR 4/4	100					Loamy/Clayey	Bs2; SiL; 12% gravel
¹ Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains.							² Location: PL=Pore Lining, M=Matrix.	
Hydric Soil Indicators:							Indicators for Problematic Hydric Soils³:	
☐ Histosol (A1)			☐ Dark Surface (S7)				☐ 2 cm Muck (A10) (LRR K, L, MLRA 149B)	
☐ Histic Epipedon (A2)			☐ Polyvalue Below Surface (S8) (LRR R,				☐ 5 cm Mucky Peat or Peat (S3) (LRR K, L, R)	
☐ Black Histic (A3)			MLRA 149B)				☐ Polyvalue Below Surface (S8) (LRR K, L)	
☐ Hydrogen Sulfide (A4)			☐ Thin Dark Surface (S9) (LRR R, MLRA 149B)				☐ Thin Dark Surface (S9) (LRR K, L)	
☐ Stratified Layers (A5)			☐ High Chroma Sands (S11) (LRR K, L)				☐ Iron-Manganese Masses (F12) (LRR K, L, R)	
☐ Depleted Below Dark Surface (A11)			☐ Loamy Mucky Mineral (F1) (LRR K, L)				☐ Piedmont Floodplain Soils (F19) (MLRA 149B)	
☐ Thick Dark Surface (A12)			☐ Loamy Gleyed Matrix (F2)				☐ Red Parent Material (F21) (outside MLRA 145)	
☐ Mesic Spodic (A17)			☐ Depleted Matrix (F3)				☐ Very Shallow Dark Surface (F22)	
(MLRA 144A, 145, 149B)			☐ Redox Dark Surface (F6)				☐ Other (Explain in Remarks)	
☐ Iron Monosulfide (A18)			☐ Depleted Dark Surface (F7)					
☐ Sandy Mucky Mineral (S1)			☐ Redox Depressions (F8)					
☐ Sandy Gleyed Matrix (S4)			☐ Marl (F10) (LRR K, L)					
☐ Sandy Redox (S5)			☐ Red Parent Material (F21) (MLRA 145)					
☐ Stripped Matrix (S6)								
Restrictive Layer (if observed):								
Type: _____								
Depth (inches): _____						Hydric Soil Present? Yes ____ No <u>X</u>		
Remarks: Fine textured upland soil formed in glaciomarine sediments overlying bedrock/till near the bottom of the profile.								

AGENCY DISCLOSURE NOTIFICATION

The public reporting burden for this collection of information, OMB Control Number 0710-0024, is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or burden reduction suggestions to the Department of Defense, Washington Headquarters Services, at whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. **PLEASE DO NOT RETURN YOUR REQUEST TO THE ABOVE EMAIL.**

PRIVACY ACT STATEMENT

Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Programs of the Corps of Engineers; Final Rule 33 CFR 320-332. Principal Purpose: Information provided on this form will be used in evaluating the application for a permit. Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public and may be made available as part of a public notice as required by Federal law. Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can a permit be issued. One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and/or instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned. System of Record Notice (SORN). The information received is entered into our permit tracking database and a SORN has been completed (SORN #A1145b) and may be accessed at the following website: <http://dpcl.d.defense.gov/Privacy/SORNsIndex/DOD-wide-SORN-Article-View/Article/570115/a1145b-ce.aspx>

U.S. Army Corps of Engineers WETLAND DETERMINATION DATA SHEET – Northcentral and Northeast Region See ERDC/EL TR-12-1; the proponent agency is CECW-CO-R	OMB Control #: 0710-0024, Exp: 9/30/2027 Requirement Control Symbol EXEMPT: (Authority: AR 335-15, paragraph 5-2a)
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Project/Site: Biddeford Fire City/County: Biddeford Sampling Date: 5/2/2025

Applicant/Owner: Context Architecture State: ME Sampling Point: WET: W-CMS-2

Investigator(s): Cortney Stevenson (Flycatcher) Section, Township, Range: _____

Landform (hillside, terrace, etc.): Terrace Local relief (concave, convex, none): Concave Slope %: 1

Subregion (LRR or MLRA): LRR R Lat: 43.454871 Long: -70.385067 Datum: WGS 84

Soil Map Unit Name: Lyman loam, 8 to 15 percent slopes, rocky (LnC) NWI classification: N/A

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No _____ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes X No _____

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes <u>X</u> No _____ Hydric Soil Present? Yes <u>X</u> No _____ Wetland Hydrology Present? Yes <u>X</u> No _____	Is the Sampled Area within a Wetland? Yes <u>X</u> No _____ If yes, optional Wetland Site ID: <u>W-CMS-2</u>
Remarks: (Explain alternative procedures here or in a separate report.)	

HYDROLOGY

Wetland Hydrology Indicators: <u>Primary Indicators</u> (minimum of one is required; check all that apply)	<u>Secondary Indicators</u> (minimum of two required)
☐ Surface Water (A1) ☒ High Water Table (A2) ☒ Saturation (A3) ☐ Water Marks (B1) ☐ Sediment Deposits (B2) ☐ Drift Deposits (B3) ☐ Algal Mat or Crust (B4) ☐ Iron Deposits (B5) ☐ Inundation Visible on Aerial Imagery (B7) ☐ Sparsely Vegetated Concave Surface (B8) ☒ Water-Stained Leaves (B9) ☐ Aquatic Fauna (B13) ☐ Marl Deposits (B15) ☐ Hydrogen Sulfide Odor (C1) ☐ Oxidized Rhizospheres on Living Roots (C3) ☒ Presence of Reduced Iron (C4) ☐ Recent Iron Reduction in Tilled Soils (C6) ☐ Thin Muck Surface (C7) ☐ Other (Explain in Remarks)	☐ Surface Soil Cracks (B6) ☐ Drainage Patterns (B10) ☐ Moss Trim Lines (B16) ☐ Dry-Season Water Table (C2) ☐ Crayfish Burrows (C8) ☐ Saturation Visible on Aerial Imagery (C9) ☐ Stunted or Stressed Plants (D1) ☒ Geomorphic Position (D2) ☐ Shallow Aquitard (D3) ☒ Microtopographic Relief (D4) ☐ FAC-Neutral Test (D5)
Field Observations: Surface Water Present? Yes _____ No <u>X</u> Depth (inches): _____ Water Table Present? Yes <u>X</u> No _____ Depth (inches): <u>4</u> Saturation Present? Yes <u>X</u> No _____ Depth (inches): <u>0</u> (includes capillary fringe)	Wetland Hydrology Present? Yes <u>X</u> No _____
Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available: Remarks:	

VEGETATION – Use scientific names of plants.

 Sampling Point: WET: W-CMS-2

Tree Stratum (Plot size: <u>30' radius</u>)	Absolute % Cover	Dominant Species?	Indicator Status																	
1. <u>Populus tremuloides</u>	<u>40</u>	<u>Yes</u>	<u>FACU</u>	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>3</u> (A) Total Number of Dominant Species Across All Strata: <u>8</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>37.5%</u> (A/B)																
2. <u>Acer rubrum</u>	<u>20</u>	<u>Yes</u>	<u>FAC</u>																	
3. <u>Pinus strobus</u>	<u>30</u>	<u>Yes</u>	<u>FACU</u>																	
4. <u>Tsuga canadensis</u>	<u>10</u>	<u>No</u>	<u>FACU</u>																	
5. _____	_____	_____	_____																	
6. _____	_____	_____	_____																	
7. _____	_____	_____	_____																	
<u>100</u> =Total Cover																				
Sapling/Shrub Stratum (Plot size: <u>15' radius</u>)																				
1. <u>Vaccinium corymbosum</u>	<u>25</u>	<u>Yes</u>	<u>FACW</u>	Prevalence Index worksheet: <table style="width: 100%;"> <tr> <th style="width: 40%;">Total % Cover of:</th> <th style="width: 60%;">Multiply by:</th> </tr> <tr> <td>OBL species <u>0</u></td> <td>x 1 = <u>0</u></td> </tr> <tr> <td>FACW species <u>45</u></td> <td>x 2 = <u>90</u></td> </tr> <tr> <td>FAC species <u>20</u></td> <td>x 3 = <u>60</u></td> </tr> <tr> <td>FACU species <u>120</u></td> <td>x 4 = <u>480</u></td> </tr> <tr> <td>UPL species <u>0</u></td> <td>x 5 = <u>0</u></td> </tr> <tr> <td>Column Totals: <u>185</u> (A)</td> <td><u>630</u> (B)</td> </tr> <tr> <td colspan="2" style="text-align: center;">Prevalence Index = B/A = <u>3.41</u></td> </tr> </table>	Total % Cover of:	Multiply by:	OBL species <u>0</u>	x 1 = <u>0</u>	FACW species <u>45</u>	x 2 = <u>90</u>	FAC species <u>20</u>	x 3 = <u>60</u>	FACU species <u>120</u>	x 4 = <u>480</u>	UPL species <u>0</u>	x 5 = <u>0</u>	Column Totals: <u>185</u> (A)	<u>630</u> (B)	Prevalence Index = B/A = <u>3.41</u>	
Total % Cover of:	Multiply by:																			
OBL species <u>0</u>	x 1 = <u>0</u>																			
FACW species <u>45</u>	x 2 = <u>90</u>																			
FAC species <u>20</u>	x 3 = <u>60</u>																			
FACU species <u>120</u>	x 4 = <u>480</u>																			
UPL species <u>0</u>	x 5 = <u>0</u>																			
Column Totals: <u>185</u> (A)	<u>630</u> (B)																			
Prevalence Index = B/A = <u>3.41</u>																				
2. <u>Pinus strobus</u>	<u>15</u>	<u>Yes</u>	<u>FACU</u>																	
3. _____	_____	_____	_____																	
4. _____	_____	_____	_____																	
5. _____	_____	_____	_____																	
6. _____	_____	_____	_____																	
7. _____	_____	_____	_____																	
<u>40</u> =Total Cover																				
Herb Stratum (Plot size: <u>5' radius</u>)																				
1. <u>Osmundastrum cinnamomeum</u>	<u>20</u>	<u>Yes</u>	<u>FACW</u>	Hydrophytic Vegetation Indicators: <u>1</u> - Rapid Test for Hydrophytic Vegetation <u>2</u> - Dominance Test is >50% <u>3</u> - Prevalence Index is ≤3.0 ¹ <u>4</u> - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) <u> </u> Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.																
2. <u>Uvularia sessilifolia</u>	<u>10</u>	<u>Yes</u>	<u>FACU</u>																	
3. <u>Gaultheria procumbens</u>	<u>5</u>	<u>No</u>	<u>FACU</u>																	
4. <u>Maianthemum canadense</u>	<u>10</u>	<u>Yes</u>	<u>FACU</u>																	
5. _____	_____	_____	_____																	
6. _____	_____	_____	_____																	
7. _____	_____	_____	_____																	
8. _____	_____	_____	_____																	
9. _____	_____	_____	_____																	
10. _____	_____	_____	_____																	
11. _____	_____	_____	_____																	
12. _____	_____	_____	_____																	
<u>45</u> =Total Cover																				
Woody Vine Stratum (Plot size: <u>30' radius</u>)																				
1. _____	_____	_____	_____	Definitions of Vegetation Strata: Tree – Woody plants 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height. Sapling/shrub – Woody plants less than 3 in. DBH and greater than or equal to 3.28 ft (1 m) tall. Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall. Woody vines – All woody vines greater than 3.28 ft in height.																
2. _____	_____	_____	_____																	
3. _____	_____	_____	_____																	
4. _____	_____	_____	_____																	
_____ =Total Cover																				
Remarks: (Include photo numbers here or on a separate sheet.)																				

SOIL

Sampling Point WET: W-CMS-2

[illegible]

AGENCY DISCLOSURE NOTIFICATION

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PRIVACY ACT STATEMENT

Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Programs of the Corps of Engineers; Final Rule 33 CFR 320-332. Principal Purpose: Information provided on this form will be used in evaluating the application for a permit. Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public and may be made available as part of a public notice as required by Federal law. Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can a permit be issued. One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and/or instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned. System of Record Notice (SORN). The information received is entered into our permit tracking database and a SORN has been completed (SORN #A1145b) and may be accessed at the following website: <http://dpcl.d.defense.gov/Privacy/SORNsIndex/DOD-wide-SORN-Article-View/Article/570115/a1145b-ce.aspx>

U.S. Army Corps of Engineers WETLAND DETERMINATION DATA SHEET – Northcentral and Northeast Region See ERDC/EL TR-12-1; the proponent agency is CECW-CO-R	OMB Control #: 0710-0024, Exp: 9/30/2027 Requirement Control Symbol EXEMPT: (Authority: AR 335-15, paragraph 5-2a)
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Project/Site: Biddeford Fire City/County: Biddeford Sampling Date: 5/2/2025
Applicant/Owner: Context Architecture State: ME Sampling Point: UP: W-EEG-1
Investigator(s): Cortney Stevenson (Flycatcher) Section, Township, Range: _____
Landform (hillside, terrace, etc.): Hillside Local relief (concave, convex, none): Convex Slope %: 4
Subregion (LRR or MLRA): LRR R Lat: 43.452228 Long: -70.387542 Datum: WGS 84
Soil Map Unit Name: Lyman-Rock outcrop complex, 3 to 8 percent slopes (LyB) NWI classification: N/A
Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No _____ (If no, explain in Remarks.)
Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes X No _____
Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes _____ No <u>X</u>	Is the Sampled Area within a Wetland? Yes _____ No <u>X</u> If yes, optional Wetland Site ID: _____
Hydric Soil Present? Yes _____ No <u>X</u>	
Wetland Hydrology Present? Yes _____ No <u>X</u>	

Remarks: (Explain alternative procedures here or in a separate report.)

HYDROLOGY

Wetland Hydrology Indicators: <u>Primary Indicators (minimum of one is required; check all that apply)</u> ____ Surface Water (A1) ____ Water-Stained Leaves (B9) ____ High Water Table (A2) ____ Aquatic Fauna (B13) ____ Saturation (A3) ____ Marl Deposits (B15) ____ Water Marks (B1) ____ Hydrogen Sulfide Odor (C1) ____ Sediment Deposits (B2) ____ Oxidized Rhizospheres on Living Roots (C3) ____ Drift Deposits (B3) ____ Presence of Reduced Iron (C4) ____ Algal Mat or Crust (B4) ____ Recent Iron Reduction in Tilled Soils (C6) ____ Iron Deposits (B5) ____ Thin Muck Surface (C7) ____ Inundation Visible on Aerial Imagery (B7) ____ Other (Explain in Remarks) ____ Sparsely Vegetated Concave Surface (B8)	<u>Secondary Indicators (minimum of two required)</u> ____ Surface Soil Cracks (B6) ____ Drainage Patterns (B10) ____ Moss Trim Lines (B16) ____ Dry-Season Water Table (C2) ____ Crayfish Burrows (C8) ____ Saturation Visible on Aerial Imagery (C9) ____ Stunted or Stressed Plants (D1) ____ Geomorphic Position (D2) ____ Shallow Aquitard (D3) ____ Microtopographic Relief (D4) ____ FAC-Neutral Test (D5)
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Field Observations: Surface Water Present? Yes _____ No <u>X</u> Depth (inches): _____ Water Table Present? Yes _____ No <u>X</u> Depth (inches): _____ Saturation Present? Yes _____ No <u>X</u> Depth (inches): _____ (includes capillary fringe)	Wetland Hydrology Present? Yes _____ No <u>X</u>
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Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

VEGETATION – Use scientific names of plants.

 Sampling Point: UP: W-EEG-1

Tree Stratum (Plot size: <u>30' radius</u>)	Absolute % Cover	Dominant Species?	Indicator Status																	
1. <u>Quercus rubra</u>	<u>25</u>	<u>Yes</u>	<u>FACU</u>	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>2</u> (A) Total Number of Dominant Species Across All Strata: <u>7</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>28.6%</u> (A/B)																
2. <u>Acer rubrum</u>	<u>30</u>	<u>Yes</u>	<u>FAC</u>																	
3. <u>Pinus strobus</u>	<u>50</u>	<u>Yes</u>	<u>FACU</u>																	
4. _____	_____	_____	_____																	
5. _____	_____	_____	_____																	
6. _____	_____	_____	_____																	
7. _____	_____	_____	_____																	
		<u>105</u>	=Total Cover	Prevalence Index worksheet: <table style="width: 100%;"> <tr> <th style="width: 50%;">Total % Cover of:</th> <th style="width: 50%;">Multiply by:</th> </tr> <tr> <td>OBL species <u>0</u></td> <td>x 1 = <u>0</u></td> </tr> <tr> <td>FACW species <u>0</u></td> <td>x 2 = <u>0</u></td> </tr> <tr> <td>FAC species <u>40</u></td> <td>x 3 = <u>120</u></td> </tr> <tr> <td>FACU species <u>150</u></td> <td>x 4 = <u>600</u></td> </tr> <tr> <td>UPL species <u>0</u></td> <td>x 5 = <u>0</u></td> </tr> <tr> <td>Column Totals: <u>190</u> (A)</td> <td><u>720</u> (B)</td> </tr> <tr> <td colspan="2">Prevalence Index = B/A = <u>3.79</u></td> </tr> </table>	Total % Cover of:	Multiply by:	OBL species <u>0</u>	x 1 = <u>0</u>	FACW species <u>0</u>	x 2 = <u>0</u>	FAC species <u>40</u>	x 3 = <u>120</u>	FACU species <u>150</u>	x 4 = <u>600</u>	UPL species <u>0</u>	x 5 = <u>0</u>	Column Totals: <u>190</u> (A)	<u>720</u> (B)	Prevalence Index = B/A = <u>3.79</u>	
Total % Cover of:	Multiply by:																			
OBL species <u>0</u>	x 1 = <u>0</u>																			
FACW species <u>0</u>	x 2 = <u>0</u>																			
FAC species <u>40</u>	x 3 = <u>120</u>																			
FACU species <u>150</u>	x 4 = <u>600</u>																			
UPL species <u>0</u>	x 5 = <u>0</u>																			
Column Totals: <u>190</u> (A)	<u>720</u> (B)																			
Prevalence Index = B/A = <u>3.79</u>																				
Sapling/Shrub Stratum (Plot size: <u>15' radius</u>)																				
1. <u>Vaccinium angustifolium</u>	<u>20</u>	<u>Yes</u>	<u>FACU</u>																	
2. <u>Acer rubrum</u>	<u>10</u>	<u>Yes</u>	<u>FAC</u>																	
3. _____	_____	_____	_____																	
4. _____	_____	_____	_____																	
5. _____	_____	_____	_____																	
6. _____	_____	_____	_____																	
7. _____	_____	_____	_____																	
		<u>30</u>	=Total Cover	Hydrophytic Vegetation Indicators: <u>1</u> - Rapid Test for Hydrophytic Vegetation <u>2</u> - Dominance Test is >50% <u>3</u> - Prevalence Index is ≤3.0 ¹ <u>4</u> - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) <u> </u> Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.																
Herb Stratum (Plot size: <u>5' radius</u>)																				
1. <u>Maianthemum canadense</u>	<u>20</u>	<u>Yes</u>	<u>FACU</u>																	
2. <u>Gaultheria procumbens</u>	<u>35</u>	<u>Yes</u>	<u>FACU</u>																	
3. _____	_____	_____	_____																	
4. _____	_____	_____	_____																	
5. _____	_____	_____	_____																	
6. _____	_____	_____	_____																	
7. _____	_____	_____	_____																	
8. _____	_____	_____	_____																	
9. _____	_____	_____	_____																	
10. _____	_____	_____	_____																	
11. _____	_____	_____	_____																	
12. _____	_____	_____	_____																	
		<u>55</u>	=Total Cover	Definitions of Vegetation Strata: Tree – Woody plants 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height. Sapling/shrub – Woody plants less than 3 in. DBH and greater than or equal to 3.28 ft (1 m) tall. Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall. Woody vines – All woody vines greater than 3.28 ft in height.																
Woody Vine Stratum (Plot size: <u>30' radius</u>)																				
1. _____	_____	_____	_____																	
2. _____	_____	_____	_____																	
3. _____	_____	_____	_____																	
4. _____	_____	_____	_____																	
		_____	=Total Cover	Hydrophytic Vegetation Present? Yes <u> </u> No <u> X </u>																

Remarks: (Include photo numbers here or on a separate sheet.)

SOIL

Sampling Point UP: W-EEG-1

[illegible]

AGENCY DISCLOSURE NOTIFICATION

The public reporting burden for this collection of information, OMB Control Number 0710-0024, is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or burden reduction suggestions to the Department of Defense, Washington Headquarters Services, at whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. **PLEASE DO NOT RETURN YOUR REQUEST TO THE ABOVE EMAIL.**

PRIVACY ACT STATEMENT

Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Programs of the Corps of Engineers; Final Rule 33 CFR 320-332. Principal Purpose: Information provided on this form will be used in evaluating the application for a permit. Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public and may be made available as part of a public notice as required by Federal law. Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can a permit be issued. One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and/or instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned. System of Record Notice (SORN). The information received is entered into our permit tracking database and a SORN has been completed (SORN #A1145b) and may be accessed at the following website: <http://dpcl.d.defense.gov/Privacy/SORNsIndex/DOD-wide-SORN-Article-View/Article/570115/a1145b-ce.aspx>

VEGETATION – Use scientific names of plants.

Sampling Point: WET: W-EEG-1

Tree Stratum (Plot size: <u>30' radius</u>)	Absolute % Cover	Dominant Species?	Indicator Status																	
1. <u>Populus tremuloides</u>	<u>30</u>	<u>Yes</u>	<u>FACU</u>	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>4</u> (A) Total Number of Dominant Species Across All Strata: <u>7</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>57.1%</u> (A/B)																
2. <u>Acer rubrum</u>	<u>55</u>	<u>Yes</u>	<u>FAC</u>																	
3. <u>Pinus strobus</u>	<u>10</u>	<u>No</u>	<u>FACU</u>																	
4. _____	_____	_____	_____																	
5. _____	_____	_____	_____																	
6. _____	_____	_____	_____																	
7. _____	_____	_____	_____																	
		<u>95</u>	=Total Cover	Prevalence Index worksheet: <table style="width: 100%;"> <tr> <th style="text-align: left;">Total % Cover of:</th> <th style="text-align: right;">Multiply by:</th> </tr> <tr> <td>OBL species <u>0</u></td> <td>x 1 = <u>0</u></td> </tr> <tr> <td>FACW species <u>55</u></td> <td>x 2 = <u>110</u></td> </tr> <tr> <td>FAC species <u>80</u></td> <td>x 3 = <u>240</u></td> </tr> <tr> <td>FACU species <u>75</u></td> <td>x 4 = <u>300</u></td> </tr> <tr> <td>UPL species <u>0</u></td> <td>x 5 = <u>0</u></td> </tr> <tr> <td>Column Totals: <u>210</u> (A)</td> <td><u>650</u> (B)</td> </tr> <tr> <td colspan="2">Prevalence Index = B/A = <u>3.10</u></td> </tr> </table>	Total % Cover of:	Multiply by:	OBL species <u>0</u>	x 1 = <u>0</u>	FACW species <u>55</u>	x 2 = <u>110</u>	FAC species <u>80</u>	x 3 = <u>240</u>	FACU species <u>75</u>	x 4 = <u>300</u>	UPL species <u>0</u>	x 5 = <u>0</u>	Column Totals: <u>210</u> (A)	<u>650</u> (B)	Prevalence Index = B/A = <u>3.10</u>	
Total % Cover of:	Multiply by:																			
OBL species <u>0</u>	x 1 = <u>0</u>																			
FACW species <u>55</u>	x 2 = <u>110</u>																			
FAC species <u>80</u>	x 3 = <u>240</u>																			
FACU species <u>75</u>	x 4 = <u>300</u>																			
UPL species <u>0</u>	x 5 = <u>0</u>																			
Column Totals: <u>210</u> (A)	<u>650</u> (B)																			
Prevalence Index = B/A = <u>3.10</u>																				
Sapling/Shrub Stratum (Plot size: <u>15' radius</u>)																				
1. <u>Alnus incana</u>	<u>20</u>	<u>Yes</u>	<u>FACW</u>																	
2. <u>Pinus strobus</u>	<u>5</u>	<u>No</u>	<u>FACU</u>																	
3. <u>Ilex verticillata</u>	<u>30</u>	<u>Yes</u>	<u>FACW</u>																	
4. <u>Acer rubrum</u>	<u>10</u>	<u>No</u>	<u>FAC</u>																	
5. <u>Spiraea latifolia</u>	<u>5</u>	<u>No</u>	<u>FACW</u>																	
6. _____	_____	_____	_____																	
7. _____	_____	_____	_____																	
		<u>70</u>	=Total Cover	Hydrophytic Vegetation Indicators: <u>1</u> - Rapid Test for Hydrophytic Vegetation <u>X</u> <u>2</u> - Dominance Test is >50% <u>3</u> - Prevalence Index is ≤3.0 ¹ <u>4</u> - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) <u> </u> Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.																
Herb Stratum (Plot size: <u>5' radius</u>)																				
1. <u>Anemone quinquefolia</u>	<u>20</u>	<u>Yes</u>	<u>FACU</u>																	
2. <u>Equisetum arvense</u>	<u>15</u>	<u>Yes</u>	<u>FAC</u>																	
3. <u>Maianthemum canadense</u>	<u>10</u>	<u>Yes</u>	<u>FACU</u>																	
4. _____	_____	_____	_____																	
5. _____	_____	_____	_____																	
6. _____	_____	_____	_____																	
7. _____	_____	_____	_____																	
8. _____	_____	_____	_____																	
9. _____	_____	_____	_____																	
10. _____	_____	_____	_____																	
11. _____	_____	_____	_____																	
12. _____	_____	_____	_____																	
		<u>45</u>	=Total Cover	Definitions of Vegetation Strata: Tree – Woody plants 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height. Sapling/shrub – Woody plants less than 3 in. DBH and greater than or equal to 3.28 ft (1 m) tall. Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall. Woody vines – All woody vines greater than 3.28 ft in height.																
Woody Vine Stratum (Plot size: <u>30' radius</u>)																				
1. _____	_____	_____	_____																	
2. _____	_____	_____	_____																	
3. _____	_____	_____	_____																	
4. _____	_____	_____	_____																	
		_____	=Total Cover	Hydrophytic Vegetation Present? Yes <u>X</u> No _____																
Remarks: (Include photo numbers here or on a separate sheet.)																				

SOIL

Sampling Point WET: W-EEG-1

[illegible]

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Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Programs of the Corps of Engineers; Final Rule 33 CFR 320-332. Principal Purpose: Information provided on this form will be used in evaluating the application for a permit. Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public and may be made available as part of a public notice as required by Federal law. Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can a permit be issued. One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and/or instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned. System of Record Notice (SORN). The information received is entered into our permit tracking database and a SORN has been completed (SORN #A1145b) and may be accessed at the following website: <http://dpcl.d.defense.gov/Privacy/SORNsIndex/DOD-wide-SORN-Article-View/Article/570115/a1145b-ce.aspx>

ATTACHMENT 3

Maine State Vernal Pool Assessment Forms



Maine State Vernal Pool Assessment Form



INSTRUCTIONS:

- Complete all 3 pages of form thoroughly. Most fields are required for pool registration.
- Clear photographs of a) the pool AND b) the indicators (one example of each species egg mass) are required for all observers.

Observer's Pool ID: VP-CMS-1

MDIFW Pool ID: _____

1. PRIMARY OBSERVER INFORMATION

- a. Observer name: Cortney Stevenson-Flycatcher
- b. Contact and credentials previously provided? ☐ No (submit Addendum 1) ☒ Yes

2. PROJECT CONTACT INFORMATION

- a. Contact name: ☐ same as observer ☒ other Jessie Hutchinson
- b. Contact and credentials previously provided? ☐ No (submit Addendum 1) ☒ Yes
- c. Project Name: Biddeford Fire

3. LANDOWNER CONTACT INFORMATION

- a. Are you the landowner? ☐ Yes ☒ No If no, was landowner permission obtained for survey? ☒ Yes ☐ No
- b. Landowner's contact information (required)
- Name: University of New England Phone: (207) 602-2253 E-mail: athibeault@une.edu
- Street Address: 11 Hills Beach Road City: Biddeford State: ME Zip: 04005
- c. ☐ Large Projects: check if separate project landowner data file submitted

The Maine Department of Environmental Protection will e-mail official status letters to the project contact and landowner. Please check these data for completeness and accuracy to prevent delay in mailings. E-mail is the preferred method of notification; please provide e-mail addresses for the project contact and the landowner when available.

4. VERNAL POOL LOCATION INFORMATION

a. Location Township: Biddeford

Brief site directions to the pool (using mapped landmarks):

From the intersection of Newtown Rd and Pools St (Rt9), head south on Rt 9 for 0.37 miles before walking northeast in the woods for 415ft to the pool.

b. Mapping Requirements

- i. USGS topographic map OR aerial photograph with pool clearly marked.
- ii. **GPS location of vernal pool (use Datum NAD83 / WGS84)**
- Longitude/Easting: -70.386829 Latitude/Northing: 43.453019
- Coordinate system: NAD 83
- Check one: ☐ GIS shapefile
- send to VernalPool.MDIFW@maine.gov; observer has reviewed shape accuracy
- ☒ (Best) The pool perimeter is delineated by multiple GPS points. (Excellent)
- Include map or spreadsheet with coordinates.
- ☐ The above GPS point is at the center of the pool. (Good)



Maine State Vernal Pool Assessment Form



5. VERNAL POOL HABITAT INFORMATION

a. Habitat survey date (only if different from indicator survey dates on page 3): _____

b. Wetland habitat characterization

■ Choose the best descriptor for the landscape setting:

- ☐ Isolated depression
 ☒ Pool associated with larger wetland complex
☐ Floodplain depression
 ☐ Other: _____

■ Check all wetland types that best apply to this pool:

- | | | | |
|--|---|--|--|
| ☒ Forested swamp | ☐ Wet meadow | ☐ Slow stream | ☐ Dug pond or borrow pit |
| ☐ Shrub swamp | ☐ Lake or pond cove | ☐ Floodplain | |
| ☐ Peatland (fen or bog) | ☐ Abandoned beaver flowage | ☐ Mostly unvegetated pool | ☐ Roadside ditch |
| ☐ Emergent marsh | ☐ Active beaver flowage | ☐ ATV or skidder rut | ☒ Other: _____ |

c. Vernal pool status under the Natural Resources Protection Act (NRPA)

i. Pool Origin: ☒ Natural ☐ Natural-Modified ☐ Unnatural ☐ Unknown

If modified, unnatural or unknown, describe any modern or historic human impacts to the pool (**required**):

ii. Pool Hydrology

■ Select the pool's estimated hydroperiod AND provide rationale in box (**required**):

- ☐ Permanent
 ☐ Semi-permanent (drying partially in all years and completely in drought years)
 ☒ Ephemeral (drying out completely in most years)
 ☐ Unknown

Explain:

Pit and mound topo with vegetation on mounds and water in basins.

■ Maximum depth at survey: ☐ 0-12" (0-1 ft.) ☒ 12-36" (1-3 ft.) ☐ 36-60" (3-5 ft.) ☐ >60" (>5 ft.)

■ Approximate size of pool (at spring highwater): Width: 50 ☐ m ☒ ft Length: 150 ☐ m ☒ ft

■ Predominate substrate in order of increasing hydroperiod:

- ☐ Mineral soil (bare, leaf-litter bottom, or upland mosses present)
 ☐ Organic matter (peat/muck) shallow or restricted to deepest portion
☐ Mineral soil (sphagnum moss present)
 ☒ Organic matter (peat/muck) deep and widespread

■ Pool vegetation indicators in order of increasing hydroperiod (check all that apply):

- | | |
|--|---|
| ☐ Terrestrial nonvascular spp. (e.g. haircap moss, lycopodium spp.) | ☒ Wet site ferns (e.g. royal fern, marsh fern) |
| ☐ Dry site ferns (e.g. spinulose wood fern, lady fern, bracken fern) | ☒ Wet site shrubs (e.g. highbush blueberry, maleberry, winterberry, mountain holly) |
| ☒ Moist site ferns (e.g. sensitive fern, cinnamon fern, interrupted fern, New York fern) | ☒ Wet site graminoids (e.g. blue-joint grass, tussock sedge, cattail, bulrushes) |
| ☐ Moist site vasculars (e.g. skunk cabbage, jewelweed, blue flag iris, swamp candle) | ☐ Aquatic vascular spp. (e.g. pickerelweed, arrowhead) |
| ☒ Sphagnum moss (anchored or suspended) | ☐ Floating or submerged aquatics (e.g. water lily, water shield, pond weed, bladderwort) |
| | ☐ No vegetation in pool |

■ Faunal indicators (check all that apply):

- ☐ Fish
 ☐ Bullfrog or Green Frog tadpoles

☐ Other: _____

iii. Inlet/Outlet Flow Permanency

Type of inlet or outlet (a seasonal or permanent channel providing water flowing into or out of the pool):

- ☒ No inlet or outlet
 ☐ Permanent inlet or outlet (channel with well-defined banks and permanent flow)
☐ Intermittent inlet or outlet
 ☐ Other or Unknown (explain): _____



Maine State Vernal Pool Assessment Form



6. VERNAL POOL INDICATOR INFORMATION

a. Indicator survey dates: 4/15/2025; 5/2/2025

b. Indicator abundance criteria and pool survey effort

- Is pool depression bisected by 2 ownerships (straddler pool)? ☐ Yes ☒ No
- Was the entire pool surveyed for egg masses? ☒ Yes ☐ No; what % of entire pool surveyed? 100
- For each indicator species, indicate the exact number of egg masses, confidence level for species determination, and egg mass maturity. Separate cells are provided for separate survey dates.

INDICATOR SPECIES	Egg Masses (or adult Fairy Shrimp)									Tadpoles/Larvae ⁴			
	Visit #1	Visit #2	Visit #3	Confidence Level ¹			Egg Mass Maturity ²			Observed	Confidence Level ¹		
Wood Frog	0	0								0			
Spotted Salamander	11	8		3	3		F/M	M/A		0			
Blue-spotted Salamander	0	0								0			
Fairy Shrimp ³	0	0											

1-Confidence level: 1 = <60%, 2 = 60-95%, 3 = >95%

2-Egg mass maturity: F= Fresh (<24 hrs), M= Mature (round embryos), A= Advanced (loose matrix, curved embryos), H= Hatched or Hatching

3-Fairy shrimp: X = present

4-Tadpoles/larvae: X = present

c. Rarity criteria

- Note any rare species associated with vernal pools. Observations should be accompanied by photographs.

SPECIES	Method of Verification*			CL**	SPECIES	Method of Verification*			CL**
	P	H	S			P	H	S	
Blanding's Turtle	☐	☐	☐		Wood Turtle	☐	☐	☐	
Spotted Turtle	☐	☐	☐		Ribbon Snake	☐	☐	☐	
Ringed Boghaunter	☐	☐	☐		Other:	☐	☐	☐	

*Method of verification: P = Photographed, H = Handled, S = Seen

**CL - Confidence level in species determination: 1= <60%, 2= 60-95%, 3= >95%

d. Optional observer recommendation:

☐ SVP ☐ Potential SVP ☒ Non Significant VP ☐ Indicator Breeding Area

e. General vernal pool comments and/or observations of other wildlife:

Large pit and mound complex

Send completed form and supporting documentation to: VernalPool.MDIFW@maine.gov

NOTE: Digital submissions are preferred but if not possible, please mail to: Maine Department of Inland Fisheries and Wildlife
Attn: Vernal Pools
106 Hogan Road, Suite 1
Bangor, ME 04401

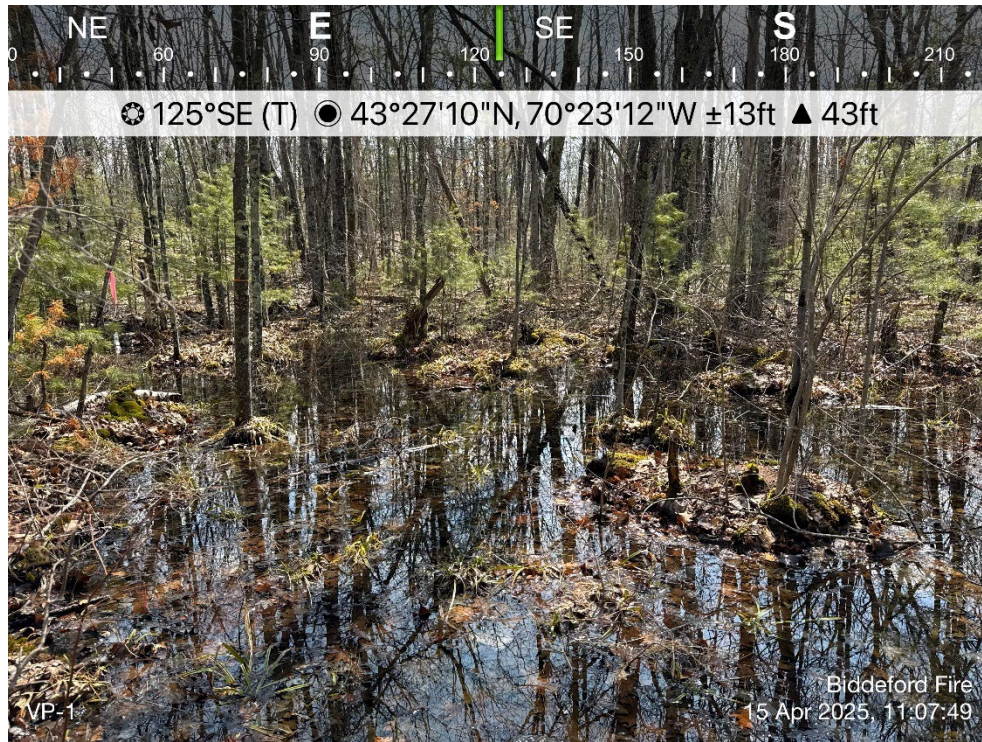
For MDIFW use only

Reviewed by MDIFW Date: Initials:

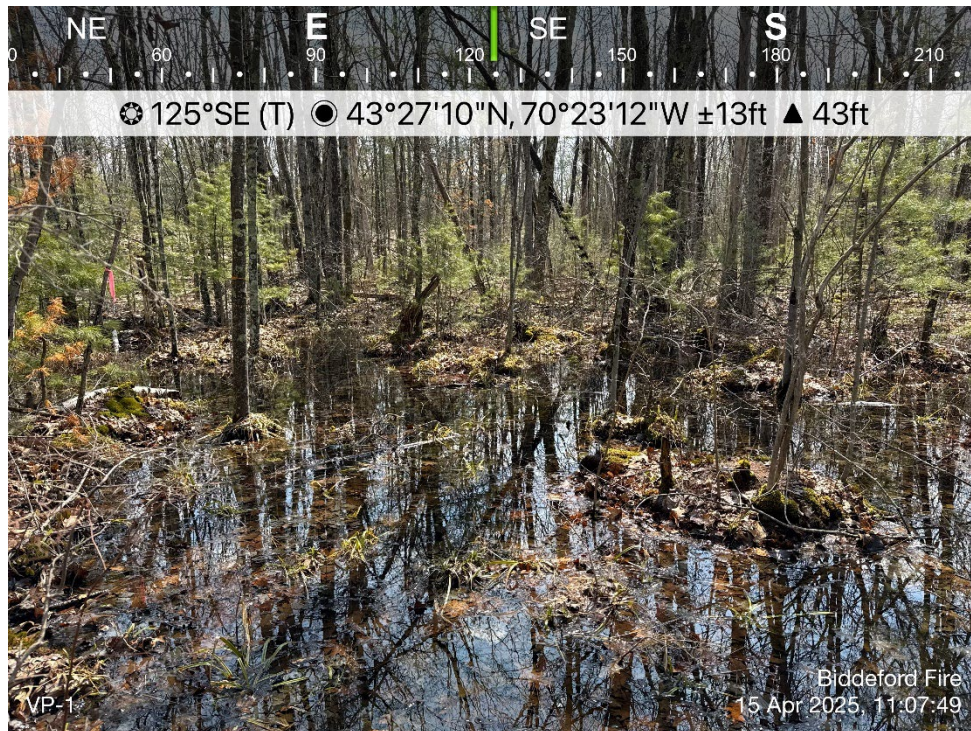
This pool is: ☐ Significant ☐ Potentially Significant but lacking critical data ☐ Not Significant due to: ☐ does not meet biological criteria. ☐ does not meet MDEP vernal pool criteria.

Comments:

Vernal Pool VP-CMS-1 Representative Photos



VP-CMS-1 looking southeast
April 15, 2025



VP-CMS-1 looking north
April 15, 2025



VP-CMS-1 looking east
May 2, 2025



VP-CMS-1 looking south
May 2, 2025



VP-CMS-1 spotted salamander egg mass
April 15, 2025



Maine State Vernal Pool Assessment Form



INSTRUCTIONS:

- Complete all 3 pages of form thoroughly. Most fields are required for pool registration.
- Clear photographs of a) the pool AND b) the indicators (one example of each species egg mass) are required for all observers.

Observer's Pool ID: VP-CMS-2

MDIFW Pool ID: _____

1. PRIMARY OBSERVER INFORMATION

- a. Observer name: Cortney Stevenson-Flycatcher
- b. Contact and credentials previously provided? ☐ No (submit Addendum 1) ☐ Yes

2. PROJECT CONTACT INFORMATION

- a. Contact name: ☐ same as observer ☐ other Jessie Hutchinson
- b. Contact and credentials previously provided? ☐ No (submit Addendum 1) ☐ Yes
- c. Project Name: Biddeford Fire

3. LANDOWNER CONTACT INFORMATION

- a. Are you the landowner? ☐ Yes ☐ No If no, was landowner permission obtained for survey? ☐ Yes ☐ No
- b. Landowner's contact information (required)
- Name: University of New England Phone: (207) 602-2253 E-mail: athibeault@une.edu
- Street Address: 11 Hills Beach Road City: Biddeford State: ME Zip: 04005
- c. ☐ Large Projects: check if separate project landowner data file submitted

The Maine Department of Environmental Protection will e-mail official status letters to the project contact and landowner. Please check these data for completeness and accuracy to prevent delay in mailings. E-mail is the preferred method of notification; please provide e-mail addresses for the project contact and the landowner when available.

4. VERNAL POOL LOCATION INFORMATION

a. Location Township: Biddeford

Brief site directions to the pool (using mapped landmarks):

From the intersection of Hills Beach Rd and Old Pool Rd in Biddeford, head south on Old Pool Rd for 0.2 miles before walking 440 ft to the southwest to the pool.

b. Mapping Requirements

i. USGS topographic map OR aerial photograph with pool clearly marked.

ii. GPS location of vernal pool (use Datum NAD83 / WGS84)

Longitude/Easting: -70.385181 Latitude/Northing: 43.453775

Coordinate system: NAD 83

Check one: ☐ GIS shapefile

- send to VernalPool.MDIFW@maine.gov; observer has reviewed shape accuracy

☐ (Best) The pool perimeter is delineated by multiple GPS points. (Excellent)

- Include map or spreadsheet with coordinates.

☐ The above GPS point is at the center of the pool. (Good)



Maine State Vernal Pool Assessment Form



5. VERNAL POOL HABITAT INFORMATION

a. Habitat survey date (only if different from indicator survey dates on page 3): _____

b. Wetland habitat characterization

■ Choose the best descriptor for the landscape setting:

- ☐ Isolated depression ☐ Pool associated with larger wetland complex
☐ Floodplain depression ☐ Other: _____

■ Check all wetland types that best apply to this pool:

- ☒ Forested swamp ☐ Wet meadow ☐ Slow stream ☒ Dug pond or borrow pit
☐ Shrub swamp ☐ Lake or pond cove ☐ Floodplain
☐ Peatland (fen or bog) ☐ Abandoned beaver flowage ☒ Mostly unvegetated pool ☐ Roadside ditch
☐ Emergent marsh ☐ Active beaver flowage ☐ ATV or skidder rut ☐ Other: _____

c. Vernal pool status under the Natural Resources Protection Act (NRPA)

i. Pool Origin: ☐ Natural ☐ Natural-Modified ☐ Unnatural ☐ Unknown

If modified, unnatural or unknown, describe any modern or historic human impacts to the pool (**required**):

Excavated pool in a forested wetland.

ii. Pool Hydrology

■ Select the pool's estimated hydroperiod AND provide rationale in box (**required**):

- ☐ Permanent ☐ Semi-permanent (drying partially in all years and completely in drought years) ☐ Ephemeral (drying out completely in most years) ☐ Unknown

Explain:

Deep excavation with dark water and submerged large woody debris. Water about 4.5ft. deep in lowest part.

■ Maximum depth at survey: ☐ 0-12" (0-1 ft.) ☐ 12-36" (1-3 ft.) ☐ 36-60" (3-5 ft.) ☐ >60" (>5 ft.)

■ Approximate size of pool (at spring highwater): Width: 50 ☐ m ☐ ft Length: 70 ☐ m ☐ ft

■ Predominate substrate in order of increasing hydroperiod:

- ☐ Mineral soil (bare, leaf-litter bottom, or upland mosses present) ☐ Organic matter (peat/muck) shallow or restricted to deepest portion
☐ Mineral soil (sphagnum moss present) ☐ Organic matter (peat/muck) deep and widespread

■ Pool vegetation indicators in order of increasing hydroperiod (check all that apply):

- ☐ Terrestrial nonvascular spp. (e.g. haircap moss, lycopodium spp.) ☐ Wet site ferns (e.g. royal fern, marsh fern)
☐ Dry site ferns (e.g. spinulose wood fern, lady fern, bracken fern) ☒ Wet site shrubs (e.g. highbush blueberry, maleberry, winterberry, mountain holly)
☒ Moist site ferns (e.g. sensitive fern, cinnamon fern, interrupted fern, New York fern) ☐ Wet site graminoids (e.g. blue-joint grass, tussock sedge, cattail, bulrushes)
☐ Moist site vasculars (e.g. skunk cabbage, jewelweed, blue flag iris, swamp candle) ☐ Aquatic vascular spp. (e.g. pickerelweed, arrowhead)
☒ Sphagnum moss (anchored or suspended) ☐ Floating or submerged aquatics (e.g. water lily, water shield, pond weed, bladderwort)
☐ No vegetation in pool

■ Faunal indicators (check all that apply):

- ☐ Fish ☐ Bullfrog or Green Frog tadpoles ☒ Other: Wood frog

iii. Inlet/Outlet Flow Permanency

Type of inlet or outlet (a seasonal or permanent channel providing water flowing into or out of the pool):

- ☐ No inlet or outlet ☐ Permanent inlet or outlet (channel with well-defined banks and permanent flow)
☐ Intermittent inlet or outlet ☐ Other or Unknown (explain): _____



Maine State Vernal Pool Assessment Form



6. VERNAL POOL INDICATOR INFORMATION

a. Indicator survey dates: 4/15/2025; 5/2/2025

b. Indicator abundance criteria and pool survey effort

- Is pool depression bisected by 2 ownerships (straddler pool)? ☐ Yes ☐ No
- Was the entire pool surveyed for egg masses? ☐ Yes ☐ No; what % of entire pool surveyed? 100
- For each indicator species, indicate the exact number of egg masses, confidence level for species determination, and egg mass maturity. Separate cells are provided for separate survey dates.

INDICATOR SPECIES	Egg Masses (or adult Fairy Shrimp)						Tadpoles/Larvae ⁴					
	Visit #1	Visit #2	Visit #3	Confidence Level ¹		Egg Mass Maturity ²		Observed		Confidence Level ¹		
Wood Frog	8	6		3	3	F/M	A/H	0	1		3	
Spotted Salamander	12	13		3	3	F/M	A/H	0				
Blue-spotted Salamander	0	0						0				
Fairy Shrimp ³	0	0										

1-Confidence level: 1 = <60%, 2 = 60-95%, 3 = >95%

2-Egg mass maturity: F= Fresh (<24 hrs), M= Mature (round embryos), A= Advanced (loose matrix, curved embryos), H= Hatched or Hatching

3-Fairy shrimp: X = present

4-Tadpoles/larvae: X = present

c. Rarity criteria

- Note any rare species associated with vernal pools. Observations should be accompanied by photographs.

SPECIES	Method of Verification*			CL**	SPECIES	Method of Verification*			CL**
	P	H	S			P	H	S	
Blanding's Turtle	☐	☐	☐		Wood Turtle	☐	☐	☐	
Spotted Turtle	☐	☐	☐		Ribbon Snake	☐	☐	☐	
Ringed Boghaunter	☐	☐	☐		Other:	☐	☐	☐	

*Method of verification: P = Photographed, H = Handled, S = Seen

**CL - Confidence level in species determination: 1= <60%, 2= 60-95%, 3= >95%

d. Optional observer recommendation:

☐ SVP ☐ Potential SVP ☒ Non Significant VP ☐ Indicator Breeding Area

e. General vernal pool comments and/or observations of other wildlife:

Naturalized pool in excavation within a forested wetland. Large woody debris and ample shade provide high-quality habitat for amphibians in this area. Permanent hydrology.

Send completed form and supporting documentation to: VernalPool.MDIFW@maine.gov

NOTE: Digital submissions are preferred but if not possible, please mail to: Maine Department of Inland Fisheries and Wildlife
Attn: Vernal Pools
106 Hogan Road, Suite 1
Bangor, ME 04401

For MDIFW use only

Reviewed by MDIFW Date: Initials:

This pool is: ☐ Significant ☐ Potentially Significant but lacking critical data ☐ Not Significant due to: ☐ does not meet biological criteria. ☐ does not meet MDEP vernal pool criteria.

Comments:

Vernal Pool VP-CMS-2 Representative Photos



VP-CMS-2 looking southwest
April 15, 2025



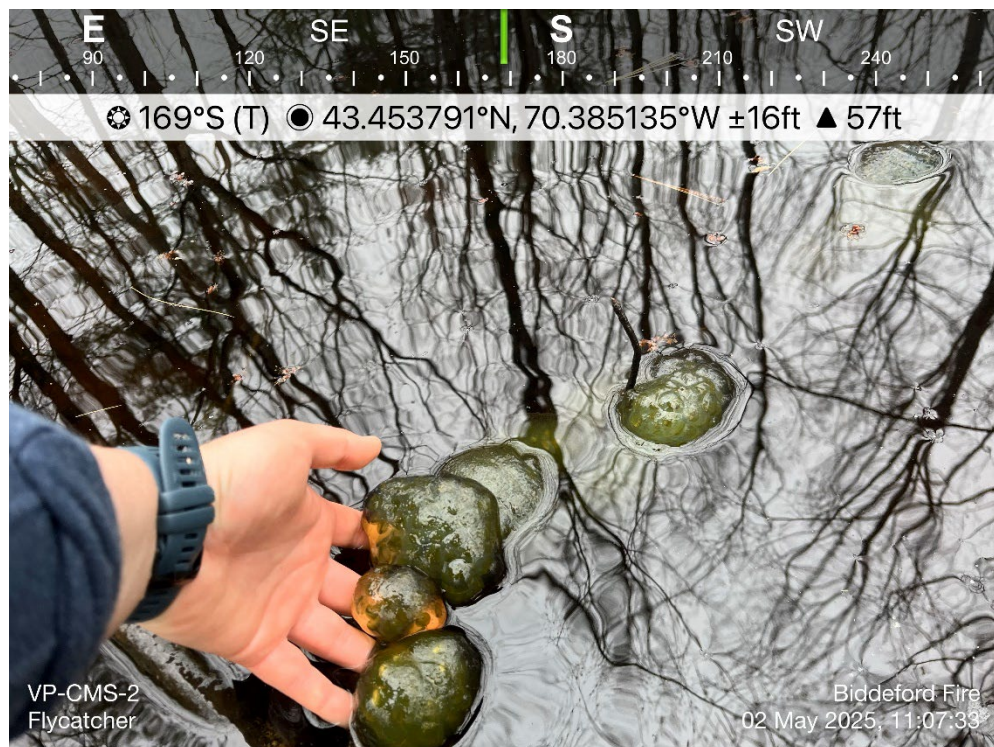
VP-CMS-2 looking south
May 2, 2025



VP-CMS-2 wood frog egg mass
April 15, 2025



VP-CMS-2 spotted salamander egg masses
April 15, 2025



VP-CMS-2spotted salamander egg masses
May 2, 2025



Maine State Vernal Pool Assessment Form



INSTRUCTIONS:

- Complete all 3 pages of form thoroughly. Most fields are required for pool registration.
- Clear photographs of a) the pool AND b) the indicators (one example of each species egg mass) are required for all observers.

Observer's Pool ID: VP-CMS-3

MDIFW Pool ID: _____

1. PRIMARY OBSERVER INFORMATION

- a. Observer name: Cortney Stevenson-Flycatcher
- b. Contact and credentials previously provided? ☐ No (submit Addendum 1) ☒ Yes

2. PROJECT CONTACT INFORMATION

- a. Contact name: ☐ same as observer ☒ other Jessie Hutchinson
- b. Contact and credentials previously provided? ☐ No (submit Addendum 1) ☒ Yes
- c. Project Name: Biddeford Fire

3. LANDOWNER CONTACT INFORMATION

- a. Are you the landowner? ☐ Yes ☒ No If no, was landowner permission obtained for survey? ☒ Yes ☐ No
- b. Landowner's contact information (required)
- Name: University of New England Phone: (207) 602-2253 E-mail: athibeault@une.edu
- Street Address: 11 Hills Beach Road City: Biddeford State: ME Zip: 04005
- c. ☐ Large Projects: check if separate project landowner data file submitted

The Maine Department of Environmental Protection will e-mail official status letters to the project contact and landowner. Please check these data for completeness and accuracy to prevent delay in mailings. E-mail is the preferred method of notification; please provide e-mail addresses for the project contact and the landowner when available.

4. VERNAL POOL LOCATION INFORMATION

a. Location Township: Biddeford

Brief site directions to the pool (using mapped landmarks):

From the intersection of Hills Beach Rd and Old Pool Rd in Biddeford, travel 0.2 miles south on Old Pool Rd before walking 300 feet southwest into the woods to the pool.

b. Mapping Requirements

- i. USGS topographic map OR aerial photograph with pool clearly marked.
- ii. **GPS location of vernal pool (use Datum NAD83 / WGS84)**
- Longitude/Easting: -70.384979 Latitude/Northing: 43.454128
- Coordinate system: NAD 83
- Check one: ☒ GIS shapefile
- send to VernalPool.MDIFW@maine.gov; observer has reviewed shape accuracy
- ☐ (Best) The pool perimeter is delineated by multiple GPS points. (Excellent)
- Include map or spreadsheet with coordinates.
- ☐ The above GPS point is at the center of the pool. (Good)



Maine State Vernal Pool Assessment Form



5. VERNAL POOL HABITAT INFORMATION

a. Habitat survey date (only if different from indicator survey dates on page 3): _____

b. Wetland habitat characterization

■ Choose the best descriptor for the landscape setting:

- ☐ Isolated depression ☒ Pool associated with larger wetland complex
☐ Floodplain depression ☐ Other: _____

■ Check all wetland types that best apply to this pool:

- | | | | |
|--|---|---|--|
| ☒ Forested swamp | ☐ Wet meadow | ☐ Slow stream | ☒ Dug pond or borrow pit |
| ☐ Shrub swamp | ☐ Lake or pond cove | ☐ Floodplain | |
| ☐ Peatland (fen or bog) | ☐ Abandoned beaver flowage | ☒ Mostly unvegetated pool | ☐ Roadside ditch |
| ☐ Emergent marsh | ☐ Active beaver flowage | ☐ ATV or skidder rut | ☐ Other: _____ |

c. Vernal pool status under the Natural Resources Protection Act (NRPA)

i. Pool Origin: ☐ Natural ☒ Natural-Modified ☐ Unnatural ☐ Unknown

If modified, unnatural or unknown, describe any modern or historic human impacts to the pool (**required**):

Excavated pool in wet depression, adjacent to upland habitat.

ii. Pool Hydrology

■ Select the pool's estimated hydroperiod AND provide rationale in box (**required**):

- ☒ Permanent ☐ Semi-permanent (drying partially in all years and completely in drought years) ☐ Ephemeral (drying out completely in most years) ☐ Unknown

Explain:

Deep excavation with dark water and submerged large woody debris. Water about 5.5ft. deep in lowest part.

■ Maximum depth at survey: ☐ 0-12" (0-1 ft.) ☐ 12-36" (1-3 ft.) ☐ 36-60" (3-5 ft.) ☒ >60" (>5 ft.)

■ Approximate size of pool (at spring highwater): Width: 50 ☐ m ☒ ft Length: 100 ☐ m ☒ ft

■ Predominate substrate in order of increasing hydroperiod:

- ☐ Mineral soil (bare, leaf-litter bottom, or upland mosses present) ☐ Organic matter (peat/muck) shallow or restricted to deepest portion
☐ Mineral soil (sphagnum moss present) ☒ Organic matter (peat/muck) deep and widespread

■ Pool vegetation indicators in order of increasing hydroperiod (check all that apply):

- | | |
|--|---|
| ☐ Terrestrial nonvascular spp. (e.g. haircap moss, lycopodium spp.) | ☐ Wet site ferns (e.g. royal fern, marsh fern) |
| ☐ Dry site ferns (e.g. spinulose wood fern, lady fern, bracken fern) | ☒ Wet site shrubs (e.g. highbush blueberry, maleberry, winterberry, mountain holly) |
| ☒ Moist site ferns (e.g. sensitive fern, cinnamon fern, interrupted fern, New York fern) | ☐ Wet site graminoids (e.g. blue-joint grass, tussock sedge, cattail, bulrushes) |
| ☐ Moist site vasculars (e.g. skunk cabbage, jewelweed, blue flag iris, swamp candle) | ☐ Aquatic vascular spp. (e.g. pickerelweed, arrowhead) |
| ☒ Sphagnum moss (anchored or suspended) | ☐ Floating or submerged aquatics (e.g. water lily, water shield, pond weed, bladderwort) |
| | ☐ No vegetation in pool |

■ Faunal indicators (check all that apply):

- ☐ Fish ☐ Bullfrog or Green Frog tadpoles ☒ Other: Wood frog

iii. Inlet/Outlet Flow Permanency

Type of inlet or outlet (a seasonal or permanent channel providing water flowing into or out of the pool):

- ☐ No inlet or outlet ☐ Permanent inlet or outlet (channel with well-defined banks and permanent flow)
☒ Intermittent inlet or outlet ☐ Other or Unknown (explain): _____



Maine State Vernal Pool Assessment Form



6. VERNAL POOL INDICATOR INFORMATION

a. Indicator survey dates: 4/15/2025; 5/2/2025

b. Indicator abundance criteria and pool survey effort

- Is pool depression bisected by 2 ownerships (straddler pool)? ☐ Yes ☒ No
- Was the entire pool surveyed for egg masses? ☒ Yes ☐ No; what % of entire pool surveyed? 100
- For each indicator species, indicate the exact number of egg masses, confidence level for species determination, and egg mass maturity. Separate cells are provided for separate survey dates.

INDICATOR SPECIES	Egg Masses (or adult Fairy Shrimp)						Tadpoles/Larvae ⁴					
	Visit #1	Visit #2	Visit #3	Confidence Level ¹		Egg Mass Maturity ²		Observed		Confidence Level ¹		
Wood Frog	5	7		3	3	F/M	A/H	0	1		3	
Spotted Salamander	37	38		3	3	F/M	A/H	0				
Blue-spotted Salamander	0	0						0				
Fairy Shrimp ³	0	0										

1-Confidence level: 1 = <60%, 2 = 60-95%, 3 = >95%

2-Egg mass maturity: F= Fresh (<24 hrs), M= Mature (round embryos), A= Advanced (loose matrix, curved embryos), H= Hatched or Hatching

3-Fairy shrimp: X = present

4-Tadpoles/larvae: X = present

c. Rarity criteria

- Note any rare species associated with vernal pools. Observations should be accompanied by photographs.

SPECIES	Method of Verification*			CL**	SPECIES	Method of Verification*			CL**
	P	H	S			P	H	S	
Blanding's Turtle	☐	☐	☐		Wood Turtle	☐	☐	☐	
Spotted Turtle	☐	☐	☐		Ribbon Snake	☐	☐	☐	
Ringed Boghaunter	☐	☐	☐		Other:	☐	☐	☐	

*Method of verification: P = Photographed, H = Handled, S = Seen

**CL - Confidence level in species determination: 1= <60%, 2= 60-95%, 3= >95%

d. Optional observer recommendation:

- ☐ SVP ☐ Potential SVP ☒ Non Significant VP ☐ Indicator Breeding Area

e. General vernal pool comments and/or observations of other wildlife:

Naturalized pool in excavation within a forested wetland. Large woody debris and ample shade provide high-quality habitat for amphibians in this area. Permanent hydrology.

Send completed form and supporting documentation to: VernalPool.MDIFW@maine.gov

NOTE: Digital submissions are preferred but if not possible, please mail to: Maine Department of Inland Fisheries and Wildlife
Attn: Vernal Pools
106 Hogan Road, Suite 1
Bangor, ME 04401

For MDIFW use only

Reviewed by MDIFW Date: Initials:

This pool is: ☐ Significant ☐ Potentially Significant but lacking critical data ☐ Not Significant due to: ☐ does not meet biological criteria. ☐ does not meet MDEP vernal pool criteria.

Comments:

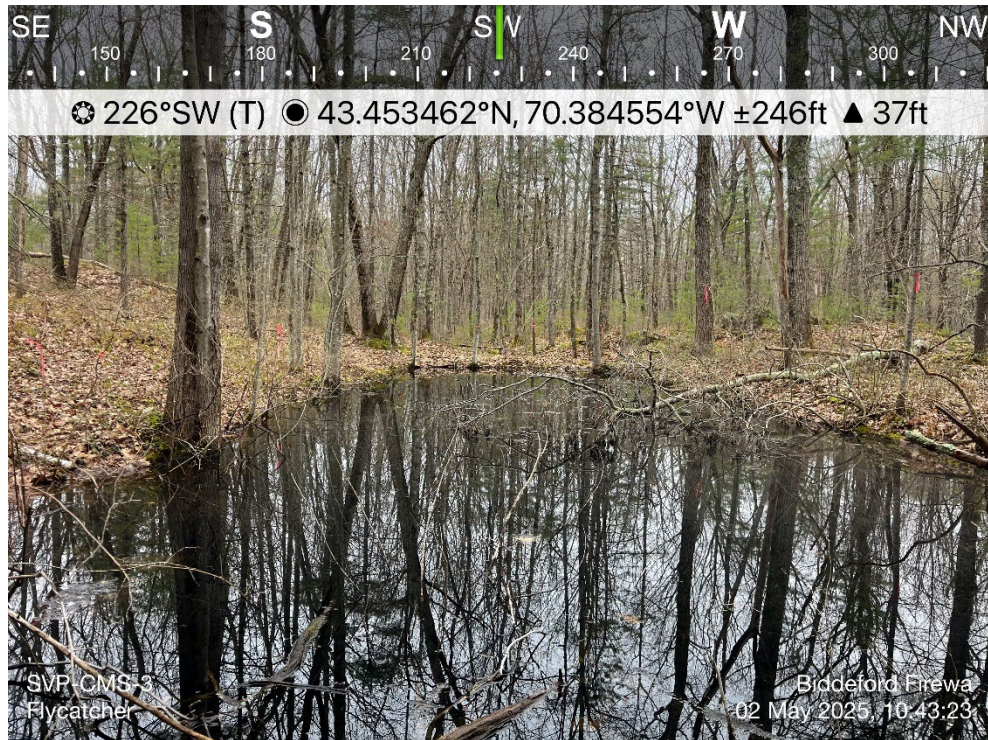
Vernal Pool VP-CMS-3 Representative Photos



VP-CMS-3 looking south
April 15, 2025



VP-CMS-3 looking east
April 15, 2025



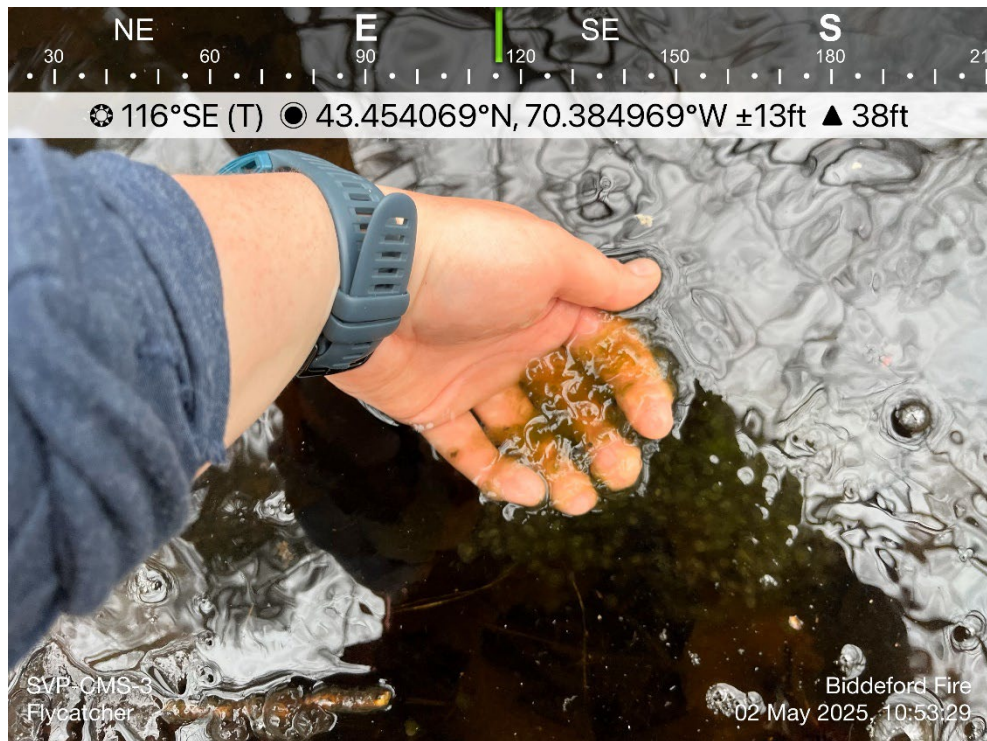
VP-CMS-3 looking southwest
May 2, 2025



VP-CMS-3 wood frog egg mass
April 15, 2025



VP-CMS-3 spotted salamander egg mass
April 15, 2025



VP-CMS-3 hatched wood frog egg mass
May 2, 2025



VP-CMS-3 spotted salamander egg mass
May 2, 2025



Maine State Vernal Pool Assessment Form



INSTRUCTIONS:

- Complete all 3 pages of form thoroughly. Most fields are required for pool registration.
- Clear photographs of a) the pool AND b) the indicators (one example of each species egg mass) are required for all observers.

Observer's Pool ID: SVP-CMS-4

MDIFW Pool ID: _____

1. PRIMARY OBSERVER INFORMATION

- a. Observer name: Cortney Stevenson-Flycatcher
- b. Contact and credentials previously provided? ☐ No (submit Addendum 1) ☒ Yes

2. PROJECT CONTACT INFORMATION

- a. Contact name: ☐ same as observer ☒ other Jessie Hutchinson
- b. Contact and credentials previously provided? ☐ No (submit Addendum 1) ☒ Yes
- c. Project Name: Biddeford Fire

3. LANDOWNER CONTACT INFORMATION

- a. Are you the landowner? ☐ Yes ☒ No If no, was landowner permission obtained for survey? ☒ Yes ☐ No
- b. Landowner's contact information (required)
- Name: University of New England Phone: (207) 602-2253 E-mail: athibeault@une.edu
- Street Address: 11 Hills Beach Road City: Biddeford State: ME Zip: 04005
- c. ☐ Large Projects: check if separate project landowner data file submitted

The Maine Department of Environmental Protection will e-mail official status letters to the project contact and landowner. Please check these data for completeness and accuracy to prevent delay in mailings. E-mail is the preferred method of notification; please provide e-mail addresses for the project contact and the landowner when available.

4. VERNAL POOL LOCATION INFORMATION

a. Location Township: Biddeford

Brief site directions to the pool (using mapped landmarks):

From the intersection of Hills Beach Rd and Old Pool Rd, head south on Old Pool Rd for 0.17 miles before walking 650ft southwest in the woods to the pool.

b. Mapping Requirements

- i. USGS topographic map OR aerial photograph with pool clearly marked.
- ii. **GPS location of vernal pool (use Datum NAD83 / WGS84)**
- Longitude/Easting: -70.386125 Latitude/Northing: 43.453943
- Coordinate system: NAD 83
- Check one: ☐ GIS shapefile
- send to VernalPool.MDIFW@maine.gov; observer has reviewed shape accuracy
 - ☒ (Best) The pool perimeter is delineated by multiple GPS points. (Excellent)
 - Include map or spreadsheet with coordinates.
 - ☐ The above GPS point is at the center of the pool. (Good)



Maine State Vernal Pool Assessment Form



5. VERNAL POOL HABITAT INFORMATION

a. Habitat survey date (only if different from indicator survey dates on page 3): _____

b. Wetland habitat characterization

■ Choose the best descriptor for the landscape setting:

- ☐ Isolated depression ☒ Pool associated with larger wetland complex
☐ Floodplain depression ☐ Other: _____

■ Check all wetland types that best apply to this pool:

- | | | | |
|--|---|--|--|
| ☒ Forested swamp | ☐ Wet meadow | ☐ Slow stream | ☐ Dug pond or borrow pit |
| ☐ Shrub swamp | ☐ Lake or pond cove | ☐ Floodplain | |
| ☐ Peatland (fen or bog) | ☐ Abandoned beaver flowage | ☐ Mostly unvegetated pool | ☐ Roadside ditch |
| ☐ Emergent marsh | ☐ Active beaver flowage | ☐ ATV or skidder rut | ☒ Other: <u>Historic ditch</u> |

c. Vernal pool status under the Natural Resources Protection Act (NRPA)

i. Pool Origin: ☐ Natural ☒ Natural-Modified ☐ Unnatural ☐ Unknown

If modified, unnatural or unknown, describe any modern or historic human impacts to the pool (**required**):

Natural pit and mound forested swamp with a historic ditch. Pool extends beyond ditched area indicating natural depression with modification.

ii. Pool Hydrology

■ Select the pool's estimated hydroperiod AND provide rationale in box (**required**):

- ☐ Permanent ☐ Semi-permanent (drying partially in all years and completely in drought years) ☒ Ephemeral (drying out completely in most years) ☐ Unknown

Explain:

Pit and mound topo with vegetation on mounds and standing water in basins. Water about 1.5' in most places.

■ Maximum depth at survey: ☐ 0-12" (0-1 ft.) ☒ 12-36" (1-3 ft.) ☐ 36-60" (3-5 ft.) ☐ >60" (>5 ft.)

■ Approximate size of pool (at spring highwater): Width: 40 ☐ m ☒ ft Length: 200 ☐ m ☒ ft

■ Predominate substrate in order of increasing hydroperiod:

- | | |
|---|---|
| ☐ Mineral soil (bare, leaf-litter bottom, or upland mosses present) | ☐ Organic matter (peat/muck) shallow or restricted to deepest portion |
| ☐ Mineral soil (sphagnum moss present) | ☒ Organic matter (peat/muck) deep and widespread |

■ Pool vegetation indicators in order of increasing hydroperiod (check all that apply):

- | | |
|--|---|
| ☐ Terrestrial nonvascular spp. (e.g. haircap moss, lycopodium spp.) | ☒ Wet site ferns (e.g. royal fern, marsh fern) |
| ☐ Dry site ferns (e.g. spinulose wood fern, lady fern, bracken fern) | ☒ Wet site shrubs (e.g. highbush blueberry, maleberry, winterberry, mountain holly) |
| ☒ Moist site ferns (e.g. sensitive fern, cinnamon fern, interrupted fern, New York fern) | ☒ Wet site graminoids (e.g. blue-joint grass, tussock sedge, cattail, bulrushes) |
| ☐ Moist site vasculars (e.g. skunk cabbage, jewelweed, blue flag iris, swamp candle) | ☐ Aquatic vascular spp. (e.g. pickerelweed, arrowhead) |
| ☒ Sphagnum moss (anchored or suspended) | ☐ Floating or submerged aquatics (e.g. water lily, water shield, pond weed, bladderwort) |
| | ☐ No vegetation in pool |

■ Faunal indicators (check all that apply):

- ☐ Fish ☐ Bullfrog or Green Frog tadpoles ☒ Other: Green frog

iii. Inlet/Outlet Flow Permanency

Type of inlet or outlet (a seasonal or permanent channel providing water flowing into or out of the pool):

- ☐ No inlet or outlet ☐ Permanent inlet or outlet (channel with well-defined banks and permanent flow)
☒ Intermittent inlet or outlet ☐ Other or Unknown (explain): _____



Maine State Vernal Pool Assessment Form



6. VERNAL POOL INDICATOR INFORMATION

a. Indicator survey dates: 4/15/2025; 5/2/2025

b. Indicator abundance criteria and pool survey effort

- Is pool depression bisected by 2 ownerships (straddler pool)? ☐ Yes ☒ No
- Was the entire pool surveyed for egg masses? ☒ Yes ☐ No; what % of entire pool surveyed? 100
- For each indicator species, indicate the exact number of egg masses, confidence level for species determination, and egg mass maturity. Separate cells are provided for separate survey dates.

INDICATOR SPECIES	Egg Masses (or adult Fairy Shrimp)									Tadpoles/Larvae ⁴					
	Visit #1	Visit #2	Visit #3	Confidence Level ¹			Egg Mass Maturity ²			Observed			Confidence Level ¹		
Wood Frog	3	0								0					
Spotted Salamander	22	23		3	3		F/M	M/A		0					
Blue-spotted Salamander	0	0								0					
Fairy Shrimp ³	0	0													

1-Confidence level: 1 = <60%, 2 = 60-95%, 3 = >95%

2-Egg mass maturity: F= Fresh (<24 hrs), M= Mature (round embryos), A= Advanced (loose matrix, curved embryos), H= Hatched or Hatching

3-Fairy shrimp: X = present

4-Tadpoles/larvae: X = present

c. Rarity criteria

- Note any rare species associated with vernal pools. Observations should be accompanied by photographs.

SPECIES	Method of Verification*			CL**	SPECIES	Method of Verification*			CL**
	P	H	S			P	H	S	
Blanding's Turtle	☐	☐	☐		Wood Turtle	☐	☐	☐	
Spotted Turtle	☐	☐	☐		Ribbon Snake	☐	☐	☐	
Ringed Boghaunter	☐	☐	☐		Other:	☐	☐	☐	

*Method of verification: P = Photographed, H = Handled, S = Seen

**CL - Confidence level in species determination: 1= <60%, 2= 60-95%, 3= >95%

d. Optional observer recommendation:

- ☒ SVP ☐ Potential SVP ☐ Non Significant VP ☐ Indicator Breeding Area

e. General vernal pool comments and/or observations of other wildlife:

Extensive pit and mound complex with expansive surface water and a historic ditch.

Send completed form and supporting documentation to: VernalPool.MDIFW@maine.gov

NOTE: Digital submissions are preferred but if not possible, please mail to: Maine Department of Inland Fisheries and Wildlife
Attn: Vernal Pools
106 Hogan Road, Suite 1
Bangor, ME 04401

For MDIFW use only

Reviewed by MDIFW Date: _____ Initials: _____

This pool is: ☐ Significant ☐ Potentially Significant but lacking critical data ☐ Not Significant due to: ☐ does not meet biological criteria. ☐ does not meet MDEP vernal pool criteria.

Comments:

Vernal Pool SVP-CMS-4 Representative Photos



SVP-CMS-4 looking north
April 15, 2025



SVP-CMS-4 looking north
April 15, 2025



SVP-CMS-4 looking north
May 2, 2025



SVP-CMS-4 looking north
May 2, 2025



SVP-CMS-4 spotted salamander egg mass
April 15, 2025



Maine State Vernal Pool Assessment Form



INSTRUCTIONS:

- Complete all 3 pages of form thoroughly. Most fields are required for pool registration.
- Clear photographs of a) the pool AND b) the indicators (one example of each species egg mass) are required for all observers.

Observer's Pool ID: SVP-CMS-5

MDIFW Pool ID: _____

1. PRIMARY OBSERVER INFORMATION

- a. Observer name: Cortney Stevenson-Flycatcher
- b. Contact and credentials previously provided? ☐ No (submit Addendum 1) ☒ Yes

2. PROJECT CONTACT INFORMATION

- a. Contact name: ☐ same as observer ☒ other Jessie Hutchinson
- b. Contact and credentials previously provided? ☐ No (submit Addendum 1) ☒ Yes
- c. Project Name: Biddeford Fire

3. LANDOWNER CONTACT INFORMATION

- a. Are you the landowner? ☐ Yes ☒ No If no, was landowner permission obtained for survey? ☒ Yes ☐ No
- b. Landowner's contact information (required)
- Name: University of New England Phone: (207) 602-2253 E-mail: athibeault@une.edu
- Street Address: 11 Hills Beach Road City: Biddeford State: ME Zip: 04005
- c. ☐ Large Projects: check if separate project landowner data file submitted

The Maine Department of Environmental Protection will e-mail official status letters to the project contact and landowner. Please check these data for completeness and accuracy to prevent delay in mailings. E-mail is the preferred method of notification; please provide e-mail addresses for the project contact and the landowner when available.

4. VERNAL POOL LOCATION INFORMATION

a. Location Township: Biddeford

Brief site directions to the pool (using mapped landmarks):

From the intersection of Hills Beach Rd and Old Pool Rd in Biddeford, head south on Old Pool Rd for 0.15 mi before walking 300ft SSW into the woods to the pool.

b. Mapping Requirements

- i. USGS topographic map OR aerial photograph with pool clearly marked.
- ii. **GPS location of vernal pool (use Datum NAD83 / WGS84)**
- Longitude/Easting: -70.385567 Latitude/Northing: 43.454989
- Coordinate system: NAD 83
- Check one: ☒ GIS shapefile
- send to VernalPool.MDIFW@maine.gov; observer has reviewed shape accuracy
 - ☒ (Best) The pool perimeter is delineated by multiple GPS points. (Excellent)
 - Include map or spreadsheet with coordinates.
 - ☐ The above GPS point is at the center of the pool. (Good)



Maine State Vernal Pool Assessment Form



5. VERNAL POOL HABITAT INFORMATION

a. Habitat survey date (only if different from indicator survey dates on page 3): _____

b. Wetland habitat characterization

■ Choose the best descriptor for the landscape setting:

- ☐ Isolated depression
 ☒ Pool associated with larger wetland complex
☐ Floodplain depression
 ☐ Other: _____

■ Check all wetland types that best apply to this pool:

- | | | | |
|--|---|--|---|
| ☒ Forested swamp | ☐ Wet meadow | ☐ Slow stream | ☐ Dug pond or borrow pit |
| ☐ Shrub swamp | ☐ Lake or pond cove | ☐ Floodplain | |
| ☐ Peatland (fen or bog) | ☐ Abandoned beaver flowage | ☐ Mostly unvegetated pool | ☐ Roadside ditch |
| ☐ Emergent marsh | ☐ Active beaver flowage | ☐ ATV or skidder rut | ☐ Other: _____ |

c. Vernal pool status under the Natural Resources Protection Act (NRPA)

i. Pool Origin: ☒ Natural ☐ Natural-Modified ☐ Unnatural ☐ Unknown

If modified, unnatural or unknown, describe any modern or historic human impacts to the pool (**required**):

ii. Pool Hydrology

■ Select the pool's estimated hydroperiod AND provide rationale in box (**required**):

- ☐ Permanent
 ☐ Semi-permanent (drying partially in all years and completely in drought years)
 ☒ Ephemeral (drying out completely in most years)
 ☐ Unknown

Explain:

Pit and mound topo with vegetation on mounds and standing water in basins. Water about 2.5' in most places.

■ Maximum depth at survey: ☐ 0-12" (0-1 ft.) ☒ 12-36" (1-3 ft.) ☐ 36-60" (3-5 ft.) ☐ >60" (>5 ft.)

■ Approximate size of pool (at spring highwater): Width: 75 ☐ m ☒ ft Length: 200 ☐ m ☒ ft

■ Predominate substrate in order of increasing hydroperiod:

- ☐ Mineral soil (bare, leaf-litter bottom, or upland mosses present)
 ☐ Organic matter (peat/muck) shallow or restricted to deepest portion
☐ Mineral soil (sphagnum moss present)
 ☒ Organic matter (peat/muck) deep and widespread

■ Pool vegetation indicators in order of increasing hydroperiod (check all that apply):

- | | |
|--|---|
| ☐ Terrestrial nonvascular spp. (e.g. haircap moss, lycopodium spp.) | ☒ Wet site ferns (e.g. royal fern, marsh fern) |
| ☐ Dry site ferns (e.g. spinulose wood fern, lady fern, bracken fern) | ☒ Wet site shrubs (e.g. highbush blueberry, maleberry, winterberry, mountain holly) |
| ☒ Moist site ferns (e.g. sensitive fern, cinnamon fern, interrupted fern, New York fern) | ☒ Wet site graminoids (e.g. blue-joint grass, tussock sedge, cattail, bulrushes) |
| ☐ Moist site vasculars (e.g. skunk cabbage, jewelweed, blue flag iris, swamp candle) | ☐ Aquatic vascular spp. (e.g. pickerelweed, arrowhead) |
| ☒ Sphagnum moss (anchored or suspended) | ☐ Floating or submerged aquatics (e.g. water lily, water shield, pond weed, bladderwort) |
| | ☐ No vegetation in pool |

■ Faunal indicators (check all that apply):

- ☐ Fish
 ☐ Bullfrog or Green Frog tadpoles

☐ Other: _____

iii. Inlet/Outlet Flow Permanency

Type of inlet or outlet (a seasonal or permanent channel providing water flowing into or out of the pool):

- ☐ No inlet or outlet
 ☐ Permanent inlet or outlet (channel with well-defined banks and permanent flow)
☒ Intermittent inlet or outlet
 ☐ Other or Unknown (explain): _____



Maine State Vernal Pool Assessment Form



6. VERNAL POOL INDICATOR INFORMATION

a. Indicator survey dates: 4/15/2025; 5/2/2025

b. Indicator abundance criteria and pool survey effort

- Is pool depression bisected by 2 ownerships (straddler pool)? ☐ Yes ☒ No
- Was the entire pool surveyed for egg masses? ☒ Yes ☐ No; what % of entire pool surveyed? 100
- For each indicator species, indicate the exact number of egg masses, confidence level for species determination, and egg mass maturity. Separate cells are provided for separate survey dates.

INDICATOR SPECIES	Egg Masses (or adult Fairy Shrimp)									Tadpoles/Larvae ⁴					
	Visit #1	Visit #2	Visit #3	Confidence Level ¹			Egg Mass Maturity ²			Observed			Confidence Level ¹		
Wood Frog	36	18		3	3		F/M	A/H		0	X			3	
Spotted Salamander	22	84		3	3		F/M	A/H		0					
Blue-spotted Salamander	0	0								0					
Fairy Shrimp ³	0	0													

1-Confidence level: 1 = <60%, 2 = 60-95%, 3 = >95%

2-Egg mass maturity: F= Fresh (<24 hrs), M= Mature (round embryos), A= Advanced (loose matrix, curved embryos), H= Hatched or Hatching

3-Fairy shrimp: X = present

4-Tadpoles/larvae: X = present

c. Rarity criteria

- Note any rare species associated with vernal pools. Observations should be accompanied by photographs.

SPECIES	Method of Verification*			CL**	SPECIES	Method of Verification*			CL**
	P	H	S			P	H	S	
Blanding's Turtle	☐	☐	☐		Wood Turtle	☐	☐	☐	
Spotted Turtle	☐	☐	☐		Ribbon Snake	☐	☐	☐	
Ringed Boghaunter	☐	☐	☐		Other:	☐	☐	☐	

*Method of verification: P = Photographed, H = Handled, S = Seen

**CL - Confidence level in species determination: 1= <60%, 2= 60-95%, 3= >95%

d. Optional observer recommendation:

- ☒ SVP ☐ Potential SVP ☐ Non Significant VP ☐ Indicator Breeding Area

e. General vernal pool comments and/or observations of other wildlife:

Natural pool in a forested swamp, large pit and mound complex with expansive surface water.

Send completed form and supporting documentation to: VernalPool.MDIFW@maine.gov

NOTE: Digital submissions are preferred but if not possible, please mail to: Maine Department of Inland Fisheries and Wildlife
Attn: Vernal Pools
106 Hogan Road, Suite 1
Bangor, ME 04401

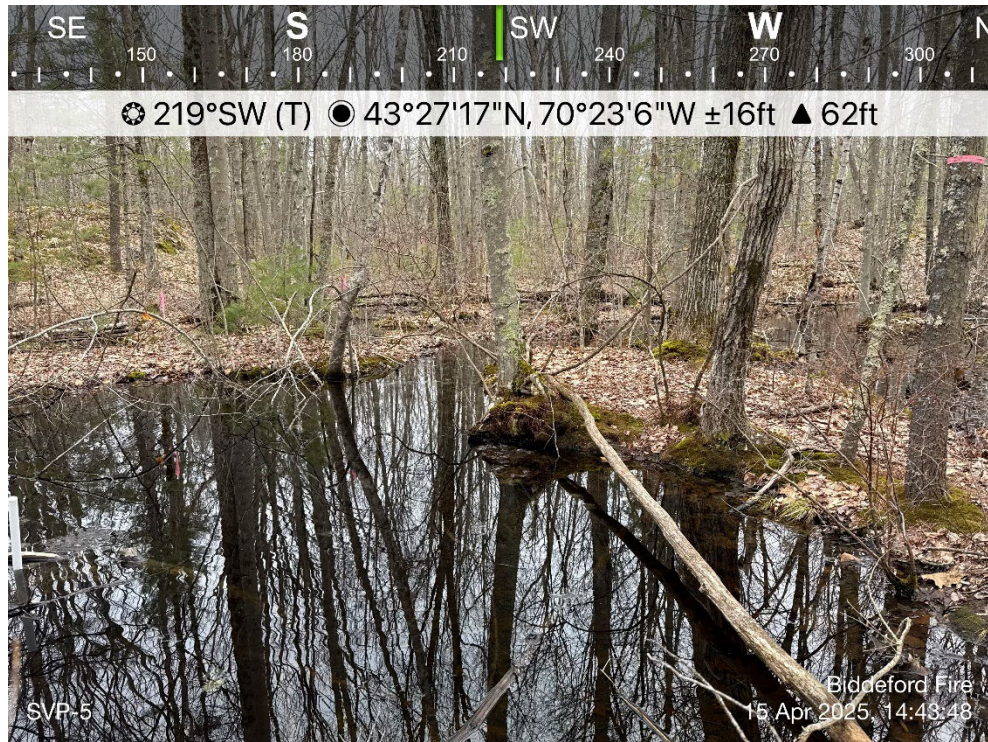
For MDIFW use only

Reviewed by MDIFW Date: Initials:

This pool is: ☐ Significant ☐ Potentially Significant but lacking critical data ☐ Not Significant due to: ☐ does not meet biological criteria. ☐ does not meet MDEP vernal pool criteria.

Comments:

Vernal Pool SVP-CMS-5 Representative Photos



SVP-CMS-5 looking southwest
April 15, 2025



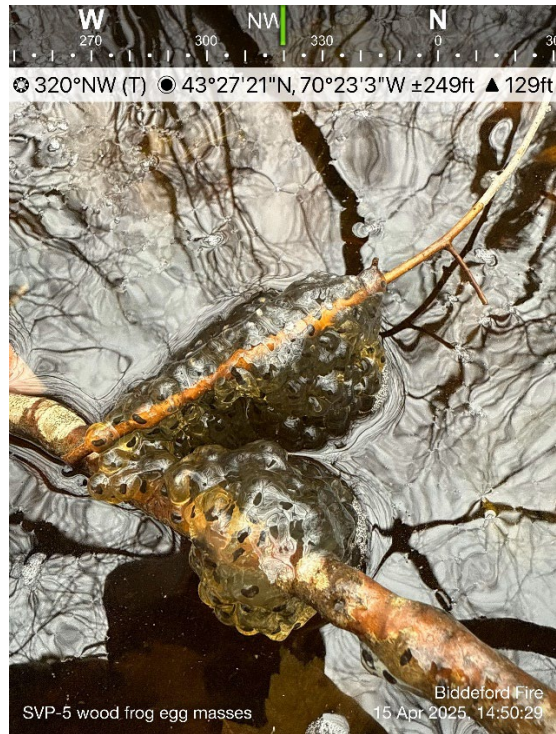
SVP-CMS-5 looking southwest
April 15, 2025



SVP-CMS-5 looking northwest
May 2, 2025



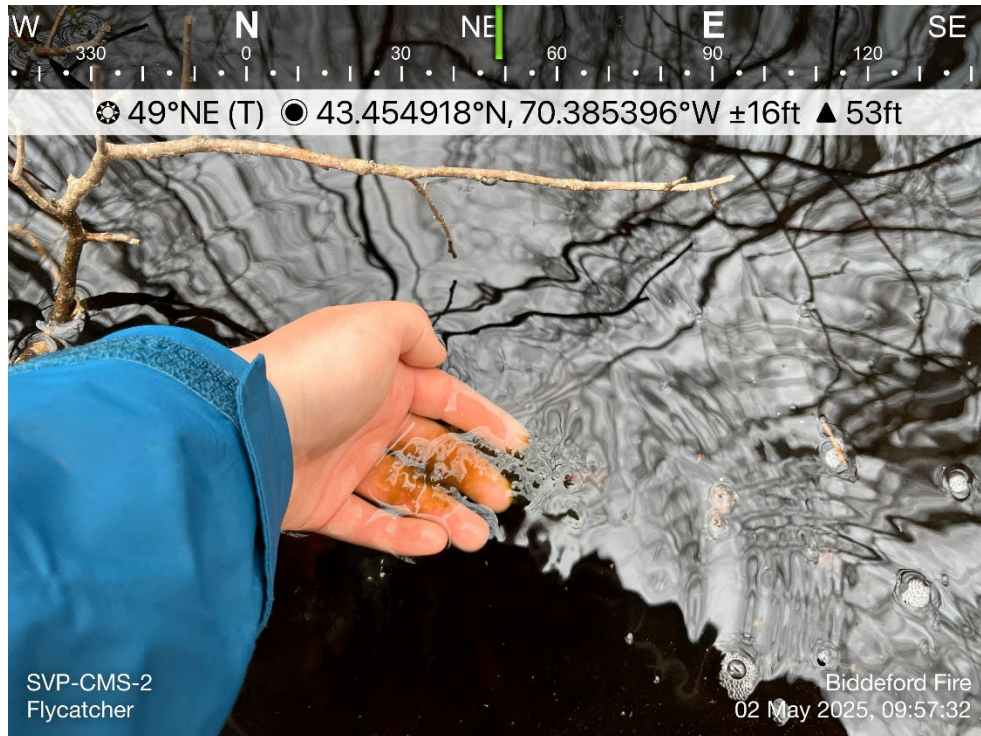
SVP-CMS-5 looking northwest
May 2, 2025



SVP-CMS-5 wood frog egg mass
April 15, 2025



SVP-CMS-5 spotted salamander egg mass
April 15, 2025



SVP-CMS-5 hatched wood frog egg mass
May 2, 2025



SVP-CMS-5 spotted salamander egg mass
May 2, 2025

ATTACHMENT 4

Representative Photographs



Wetland: W-EEG-1; Stream: S-CMS-1 (April 15, 2025)



Stream: S-CMS-2 (April 15, 2025)



Wetland: W-CMS-1; Stream: S-CMS-3 (May 2, 2025)



Stream: S-CMS-4 (April 15, 2025)



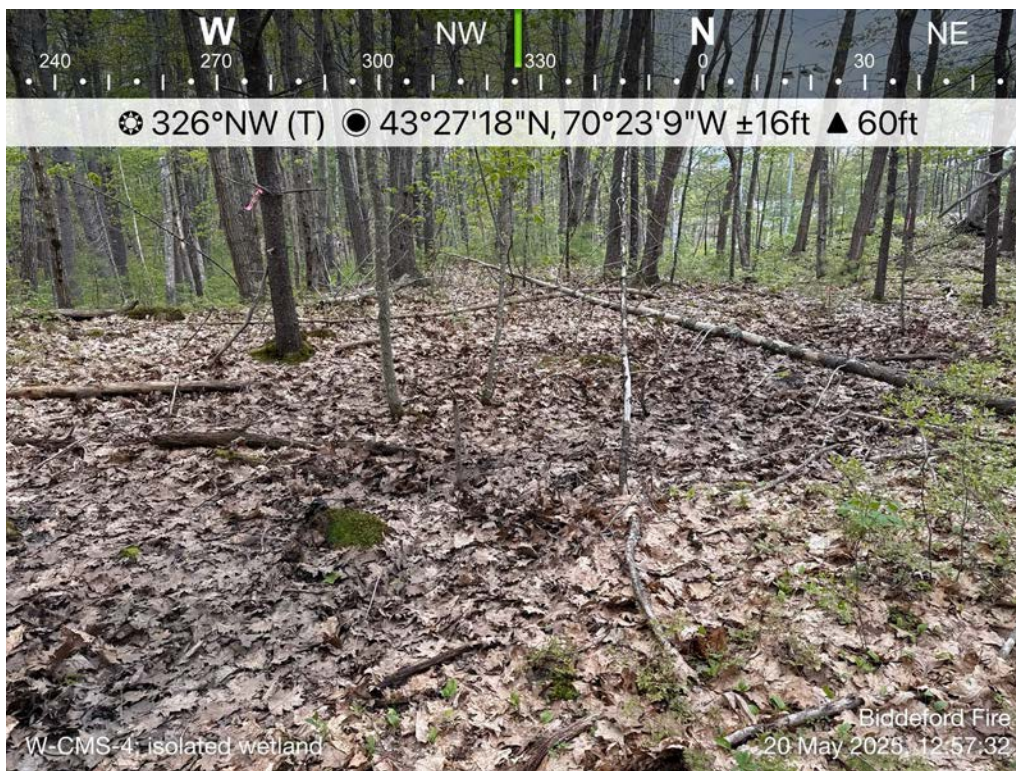
Wetland: W-CMS-2; Stream: S-CMS-5 (May 2, 2025)



Stream: S-CMS-6 (May 2, 2025)



Wetland: W-CMS-3 (May 2, 2025)



Wetland: W-CMS-4



Vernal Pool: VP-CMS-1 (April 15, 2025)



Vernal Pool: VP-CMS-2 (April 15, 2025)



Vernal Pool: VP-CMS-3 (April 15, 2025)



Vernal Pool: SVP-CMS-4 (April 15, 2025)



Vernal Pool: SVP-CMS-5(April 15, 2025)



Upland: Biddeford Pluton, granitic bedrock outcrop (May 2, 2025)



Cultural: Historic stone foundation along Old Pool Rd (May 2, 2025)



LEGEND

- SURVEY AREA
- DELINEATED EPHEMERAL STREAM
- DELINEATED INTERMITTENT STREAM
- DELINEATED PERENNIAL STREAM
- DELINEATED WETLAND BOUNDARY
- DELINEATED PERENNIAL STREAM WATERBODY
- DELINEATED WETLAND
- SIGNIFICANT VERNAL POOL
- VERNAL POOL
- 250 ft. CRITICAL TERRESTRIAL HABITAT
- CULVERT

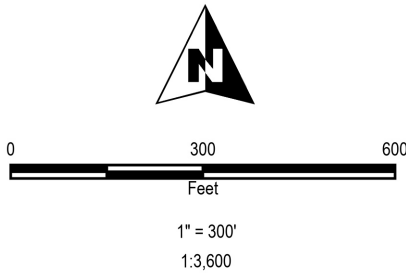
MDIFW VERNAL POOL CENTERPOINT

- SIGNIFICANT
- POTENTIALLY SIGNIFICANT
- NOT SIGNIFICANT*

USACE PLOT

- UPLAND
- WETLAND

*FOR MDIFW VERNAL POOLS WITH AN "X" SYMBOL, FLYCATCHER RECOMMENDS REMOVAL FROM THE VERNAL POOL DATABASE.



PROJECT:		CONTEXT ARCHITECTURE ROUTE 9 / POOL STREET BIDDEFORD, YORK COUNTY, MAINE	
TITLE:		DELINEATED NATURAL RESOURCES MAP	
DRAWN BY:	G. BOZEK	PROJ NO.:	25H-001
CHECKED BY:	J. HUTCHINSON	FIGURE 2	
MONTH:	MAY		
YEAR:	2025		
FILE NO.:		25H-001_BIDDEFORD-FIRE	

September 3, 2025

Lawrence Best, Chief of Fire Department
City of Biddeford
152 Alfred Street
Biddeford, ME 04005

**Re: *City of Biddeford Fire Substation, Proposed Amendment #2,
Conceptual Site Layout Plan***

Dear Chief Best:

Thank you for the opportunity to allow our design team to continue to provide the City of Biddeford with services in conjunction with the Biddeford Fire Substation project. We are pleased to submit this amendment proposal for work with Gorrill Palmer to prepare a conceptual site layout plan to evaluate potential wetland and vernal pool critical habitat impacts on the proposed site. The services associated with the amendment are described below. Our services are limited to these items.

We will prepare a conceptual base plan using aerial photography, lidar topography, and the wetland/vernal pool map prepared by Flycatcher, LLC. We will also add tax map lot boundaries and zoning and environmental setbacks and buffers to this plan. We will prepare 1 high-level conceptual building and site layout plan for the proposed fire station. We will add conceptual site design information, including access drives and apparatus aprons in front of the apparatus bays, staff and visitor parking, approximate stormwater management space, and approximate grading limits. We will review City and Maine DOT driveway standards relative to the allowed curb cut widths off Pool Street. Based on the conceptual site layout plan we will evaluate the environmental permitting impacts and constraints and provide guidance on feasibility of permitting the fire station design based on impacts to wetlands, wetland setbacks, and vernal pool critical habitat areas.

Included in the fee is one client meeting with Context Architecture and the civil engineer.

Total \$5,800

EXCLUSIONS

- Any services not explicitly listed in the above scope.

Hourly rates are subject to change each year. Our 2025 billing rates for architectural services are as follows:

- Principal: \$360/hour
- Project Manager: \$250/hour
- Project Architect/Coordinator: \$200/hour
- Job Captain: \$185/hour
- Senior Designer: \$150/hour



- Designer: \$135/hour
- Senior Administrative Support: \$305/hour

Thank you for the opportunity to submit this proposal.

A handwritten signature in black ink, appearing to read 'Sean Coveney', with a stylized, flowing script.

Sean Coveney, AIA, MCPPO
Project Manager, Context Architecture

March 26, 2025

Lawrence Best, Chief of Fire Department
City of Biddeford
152 Alfred Street
Biddeford, ME 04005

Re: City of Biddeford Fire Substation, Proposed Amendment #1, Existing Site Analysis

Dear Chief Best:

Thank you for the opportunity to allow our design team to continue to provide the City of Biddeford with services in conjunction with the Biddeford Fire Substation project. We are pleased to submit this amendment proposal for existing site analysis. The analysis includes a wetlands delineation, a vernal pool survey, a geotechnical report, LSE test pits, a topographical survey, and a civil site evaluation. The services associated with the amendment are listed below and are broken out in three phases. Our services are limited to these items.

Phase 1 (6 weeks):

- Wetlands and Watercourse Delineation
- Vernal Pool Survey
- Design team Review (includes one virtual meeting with the City)

Subtotal Fee - \$10,800

Phase 2 (6 weeks):

- Geotechnical Investigation & Report
- LSE test pits
- Design team Review (includes one virtual meeting with the City)

Subtotal Fee - \$16,200

Phase 3 (6 weeks):

- Existing Conditions, Topographic Survey
- Civil Site Assessment
- Design team Review (includes one virtual meeting with the City)

Subtotal Fee - \$13,000

Total Amendment #1 Fee - \$40,000

Hourly rates are subject to change each year. Our 2025 billing rates for architectural services are as follows:

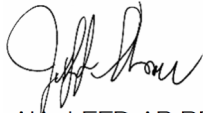
- Principal: \$360/hour
- Project Manager: \$250/hour
- Project Architect/Coordinator: \$200/hour
- Job Captain: \$185/hour



- Senior Designer: \$150/hour
- Designer: \$135/hour
- Senior Administrative Support: \$305/hour

Thank you for the opportunity to submit this proposal.

Sincerely,

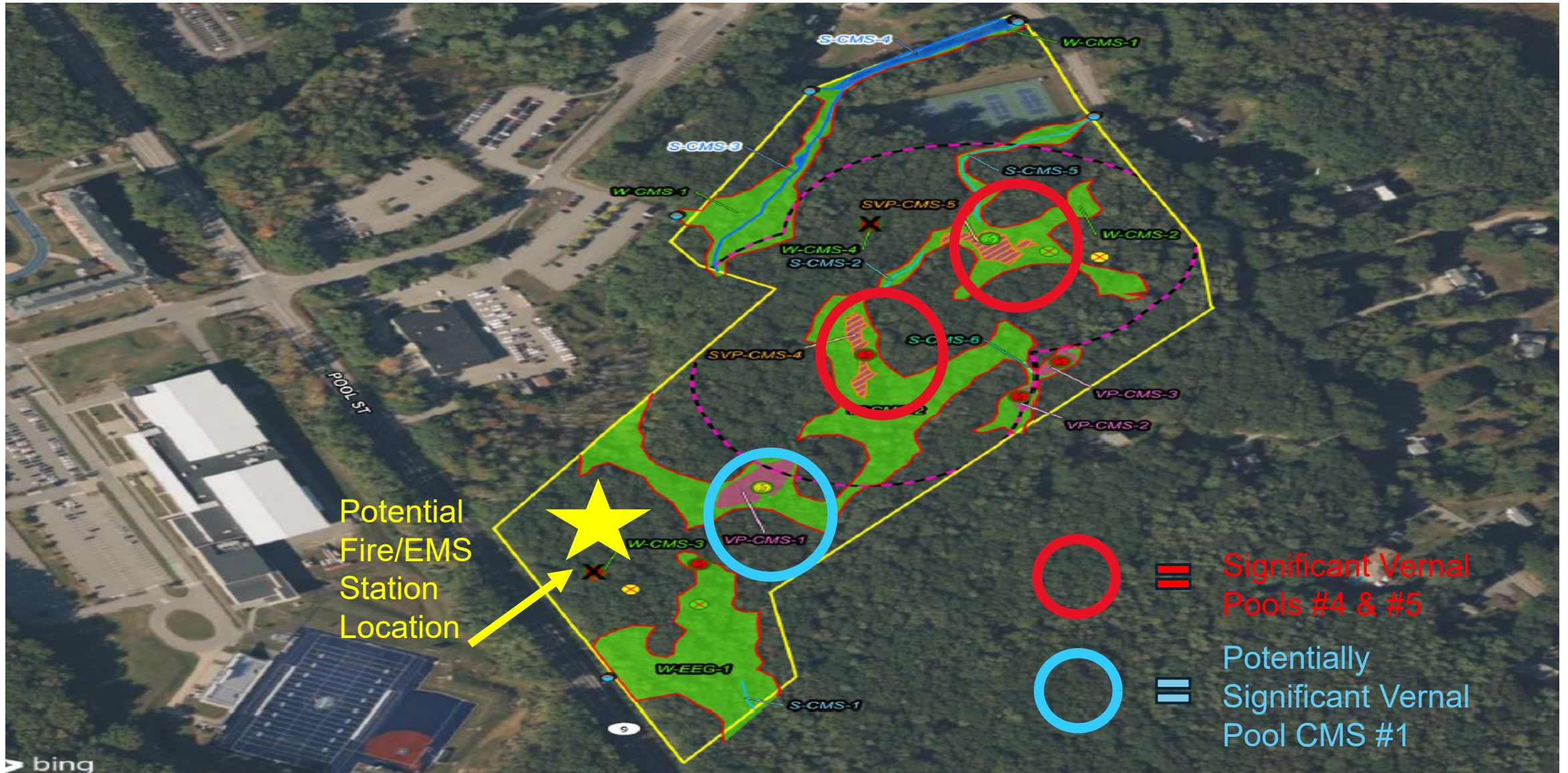
A handwritten signature in black ink, appearing to read "Jeff Shaw". The signature is fluid and cursive, with the first name "Jeff" being more prominent than the last name "Shaw".

Jeff Shaw, AIA, LEED AP BD+C, CPHC, MCPPO
Principal + President, Context Architecture

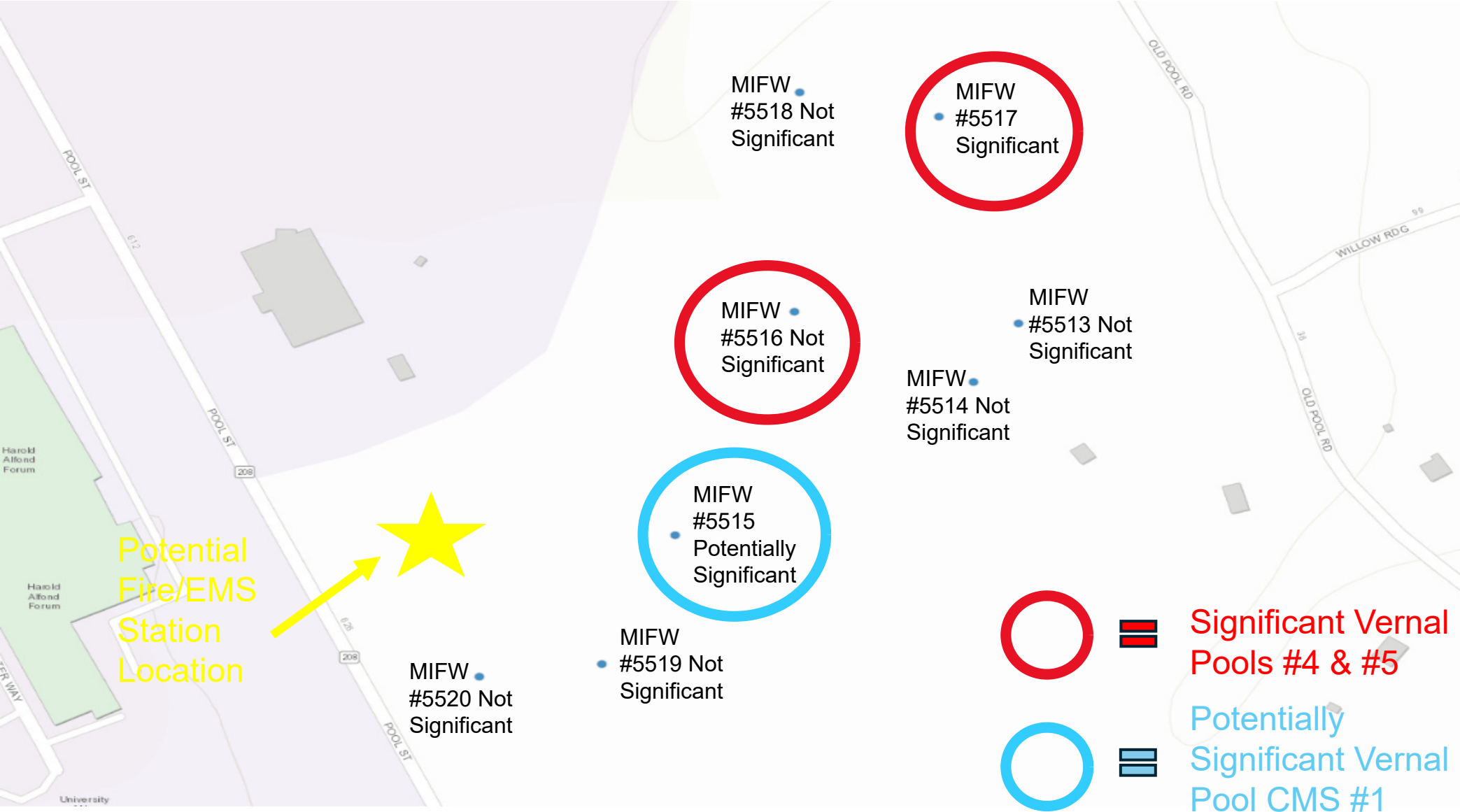
Flycatcher Wetlands and Vernal Pool Assessment



Flycatcher Wetlands and Vernal Pool Assessment



Maine Inland Fisheries and Wildlife Vernal Pool Map





City Council

Meeting Date: September 16, 2025

Meeting Time: 6:00 PM

Agenda Item No: 9.b

Item Description: 2025.125 Approval/Purchasing Policy Amendments, Ch 2, Article V, Division 2

Submitted By: Brian S. Phinney, COO

Key Terms:

Executive Summary:

An affirmative vote on this item amends the procurement ordinance by streamlining the process, removing duplicative steps inherent in the procurement process, updating approval authority and approval thresholds, and creating a new procurement section that defines the recent "city as general contractor" approval and reporting process. The proposed amendments improve operational and administrative efficiencies while establishing reasonable and appropriate reporting requirements.

Detailed Review:

The Policy Committee began a comprehensive review of the City's procurement ordinance in [June 2025](#). Additional review was conducted at the [July 2025](#) meeting with work finalized at the [August 2025](#) regular meeting. Hyperlinks to the meetings are provided by clicking on the referenced meeting date. The intent of the review is to streamline the process, remove duplicative steps inherent in the procurement process, update approval authority and approval thresholds, and create a new procurement process that defines the recent "city as general contractor" approval and reporting process.

A redline version of the recommended amendments is provided as Attachment 1. Key changes include:

- Sec 2-344 - clarification related to state and federal grant language placing the obligation for certifications on contractors.
- Sec. 2-345 - a definition has been added to define "covered by budgeted amount".
- Sec. 2-346 and Sec. 2-347 - references to the position of "purchasing agent" have been deleted as this position does not exist.

- Sec. 2-347 - school department references have been deleted.
- Sec. 2-248 - includes changes to approval authorities and thresholds. Currently, purchases in excess of \$5,000 must be approved by the Finance Committee and purchases in excess of \$50,000 must be approved by Finance and Council. The amended structure establishes department, city manager, Finance Committee, and City Council approval thresholds. Procurement within the defined authorizations requires approval by the defined authority, eliminating the need for multiple approvals. The thresholds are:
 - Department - <\$5,000
 - City Manager - >\$5,000 to <\$50,000
 - Finance Committee - >=\$50,000 to \$150,000
 - City Council - >\$150,000
 - There is a caveat for the city manager's approvals; if the procurement is the lowest bid, the bid meets all specifications, and is less than the budget amount, the city manager may approve the procurement and report approvals to the Finance Committee. If the procurement is not the lowest bid, does not meet specifications or exceeds the budgeted amount, the item must go to the Finance Committee for approval.
- Sec. 2-349 - the language has been amended to be consistent with Sec. 2-348.
- Sec. 2-350 - the language has been amended to be consistent with Sec. 2-348.
- Sec. 2-351 - the section has been amended to clarify that small purchases are those that are less than \$5,000 in aggregate to prevent approval of, for example, a three year contract in the amount of \$12,000 being approved under the \$5,000 threshold due to the annualized budget amount.
- Sec. 2-352 - establishes the new "city and general contractor" provisions for projects valued at less than \$1,500,000. The section establishes the initial approval process, the ability for the respective department to rely on previously approved time and materials-based contracts to develop project cost estimates, and creates a post-project reporting structure to demonstrate internal compliance with the policy and financial approvals.
- Sec. 2-353 - the section has been amended to include a formal reporting element associated with emergency purchases.
- Sec. 2-355 - the section has been amended to increase the threshold for an assigned project manager from \$35,000 to \$50,000.
- Sec. 2-357 - the section has been amended to provide clarification on reductions in required contractor bonds. The amended language contemplates a potential reduction in performance, payment, or bid bonds in terms of "risk to the city" vs "in the best interest of the city".
- Sec. 2-361 - the section has been amended to codify the Finance Committee's access to the city's financial software for oversight and review.
- Sec. 2-362 and Sec 2-363 - the sections have been amended to assign responsibility for monitoring and making payments to the Finance Director rather than the Treasurer.
- Sec. 2-363 - the section has been amended to clarify that the City Manager may

approve expenditures that exceed a department's budget. Such approvals must be reported to the Finance Committee.

Funding Source:

N/A

Staff Recommendation:

Staff supports the proposed amendments and recommends adoption as proposed. The amendments will streamline the procurement process and improve efficiencies while establishing reasonable and appropriate reporting requirements.

Next Steps:

If approved, the ordinance amendment will require two readings. Assuming an approval occurs on Sept 16, this will constitute the first reading. The second reading is proposed for October 7. If the second reading is approved, the ordinance change will be effective after 30 days. Within the 30 day window, internal communications will be prepared to ensure staff members are informed of the amended procurement process in preparation for full implementation upon the effective date of the amendments.

Attachments:

1. 20250916 2025.125 Amend Chapter 2, Art V, Div. 2 - Procurement - ORDER
2. 20250916 Attachment 1 - Review of Purchasing Rules - Ch 2-Article V-Div 2 - REDLINE

City of Biddeford



2025.125

IN BOARD OF CITY COUNCIL... September 16, 2025

BE IT ORDERED, that the Code of Ordinances, Part II, Chapter 2, Article V, Div. 2 –
Procurement, be amended by adding or deleting text as referenced in Attachment 1.

Attest by: _____

Part II Code of Ordinances

Chapter 2 – Administration

Article V – Finance

Division 2 – Procurement

Sec. 2-343. Purpose. [Ord. of 4-21-1998(2)]

The purpose of this article is to provide for the fair and equitable treatment of all persons involved in public purchasing by the City, to maximize the purchasing value of public funds in procurement, and to provide safeguards for maintaining a procurement system of quality and integrity.

Sec. 2-344. Application of article. [Ord. of 4-21-1998(2); Ord. No. 99.78, 9-21-1999]

- (a) This article applies to contracts for the procurement of supplies, services and construction entered into by the City. It shall apply to every expenditure of public funds by any department of the City irrespective of the source of funding. When the procurement involves the expenditure of federal or state assistance or contract funds, the procurement shall be conducted in accordance with any applicable laws and regulations. Nothing in this article shall prevent any department of the City from complying with the terms and conditions of any grant, gift or request that is otherwise consistent with law.
- (b) Representatives of the City involved in the purchase of goods; especially items of apparel or textiles such as clothing, uniforms, footwear, linens or fabric; shall not knowingly contract with vendors offering goods or services produced under sweatshop conditions by manufacturers, launderers or distributors of such items who may be paying poverty wages, violating workplace regulations or suppressing worker rights. In order to promote contracts with vendors having responsible employment practices, preference should be given to goods or services produced in the United States and to vendors known for their responsible labor practices. ~~Responsible labor practices shall include wage and benefit levels sufficient to meet basic needs while providing some discretionary income for a family of four, respect for workers' rights including the right to be heard and to organize and a safe and healthy work environment.~~ All solicitations offered by the City, not otherwise required to include contractor certifications related to a prohibition on trafficking of victims and forced or indentured child labor shall include such a certification. Any complaints or information received by a representative of the City involved in the purchase of goods or services identifying vendors or their subcontractors as producing their products under sweatshop conditions shall report such allegations to the respective authorities. ~~investigate said allegations and~~ The City shall cease to do business with any vendor or subcontractor found to be other than maintaining responsible labor practices.

Sec. 2-345. Definitions. [Ord. of 4-21-1998(2)]

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

BRAND NAME OR EQUAL SPECIFICATION — A specification limited to one or more items by manufacturers' names or catalogue numbers to describe the standard of quality, performance and other salient characteristics needed to meet City requirements, and which provides for the

submission of equivalent products.

BRAND NAME SPECIFICATION — A specification limited to one or more items by manufacturers' names or catalogue numbers.

CONSTRUCTION — The process of building, altering, repairing, improving or demolishing any public structure or building, or other public improvements of any kind to any public real property. It does not include the routine operation, routine repair or routine maintenance of existing structures, buildings or real property.

CONTRACT — All types of agreements, regardless of what they may be called, for the procurement of supplies, services or construction.

CONTRACTOR — Any person having a contract with the City or any of its departments.

COVERED BY BUDGETED AMOUNT – An item specifically listed by name in the approved current year ~~submitted~~ budget with an associated defined cost.

LOCATION AND OPERATION — Is narrowly defined as owning, leasing or renting physical space within the city limits of Biddeford, and staffing the same a minimum of 20 hours per week during a period commencing no less than thirty days prior to the bid deadline and continuing through the end of the bid agreements. **[Added 11-1-2011 by Ord. No. 2011.71]**

SERVICES — The furnishing of labor, time or efforts by a contractor, not involving the delivery of a specific end product other than reports which are merely incidental to the required performance. This term shall not include employment agreements or collective bargaining agreements.

SPECIFICATION — Any description of the physical or functional characteristics or the nature of a supply, service or construction item. It may include a description of any requirement for inspecting, testing or preparing a supply, service or construction item for delivery.

SUPPLIES — All consumables or property, including but not limited to equipment, materials, printing and leases for real property, excluding land or a permanent interest in land.

Sec. 2-346. Scope of authority. [Ord. of 4-21-1998(2)]

The current policy of the City is to maintain a decentralized purchasing process which shall be monitored by the City Manager, ~~and the Finance Director~~ ~~and Purchasing Agent~~. Each department head within this decentralized purchasing function shall be responsible for the function of procurement of suitable supplies, services or construction for their using departments, except as may be otherwise noted in these regulations. In all cases, purchase orders, ~~shall channel through the Purchasing Agent's office and~~, claims, invoices and any other such supporting documentation shall channel through the Finance Director's office in order that proper purchasing records may be maintained.

Sec. 2-347. Responsibility of departments. [Ord. of 4-21-1998(2); Ord. No. 99.69, 8-17-1999]

(1) The responsibility of department heads regarding procurement shall be as follows:

- (a) Development of specifications for supplies, services or construction shall be the responsibility of department heads. ~~Any specifications to be included in an invitation for competitive sealed bids or proposals shall be submitted to the Purchasing Agent.~~
- (b) Procuring the highest quality item(s) for a specified use at the lowest possible expense is required by all department heads, or their delegates who have authority to purchase.

- (c) Department heads are required to control, supervise and maintain any necessary inventories in a storeroom. Such storerooms shall serve as the receiving and distribution points for materials purchased by a using department.

With the exception of public works parts and fuel ~~inventories and school lunch supply~~ inventories, departments will be charged for items at the time of purchase. Departments receiving parts and fuel from public works inventories will be charged as items are used. Public works ~~and school lunch~~ department heads will conduct a physical inventory count of all supplies at such time as there is a change in personnel directly responsible for those storerooms, at fiscal year end, and as required throughout the year.

- (d) Local purchasing is encouraged where competitive market prices exist except when Section ~~2-352-2-235(f)~~ and Section ~~2-353-2-336~~ apply. Local purchasing is required unless non-local purchasing is more cost effective. The following factors shall be considered to determine cost effectiveness:

- a. Price;
- b. Comparable quality;
- c. Cost/ability to secure prices;
- d. Shipping and handling cost;
- e. Convenience of follow-up service;
- f. Time to secure the supply, item or service.

- (e) Inspection of incoming materials or services shall be performed for compliance with specifications. These inspections are to be maintained under rigorous review by department heads and their authorized designees. The receiving report copy of the purchase order and any packing slips are to be completed and returned to the Finance Department upon acceptance of an order.

- (f) ~~Unless otherwise provided, the single purchase of a supply or construction item in an amount estimated at \$5,000 or above shall be made only by written contract award through the formal bidding procedure. No supply, service or construction generally purchased in the whole shall be purchased as a sum of the parts for the purpose of avoiding the requirement to solicit bids. A single purchase of services in an amount estimated at \$10,000 shall be made only by written contract award through the appropriate proposal procedure.~~ Sole source purchases and emergency purchases shall be exceptions to these rules. [Amended 11-1-2011 by Ord. No. 2011.71]

- (2) ~~Appointment, a~~ Authority and duties of Finance Director as Purchasing Agent:

- ~~(a) The City Manager shall appoint a candidate for Purchasing Agent, who will be confirmed by the City Council.~~

- ~~(b)~~(a) The authority and duties of the Purchasing Agent shall be as follows:

- 1. Except as may be otherwise provided, the Purchasing Agent shall serve as the principal purchasing official for the City, and shall be responsible for the procurement of supplies, services and construction in accordance with this article, as well as the management and disposal of supplies.

2. In accordance with this article, and subject to the supervision of the City Manager, the Purchasing Agent shall:
 - a. Procure or supervise the procurement of all supplies, services and construction needed by the City;
 - b. Exercise ~~direct~~-supervision ~~over~~of the City's central stores and general supervision over all other storeroom inventories belonging to the City;
 - c. Sell, trade or otherwise dispose of surplus supplies belonging to the City; assist the departments of the City with the establishment and maintenance of programs for specification development, contract administration and product inspection and acceptance and coordination of supplies and service purchases.
3. Consistent with this article, and with the approval of the City Manager, the Purchasing Agent may adopt operational procedures relating to the execution of ~~their~~his or her duties.

Sec. 2-348. Competitive sealed bidding. [Ord. of 4-21-1998(2)]

- (a) All contracts of the City for purchases of supplies or construction at or in excess of \$5,000 and for the purchase of services at or in excess of \$5,000 shall be awarded by competitive sealed bidding except as otherwise provided in this article. **[Amended 11-1-2011 by Ord. No. 2011.71]**
- (b) An invitation to bid shall be issued and shall include specifications and all contractual terms and conditions applicable to the procurement.
- (c) Adequate public notice of the invitation to bid shall be given for a reasonable time, but not less than 10 calendar days prior to the date set forth therein for the opening of bids. Such notice shall include publication in a newspaper of general circulation a reasonable time prior to bid opening and shall be posted in a conspicuous place on the City's internet website, in a place designated for this purpose. This public notice shall minimally state the place, date and time of the bid opening. **[Amended 5-5-2009 by Ord. No. 2009.25]**
- (d) Bids shall be opened publicly at the time and place designated in the invitation for bids. The amount of each bid, and such other relevant information as the Purchasing Agent deems appropriate, together with the name of each bidder shall be publicly read for the benefit of any bidders and each bid shall be open to public inspection.
- (e) Bids shall be unconditionally accepted without alteration or correction, except as authorized in this article. Bids shall be evaluated based on the requirements set forth in the invitation for bids, which may include criteria to determine acceptability such as inspection, testing, quality, workmanship, delivery and suitability for a particular purpose. Those criteria that will affect the bid price and be considered in evaluation for award shall be objectively measurable, such as discounts, transportation costs and total or life cycle costs. The invitation for bids shall set forth the evaluation criteria to be used. No criteria may be used in a bid evaluation that are not set forth in the invitation for bids.
- (f) Correction or withdrawal of inadvertently erroneous bids before or after bid opening or cancellation of awards or contracts based on such bid mistakes may be permitted where appropriate. Mistakes discovered before bid opening may be modified or withdrawn by written or ~~telegraphic~~electronic notice received in the office designated in the invitation for

bids prior to the time set for the bid opening. After bid opening, corrections in bids shall be permitted only to the extent that the bidder can show by clear and convincing evidence that a mistake of a nonjudgmental character was made, the nature of the mistake, and the bid price actually intended. After bid opening, no changes in bid prices or other provisions of bids prejudicial to the interest of the City or fair competition shall be permitted. In lieu of bid correction, a low bidder alleging a material mistake of fact may be permitted to withdraw its bid if:

- (1) The mistake is clearly evident on the face of the bid document but the intended correct bid is not similarly evident; or
 - (2) The bidder submits evidence which clearly and convincingly demonstrates that a mistake was made. All decisions to permit the correction or withdrawal of bids, or to cancel awards or contracts based on bid mistakes, shall be supported by a written determination made by the Purchasing Agent.
- (g) The contract shall be awarded with reasonable promptness by appropriate written notice to the lowest responsible and responsive bidder whose bid meets the requirements and criteria set forth in the invitation for bids. In the event the low responsive and responsible bid for a construction project exceeds available funds as certified by the Finance Director and the ~~average variance~~such bid does not exceed ~~such funds by more than~~ 10% of the available funds, the ~~Purchasing Agent~~ department head in conjunction with the Finance Director ~~authorized to~~ may negotiate a reduction in the total bid amount ~~an adjustment of the bid price with the low responsive and responsible bidder in order to bring the bid within the amount of available funds. Any such negotiations negotiated adjustment shall be limited to be based only upon eliminating independent deductive items specified in the bid solicitation invitation for bids. When Once finalized by the Finance Director:~~
- (1) ~~by the Purchasing Agent, bid~~ Bid results greater than \$5,000 and less than \$50,000 that are both the lowest bid, meet all bid specifications and is within ~~covered by~~ the budgeted amount can be approved by the City Manager ~~and awarding of the contract to the successful bidder. These awards shall results will~~ be reported monthly to the ~~City Council and/or the Finance Committee on a monthly basis.~~
 - (2) Bid results greater than \$5,000 ~~Bids less than \$150,000 and Bidbid results less than and less than~~ \$50,000 ~~and over the budgeted amount or that are~~ not the lowest bid or exceeds the budgeted amount and meets all bid specifications will ~~shall~~ be submitted to the Finance Committee for review and approval prior to award.
 - (3) All bids over \$50,000 and up to \$150,000 regardless of budget status or bid ranking shall be submitted to the Finance Committee for review and approval prior to award.
 - ~~(3)(4) of the City Council for acceptance and awarding of the contract to the successful bidder. Contracts or bids exceeding that exceed \$50,000\$150,000 require approval shall be approved by the City Council prior to award signing and executing said contract without the necessity of Finance Committee review.~~
 - ~~(4)(5)~~ Contracts based on units of measure and unit pricing where the total number of units is not specified shall be calculated using a best estimate methodology or prior history to determine the estimated contract value. Approval of such contracts shall be managed under the approval criteria listed above based on the total estimated value. [Amended 11-1-2011 by Ord. No. 2011.71; 4-16-2019 by Ord. No. 2019.30]

- (h) When it is considered impractical to prepare initially a purchase description to support an award based on price, an invitation for bids may be issued requesting the submission of unpriced offers to be followed by an invitation for bids limited to those bidders whose offers have been determined to be technically acceptable under the criteria set forth in the first solicitation.

Sec. 2-349. Competitive sealed proposals. [Ord. of 4-21-1998(2)]

- (a) When the Purchasing Agent determines in writing that the use of competitive sealed bidding is either not practicable or not advantageous to the City, a contract may be entered into by use of the competitive sealed proposal method.
- (b) Proposals shall be solicited through a request for proposals.
- (c) Adequate public notice of the request for proposals shall be given in the same manner as provided in Section [2-348\(c\)](#)~~2-336(e)~~, provided the minimum time shall be 20 calendar days.
- (d) No proposals shall be handled so as to permit disclosure of the identity of any offeror or the contents of any proposal to competing offerors during the process of negotiation. A ~~register~~[list](#) of proposals shall be prepared containing the name of each offeror, the number of modifications received, if any, and a description sufficient to identify the item offered. The register of proposals shall be open for public inspection only after contract award.
- (e) The request for proposals shall state the relative importance of price and other evaluation factors.
- (f) As provided in the request for proposals, discussions may be conducted with the responsible offerors who submit proposals determined to be reasonably susceptible of being selected for award for the purpose of clarification to assure full understanding of, and conformance to, the solicitation requirements. Offerors shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals and such revisions may be permitted after submissions and prior to award for the purpose of obtaining best and final offers. In conducting discussions there shall be no disclosure of the identity of competing offerors or of any information derived from proposals submitted by competing offerors.
- (g) Award shall be made to the responsible offeror whose proposal is determined in writing to be the most advantageous to the City, taking into consideration price and the evaluation factors set forth in the request for proposals. No other factors or criteria shall be used in the evaluation. The contract file shall contain the basis on which the award is made. When finalized by the Purchasing Agent, proposal results will be ~~submitted to the Finance Committee of the City Council for acceptance and awarding of the contract to the successful bidder. Contracts that exceed \$30,000 shall be approved by the City Council prior to signing and executing said contract~~processed [and awarded in the same manner and under the same dollar thresholds and identified in Sec. 2-348\(g\)](#). [Amended 11-1-2011 by Ord. No. 2011.71]

Sec. 2-350. Contracting for professional services. [Ord. of 4-21-1998(2)]

- (a) For the purpose of procuring professional services such as auditing, accounting, banking, computer or information processing, architect, engineering, land surveying, clergy, medical, veterinary or dental; the department of the City requiring such services may procure them [through a request for bid, request for proposal, or request for qualifications on its own behalf](#); ~~following notification of the Purchasing Agent and~~ in accordance with the selection

procedures specified in this section.

- (b) Except as provided under the provisions for sole source procurement and emergency procurements, professional services as described in Subsection (a) of this section shall be procured as follows when soliciting via a request for qualifications:
 - (1) Persons engaged in providing the described professional services may submit statements of qualifications and expressions of interest in providing such professional services. The department of the City using such professional services may specify a uniform format for statements of qualifications. Persons may amend these statements at any time by filing a new statement.
 - (2) Adequate notice of the need for such services shall be given by the City department requiring the services through a request for services. The request for ~~proposals~~ qualifications shall describe the service required, list the types of information and data required of each offeror, and state the relative importance of particular qualifications.
- (c) Sealed proposals shall be required with the exception of interest rate quotations for loans which may be received by telephone or facsimile.
- (d) Discussions may be conducted with any offeror who has submitted a proposal to determine such offeror's qualifications for further consideration. Discussions shall not disclose any information derived from proposals submitted by other offerors.
- (e) Awards shall be ~~made to the offeror determined in writing~~ recommended by the head of the City department procuring the required professional services to be best qualified based on evaluation factors set forth in the request for proposals, and negotiation of compensation determined to be fair and reasonable. If compensation cannot be agreed upon with the best qualified offeror, then negotiations will be formally terminated with the selected offeror. If proposals were submitted by one or more other offerors determined to be qualified, negotiations may be conducted with such other offer or offerors, in the order of their respected qualification ranking, and the contract may be awarded to the offeror then ranked best qualified if the amount of compensation is determined to be fair and reasonable. Awarding of contracts shall be consistent with Section ~~2-337(g)~~ 2-348(g).

Sec. 2-351. Small purchases. [Ord. of 4-21-1998(2); amended 11-1-2011 by Ord. No. 2011.71]

- (a) Any ~~non-renewing~~ contract ~~not exceeding~~ less than \$5,000 in aggregate, and identified in the approved fiscal budget may be ~~executed~~ made by the relevant department head in accordance with the small purchase procedures authorized in this section.
- (b) Insofar as it is practical for small purchases in excess of \$1,000, no less than three businesses shall be solicited to submit quotations. Quotations may be accepted by telephone. Award shall be made to the business offering the lowest acceptable quotation. The names of the businesses submitting quotations, and the date and amount of each quotation, shall be recorded ~~with purchase orders~~ and maintained as a public record.

Sec. 2-352. Sole source procurement and reporting exceptions. [Ord. of 4-21-1998(2); amended 12-15-2020 by Ord. No. 2020.110]

- (a) A contract may be awarded without competition when the ~~City Manager~~ Finance Committee determines ~~in writing, after conducting a good faith review of available sources,~~ that there is

only one source for the required supply, service or construction item based upon review of the rationale and supporting documentation, if applicable. The City Manager with the appropriate department head or designee shall conduct negotiations, as appropriate, as to price, delivery and terms. ~~A record of sole source procurements shall be maintained as a public record and shall list each contractor's name, the amount and type of each contract, a listing of the item(s) procured under each contract and the identification number of each contract file~~ Award of sole source contracts shall be in accordance with Sec. 2-348(g).

(b) When the City or one or more of its Departments, as approved by the City Council, acts as the General Contractor for a construction project with the stated purpose of reducing overall project costs through internal coordination and oversight, the following procedure must be followed. Projects under this section may not exceed \$1,500,000.00

(1) Prior to Council approval, a written project plan shall be submitted to the City Council. This plan shall include:

- i. Department Head or other city official designated to be the Project Manager.
- ii. A cost estimate for materials, subcontracted services, and equipment rentals;
- iii. An estimate of internal labor hours, including the Department's role or expected involvement in the project;
- iv. Identification of anticipated funding sources;
- v. A summary of procurement deviations requested, including any expected sole-source or negotiated purchases;
- vi. An explanation of how City-led management is expected to yield cost savings or operational benefits.

(2) The City Manager must review and approve the project plan prior to its submission to the City Council for consideration. The City Manager shall verify that the plan is complete, to include but not be limited to the requirements of subsection (b)(1)(i-vi) of this section and that the internal capacity and oversight mechanisms are sufficient to support the proposed project approach.

(3) For projects approved by the City Council under this section, negotiated procurement is authorized in the approved plan:

- i. The Project Manager is authorized to negotiate purchases for goods or services of the project costs based on preapproved time and material price schedules or other approvals obtained in accordance with this Division and does not require additional approval from the Finance Committee or City Council. These purchases are exempt from the tiered review thresholds set by Section 2-348(g).
- ii. Purchases of goods or services that exceed the estimated project costs shall remain subject to the requirements of the tiered review thresholds established under Section 2-348(g) **unless** the City Council explicitly exempts such purchases through its project approval vote.

(4) When contracts are awarded under the sole source procurement provisions of subsection (a) or when projects are approved under subsection (b), a written report shall be submitted by the project manager or appropriate department head to the Finance Committee within 60 days of project completion. The report shall include:

- i. A description of the procurement or project and the justification for sole source or negotiated procurement.
- ii. A summary of all contracts executed including vendor names amounts and terms.
- iii. A comparison of final expenditures to original estimates and approved budget allocations.
- iv. Identification of any deviations from the approved project plan or procurement procedures with explanations.
- v. Such reports shall be maintained by the finance department as part of the permanent public record and shall be available for audit and public inspection.

Sec. 2-353. Emergency procurements. [Ord. of 4-21-1998(2)]

Notwithstanding any other provision of this article, the City Manager may make or authorize others to make emergency procurements of supplies, services or construction items when there exists a threat to public health, welfare or safety; provided that such emergency procurements shall be made with such competition as is practicable under the circumstances. A written explanation of the nature of the emergency, the goods or services procured, the procurement method used, and the total cost shall be submitted to the Finance Committee at the next scheduled meeting following the procurement. This report shall be entered into the public record and include certification by the Finance Director verifying the availability and source of funds.

Sec. 2-354. Cancellation of invitation for bids or requests for proposals. [Ord. of 4-21-1998(2)]

An invitation for bids, a request for proposals or other solicitation may be canceled, or any or all bids or proposals may be rejected in whole or in part as may be specified in the solicitation, when it is for good cause and in the best interests of the City. The reasons therefor shall be made part of the contract file. Each solicitation issued by the City shall state that the solicitation may be canceled and that any bid or proposal may be rejected in whole or in part for good cause when in the best interest of the City. Notice of cancellation shall be sent to all businesses solicited. The notice shall identify the solicitation, explain the reason for cancellation and, where appropriate, explain that an opportunity will be given to compete on any resolicitation or any future procurements of similar items. Reasons for rejection shall be provided upon request by unsuccessful bidders or offerors.

Sec. 2-355. Responsibility for selection of methods of construction contract management. [Ord. of 4-21-1998(2)]

The City Manager shall designate the official(s) to be responsible for any construction project in excess of ~~\$35,000~~ \$50,000. ~~The designated official shall have discretion to select the appropriate method of construction contracting management for a particular project. In determining which method to use, the designated official shall consider the City's requirements, its resources and the potential contractor's capabilities. The designated official shall execute, and include in the contract file a written statement setting forth the facts which led to the selection of a particular~~

~~method of construction contracting management for each project.~~

Sec. 2-356. Bid security. [Ord. of 4-21-1998(2)]

- (a) Bid security shall be required for all competitive sealed bidding for construction contracts when the price is estimated by the designated official for construction contracting management to exceed \$50,000. Bid security shall be a bond provided by a surety company authorized to do business in the state, or the equivalent in cash, or otherwise supplied in a form satisfactory to the Finance Director. Nothing herein shall prevent the requirement of such bonds on construction contracts under \$50,000 when the circumstances warrant.
- (b) Bid security shall be in an amount equal to at least 5% of the amount of the bid.
- (c) When the invitation for bids requires security, noncompliance requires that the bid be rejected unless it is determined that the bid fails to comply only in a nonsubstantial manner with the security requirements.
- (d) If a bidder is permitted to withdraw a bid before award as provided in Section ~~2-336(f)~~ 2-348(f), no action shall be taken against the bidder or the bid security.

Sec. 2-357. Contract performance and payment bonds. [Ord. of 4-21-1998(2)]

- (a) When a construction contract is awarded in excess of \$50,000, the following bonds or security shall be delivered to the City and shall become binding on the parties upon the execution of the contract:
 - (1) A performance bond satisfactory to the Finance Director executed by a surety company authorized to do business in Maine or otherwise secured in a manner satisfactory to the City Manager and Finance Director in an amount equal to 100% of the price specified in the contract; and
 - (2) A payment bond satisfactory to the Finance Director executed by a surety company authorized to do business in the state or otherwise secured in a manner satisfactory to the City Manager and Finance Director for the protection of all persons supplying labor and material to the contractor or its subcontractors for the performance of the work provided for in the contract. The bond shall be in the amount equal to 100% of the price specified in the contract.
- (b) After notice to ~~approval by the City Manager~~ awarding authority, defined under Sec. 2-348(g), at the time of approval by the respective department, ~~the Purchasing Agent may reduce~~ the amount of performance and payment bonds may be reduced by the awarding authority to 50% of the contract price for each bond when a written determination is provided in the approval documentation that demonstrates to the awarding authority that such a reduction ~~made that it does not result in undue risk to~~ is in the best interests of the City ~~to do so~~.
- (c) Nothing in this section shall be construed to limit the authority of the City to require a performance bond or other security in addition to those bonds, or in circumstances other than specified in Subsection (a) of this section. Nor shall this section be construed to limit the authority of the City to require warranties or guarantees against defects where circumstances recommend them.

Sec. 2-358. Maximum practicable competition. [Ord. of 4-21-1998(2)]

All specifications shall be drafted to promote overall economy for the purposes intended and encourage competition in satisfying the City's needs, and shall not be unduly restrictive. The policy enunciated in this section applies to all specifications including but not limited to, those prepared for the City by architects, engineer, designers and draftsmen.

Sec. 2-359. Brand name or equal specification. [Ord. of 4-21-1998(2)]

- (a) Brand name or equal specification may be used when the Purchasing Agent determines in writing that:
 - (1) No other design or performance specification or qualified products list is available;
 - (2) Time does not permit the preparation of another form of purchase description, not including a brand name specification;
 - (3) The nature of the product or the nature of the City's requirements makes use of a brand name or equal specification suitable for procurement; or
 - (4) Use of a brand name or equal specification is in the City's best interest.
- (b) Brand name or equal specifications shall seek to designate three, or as many different brands as are practicable, as or equal references and shall further state that substantially equivalent products to those designated will be considered for award.
- (c) Where brand name or equal specification is used in a solicitation, the solicitation shall contain explanatory language that the use of a brand name is for the purpose of describing the standard of quality, performance and characteristics desired and is not intended to limit or restrict competition.

Sec. 2-360. Brand name specification. [Ord. of 4-21-1998(2)]

- (a) Since use of a brand name specification is restrictive of product competition, it may be used only when the Purchasing Agent makes a written determination that only the identified brand name item or items will satisfy the City's needs.
- (b) The department head shall provide sufficient information to the Purchasing Agent ~~shall seek~~ to identify sources from which the designated brand name item(s) can be obtained and shall solicit such sources to achieve whatever degree of price competition is practicable. If only one source can supply the requirement, the procurement shall be made under Section ~~2-340~~2-352.

Sec. 2-361. Finance Committee may examine and order payments. [Ord. of 4-21-1998(2)]

The Finance Committee may examine every bill, claim and demand presented for payment by any person or department official and may question its legality and validity. ~~The Finance Committee shall sign a warrant or order directed to the City Treasurer to pay such bill, claim or demand and designate the fund or appropriation to be charged therewith in accordance with the Charter.~~ To support its oversight and review responsibilities, the Finance Committee shall be provided read-only access to the city's financial software system (for instance Munis or any current equivalent). This access shall include all expenses, revenues, encumbrances, and financial activity as well as line-item budgeted amounts. Information shall be provided in a format that enables the Committee to evaluate all financial activity whether or not previously budgeted relative to the appropriations

approved by the City Council in the adopted budget. The Finance Committee shall also have oversight responsibility to ensure that all expenditures budgeted or unbudgeted are properly recorded, tracked, and documented in the city's financial system. Discrepancies, omissions, and material concerns related to financial data integrity or unauthorized spending shall be documented and reported to the City Council and City Manager for corrective action.

Sec. 2-362. Signed statement required. [Ord. of 4-21-1998(2)]

The ~~City Auditor~~Finance Director is expressly enjoined and forbidden from approving any bill contracted by any official, agent or employee of the City unless the goods, articles or materials charged in the bill have been delivered and that they are of the quality and quantity ordered.

Sec. 2-363. ~~Treasurer~~Finance Director forbidden to pay or honor certain bills, warrants. [Ord. of 4-21-1998(2)]

- (a) The ~~Treasurer~~Finance Director is expressly enjoined and forbidden to pay any bill contracted by any official, agent or employee of the City unless an approved invoice~~purchase order form~~ is attached to each bill presented for payment.
- (b) The ~~Treasurer~~Finance Director is expressly forbidden to honor or pay any warrant drawn for the payment of moneys from the City treasury when the appropriation of the department to which such payment would properly be charged has been fully expended, or when such payment would overdraw such department's appropriation without approval of the City Manager who will then report such overages to the Finance Committee.



City Council

Meeting Date: September 16, 2025
Meeting Time: 6:00 PM
Agenda Item No: 9.c
Item Description: 2025.126 Approval/ Transfer of ownership of JFK School
Submitted By: Truc Dever, City Manager

Key Terms:

Executive Summary:

A memo was received from the Superintendent of Schools for the Biddeford School Department notifying the City Council of the planned closure of John F. Kennedy School (JFK School) and to outline the legal process for the disposition of the school property (Attachment 1). Before any other disposition can occur, the School Department is required to offer to transfer control or ownership of the JFK School building to the City of Biddeford.

Detailed Review:

The Biddeford School Board closed JFK School after careful consideration of enrollment projections, facility conditions, and educational programming needs. The School ceased operations as an educational facility on June 30, 2025. Currently, the School Department is providing and paying for electrical service and alarm/security systems to ensure a smooth transition and maintain the integrity of the facility.

As outlined in the memo, Maine law (20-A M.R.S. Section 4103) requires a prescribed process for the disposition of the school. The School Board is required to offer to transfer control or ownership of the JFK School building to the City of Biddeford. Should the City accept this transfer, the City may use the building for determined purposes. Attachment 2 provides a site survey of the school area from 1973. Attachment 3 is a building evaluation report prepared for the School Department in March 2020.

Only if the City declines this transfer offer may the School Board consider alternative dispositions. The memo provides a formal offer of transfer and outlines various considerations regarding insurance costs and needed repairs to the existing playground.

Funding Source:

There is no outstanding debt or indebtedness on the JFK School building; however, approximately \$500 per month funding would need to be identified for the interim maintenance and security of the property, and up to \$10,354 annually for full insurance coverage. A potential source of funding for consideration by Council would be the FY 26 contingency account (21111-60798).

Staff Recommendation:

Staff is neutral as this is a Council decision to accept ownership of the school property.

Next Steps:

Should a vote by Council to accept the transfer of ownership occur, further conversations with staff and Council would be needed to consider options for the future use of the JFK school property. Council would also need to determine insurance coverage levels, security, and maintenance of the existing building and associated costs until further plans can be made for the property's re-use.

Attachments:

1. 2025.126 Transfer ownership JFK School - ORDER
2. Attachment 1-JFK Closing Memo to City Council
3. Attachment 2-THE KENNEDY SCHOOL AREA_PLAN SHOWING A SITE SURVEY
4. Attachment 3-Building Evaluation Report_JFK _03-03_2020

City of Biddeford

The seal of the City of Biddeford, Maine, is circular. It features a central illustration of a building, likely a school or government building, with a flag flying in front. The words "CITY OF BIDDEFORD" are inscribed around the top inner edge of the seal, and "MAINE" is at the bottom.

2025.126 IN BOARD OF CITY COUNCIL... September 16, 2025

BE IT ORDERED, that the City Council does hereby accept the transfer of control and ownership of the John F. Kennedy School property.

Attest by: _____
Robin Patterson, City Clerk

TO: Biddeford City Council
FROM: Superintendent of Schools, Biddeford School Department
DATE: September 2, 2025
SUBJECT: Planned Closure of John F. Kennedy School and Disposition of Property

Purpose

This memorandum serves to formally notify the Biddeford City Council of the planned closure of John F. Kennedy School ("JFK School") and to outline the legal process for the disposition of the school property in accordance with Maine Revised Statutes Title 20-A, §4103.

Background

The Biddeford School Board has determined that JFK School will be closed for school purposes pursuant to the closure process outlined in §4102. This decision was made after careful consideration of enrollment projections, facility conditions, and educational programming needs.

JFK School has proudly served the Biddeford community as an educational institution for over 60 years, helping to shape generations of Biddeford citizens. As the Council is aware, Biddeford residents voted to approve a bond measure that is currently funding the construction of an addition at Biddeford Primary School. This expansion will help accommodate the student population currently served by JFK School, making the continued operation of JFK School unnecessary for meeting the district's educational needs.

Property Status

We wish to inform the Council that there is no outstanding debt or indebtedness on the JFK School building. This is an important consideration in the transfer process, as it means the City would not be assuming any financial obligations related to bonds or loans should you choose to accept the transfer of the property.

Transition Timeline and Building Services

JFK School will cease operations as an educational facility on June 30, 2025. To ensure a smooth transition and maintain the integrity of the facility, the School Department will continue to provide and pay for electrical service and alarm/security systems after this date until such time as the City is prepared to assume responsibility for these services. This arrangement will help protect the property while allowing the City adequate time to plan for its future use or modification.

Legal Requirements for Property Disposition

In compliance with Maine law (20-A M.R.S. §4103), we are following this prescribed process:

1. **Initial Control:** The school building will remain under the control of the Biddeford School Board following closure.
2. **Mandatory Offer to Municipality:** Before any other disposition can occur, we are required to offer to transfer control or ownership of the JFK School building to the City of Biddeford.
3. **Transfer Terms:** Should the City accept this transfer:
 - The City may use the building for determined purposes
 - As there is no outstanding indebtedness on the property, the City would not be assuming any debt obligations
 - The School Department will maintain electrical, security/video, and alarm services until the City is ready to transfer these services to City accounts
4. **Alternative Dispositions:** Only if the City declines this transfer offer may the School Board:
 - Lease the building (if there is reasonable likelihood of future educational use)
 - Sell the building on the open market (if no future educational use is anticipated)
 - Demolish the building (if no future use is determined or if condemned for health/safety reasons)

Formal Offer of Transfer

On behalf of the Biddeford School Board, I hereby formally offer to transfer control and ownership of the JFK School property to the City of Biddeford in accordance with 20-A M.R.S. §4103(3).

Playground Considerations

The existing playground at JFK School requires attention in our transition planning. The pavement surfaces are experiencing significant cracking and deterioration that cannot be effectively repaired. Additionally, some playground elements are no longer in usable condition. While we do not consider the playground to present immediate safety concerns, replacement of individual play elements would not be a practical investment given the facility's closure.

We recommend keeping the playground open and accessible to the community until the new play space at the J Richard Martin Community Center becomes available. Once that facility is operational, we will coordinate with Biddeford Public Works for the removal of the existing playground equipment. I do have concerns about maintaining an older playground facility adjacent to a vacant building and the ongoing oversight this arrangement would require.

Insurance Considerations

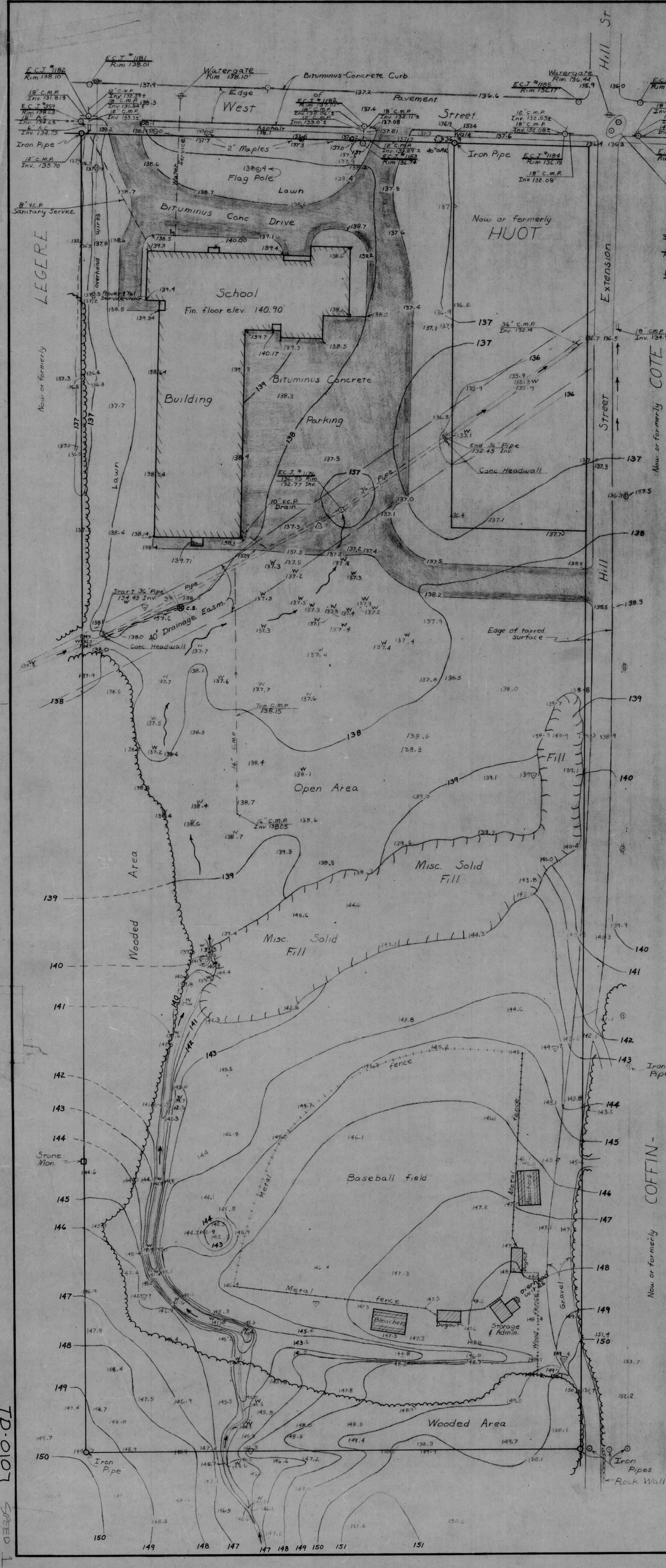
I have been working closely with our insurance carrier regarding coverage for the vacant building. The annual premium for maintaining full coverage on the vacant building will be \$10,354. I am exploring alternative coverage options, and preliminary discussions indicate that reducing coverage to liability-only would save approximately \$7,600, resulting in an annual cost of roughly \$2,754.

Coverage Options Summary - Josh Fearon, President, P&C Insurance

- Make no changes to the coverage for JFK and the overall cost associated with property and liability coverage is \$10,354. Per our discussion, if you maintain property coverage for JFK, the policy has provisions surrounding vacancy from a loss settlement standpoint. The relevant policy parts are snipped below for reference.
- Maintain coverage for liability only and remove any property coverage associated with JFK school saves approximately \$7,600. *This option would exclude any physical damage coverage to the building* but would still maintain liability for bodily injury or property damage to third parties.
- The cost of insurance for a vacant building was not included in the School Department's budget, as we had anticipated the property transfer would occur much sooner in the process. We are committed to finding a solution that works effectively for both the City and the School Department while ensuring appropriate protection during the transition period.

Request for Response

I respectfully request that the City Council formally consider this offer at an upcoming meeting. Should the Council decline this transfer, the School Board will proceed with alternative disposition options as permitted by law, which may include open market sale, sealed bid process, or demolition.



PLAN SHOWING A
SITE SURVEY OF
THE KENNEDY SCHOOL
AREA

Biddeford, Maine
Scale 1"=40' Dec. 1, 1973
Dow & Coulombe - Engineers & Surveyors
Saco, Maine

LEGEND

- Sanitary Sewer Manhole
- Storm Sewer Manhole or Catch Basin
- Watergate
- Power Pole
- Traverse Station
- Power Line
- Spot Elevation in, or under water
- Edge of wooded area
- Direction of surface flow

Notes:

- 1- Location of Water, Sanitary Sewer and Storm Drain services taken from Plumbing plan - First floor "New Elementary School Building" for the City of Biddeford, Wadsworth & Boston, Architects, Portland, Maine; (Pg. 11 of 17 Sheets.)
- 2- Elevations refer to mean sea.
- 3- E.C.J.'s refer to E.C. Jordan comprehensive sewer and drain survey: see this survey for more details.
- 4- See letter to Mr. Andrew Frechette

Note: Ledge outcroppings in this area.

TD-0107

BUILDING EVALUATION REPORT

JOHN F. KENNEDY SCHOOL
Biddeford School Department
Biddeford, Maine

Prepared For:

Jeremy Ray, Superintendent
Biddeford School Department
18 Maplewood Avenue
Biddeford, Maine 04005

March 3, 2020

Prepared By:



OAK POINT
ASSOCIATES

architecture
engineering
planning

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- Appendix B – Photographs

Introduction

Oak Point Associates had undertaken a building study of the John F. Kennedy Memorial School in Biddeford, Maine. As part of the study, Oak Point Associates had evaluated the facilities by visual inspection (February 2016), discussions with the school district, analysis of available drawings, and evaluation of previous reports. Our evaluations were based upon the coordination of this information with current building codes (IBC), Life Safety Codes (NFPA), accessibility guidelines (ADA), indoor air quality standards (ASHRAE) and additional requirements from the State of Maine. The evaluation process and narrative discussion included the building envelope, interior finishes, structural systems, mechanical systems, electrical systems, site conditions, ADA, and code compliance. The functionality of the program spaces and site circulation were not addressed in this assessment. This Building Evaluation Report is an update to the report which was completed in March of 2016. The update includes the original information with revisions to identify the current facility conditions and associated costs for recommended upgrades and repairs.

John F. Kennedy Memorial School, built in 1965, is a two-story steel framed and concrete masonry building with brick masonry veneer and wood clapboard siding. Total school area is about 40,000 square feet, consisting of a one-story administration area, adult education suite, multi-purpose room and auxiliary area (kitchen and boiler room) that run linearly from south to north, and a two-story kindergarten classroom wing that extends to the west. Original plans for the school describe an insulated curtain wall system with operable window panels for the classroom wing, that has now been in-filled with a wood clapboard siding and gypsum board assembly (wood siding on plywood sheathing, insulation, wood studs, and painted gypsum board), and single-hung windows. An elevator tower was added to the end of the classroom wing, with matching brick veneer and wood clapboard siding on a concrete foundation. Construction documents for the elevator addition were not provided for the purposes of this report. However, visual inspection suggests a combination of brick masonry and stick frame construction, with a wood deck and wood clapboard siding.

Existing Conditions

Civil/Landscape

Parking and Circulation

There are approximately 108 parking spaces on the site, located in three locations:

- On the north side of the school: approximately 41 spaces, including two designated accessible spaces. One of these spaces appears to meet van accessible dimensional requirements, but neither space has an access aisle.
- On the south side of the school: approximately 47 spaces, and none are designated as accessible.
- Along the front drop off loop: There are approximately 8 parallel spaces. One of these spaces is designated as accessible, but it has no dedicated access aisle. As ADA does not allow access aisles to overlap with the vehicular way, it would be difficult to make an ADA-compliant parallel space in this particular location.

The number of parking spaces on site appears to be sufficient to meet the needs of staff parking for the current size of the facility while still providing adequate visitor parking.

ADA requires that the number of accessible parking spaces be calculated separately for each lot, although it allows the spaces to be distributed to the lot that is closest to an accessible building entrance. Parking lots with between 1 and 25 spaces require one designated accessible space. Parking lots with between 26 and 50 spaces require two accessible spaces. Therefore, ADA requires five handicapped accessible spaces (with at least one space being van accessible) on this site. None of the parking spaces fully comply with ADA requirements due to inadequate access aisles and/or signage.

Vehicle circulation consists of a small, one-way drop-off loop at West Street that contains parallel parent drop off lanes. There is also a long secondary access road that runs from West Street to Hill Street, along the northern and western portions of the site and through the Little League parking lot. The portion of this road that extends beyond the school parking lot was constructed in 2000. A short section of road, also installed in 2000, connects this secondary access road with the school's rear playground area, a part of which used to serve as an additional parking lot.

There are no sidewalks on the site. Pedestrians must share vehicular access drives to travel to the building entrances. There are two bicycle racks at the rear of the Adult Education block. There were no bicycles parked during school hours on the day we made a site visit.

Afternoon student pick up was observed in February, 2020. Cars entered the site from West Street and queued up along the front of the building in parallel lanes, leaving one through lane open to exit the site back onto West Street near the West Street/Hill Street intersection. Parents picking up their child are

required to go into the building and sign them out. School buses also entered the site from West Street and queued up along the north side of the building, where they utilized the secondary access road to exit the site onto Hill Street. There were a total of 10 buses that stacked in two parallel rows of 5. Staff escorted students to the each of the buses from the door on the north side of the building and the end of the classroom wing near the head start playground. While the drop off process was generally smooth, staff reported that on many occasions the lines of cars in front of the school are long enough that they block bus access to the road on the north side of the school. Additionally, while staff was able to maintain a high level of student safety for children getting onto the buses, the way the buses queued up required students to walk between the buses to get onto them, especially those exiting from the door on the north side of the school and getting onto the bus at the front of the line.

Pavements

Access roads and parking lots are asphalt concrete pavement. The main loop off West Street is in fair condition with widespread block cracking and some alligator cracking observed. The parking area northeast of the school building is in poor condition with extensive pavement cracking and rutting . The parking area north of the school building and the secondary access road to Hill Street have been repaved recently and are in good condition. The paved area south of the school building is separated from the rest of the site to the south with a fence and is utilized as parking. This area has extensive block cracking and is in poor condition. In addition to the poor condition, the area is striped such that adequate back out aisles do not exist. The paved area southwest of the school building, now utilized for a play area, also has extensive block cracking with vegetation growing in the cracks.

There are no curbed areas on the site.

Stairs/Ramps

Many of the building entrances have accessible curb ramps in varying degrees of compliance. The first is the main entrance at the front of the school. At this location, a small concrete ramp slopes up to the concrete apron at the finish floor elevation. The rise is less than six inches in six feet, which is not enough to warrant a ramp with ADA-compliant handrails. This is essentially the same condition at the door on the opposite side of the building (the southwesterly side) that opens onto the playground and the exit from the multipurpose room into the drop off loop. Although these curb ramps are generally compliant, the edge of the ramp without a railing could pose a trip hazard. Also, at the door that opens to the playground, a waste receptacle was located at the top of the ramp, making the landing at the top too small for a wheelchair to turn. Nothing should obstruct the turning or maneuvering area at building entrances.

There are two accessible ramps that provide access to the west end stair/elevator tower. The ramps provide access to the north and south side of a common landing. The ramps appear to have been recently built and are constructed of wood-plastic composite decking with white vinyl railings/guards and galvanized steel handrail on both sides of the ramps. The ramps appear to conform to ADA

requirements, except that there is a lip where the north-side ramp meets the pavement that appears to exceed the ADA-required maximum of ½”.

There does not appear to be an accessible route to the Head Start (age 2-5) playground area, which is separated from the paved area by a lawn area that is not considered to be an accessible surface. Curbing that was previously noted around the Kindergarten (age 5-12) playground appears to have been removed to provide accessible access from the adjacent pavement.

Fencing

A 4-foot high chain link fence separates the school from the residential properties to either side of the school on West Street and Hill Street. These fences are in poor condition with bent posts, disconnected fabric and missing hardware and are in need of repair or replacement.

Another 4-foot high chain link fence separates the parking area and the open paved area of the playground. This fence is in relatively good condition, but there is some minor damage to the fabric in a few areas, and the bottom tension wire is missing.

A 6-foot high chain link fence runs along Hill Street and the inside edge of the secondary access road on the north and west sides of the building. The 6-foot high fence provides a playground boundary where the playground adjoins a vehicular way. There is both a single pedestrian access gate and a double (vehicular) access gate adjacent to the west end of the school, near the storage shed and Head Start playground. There is also a wider vehicular access gate at a small connector road leading from the secondary access road to the playground paved area. The area in front of the vehicular access gate is unpaved and the area is poorly drained, and rutted. Most of the fence is in relatively good condition, but it is missing a bottom tension wire. However, there is a section adjacent to the vehicular access gate that has been damaged. There are also a few sections on the Hill Street side of the fence where the fabric at the bottom has been stretched inward – damage that is preventable if a bottom tension wire is present and properly installed.

A 4-foot high chain link fence surrounds three sides of the Head Start playground (the 6-foot high fence runs along the fourth side). The fence has a single pedestrian gate and a double gate for maintenance access. It appears to be in good condition.

Signage

Signs displaying the universal symbol of accessibility, directing toward or identifying accessible building entrances, are either missing or in very poor condition. The school identification sign is in good condition. Neither the sign nor the adjacent flagpole is lighted.

Landscaping

Because the field investigation was conducted during the winter months, it is difficult to fully appraise the condition of vegetation on the site.

The extent of ornamental landscaping is in the immediate vicinity of the drop-off area. There are two mature Ash trees (>50' tall) at the drop-off circle. They are in fairly good condition. There are two other small trees at the drop-off circle that appear to be in fair to good condition. There is a very large Oak tree at the property corner near the West Street exit. It appears to be in good health, although many dead branches of various sizes exist in the tree.

There is a small planting bed around the school sign and flagpole, which has a grouping of mixed shrubs and perennials. There are also some foundation plantings to the left of the main building entrance (2 *Rhododendron* shrubs).

There is a large clump of mature Oak Trees (or a single Oak tree with multiple trunks) on a knoll at the southern edge of the playground, near the Hill Street fence. It appears that it is used during recess as a place for imaginative play, as there were small piles of twigs at the base of the trees, the ground cover is worn away in this area, and there were small (3"-6" diameter) rocks wedged in the spaces between the tree trunks. This tree is unique in the playground area and should be given deliberate maintenance to protect its value. There is another small grove of deciduous trees at the western edge of a small, possible wetland area just north of the maintenance drive that connects the secondary access drive to the playground paved area.

Playgrounds

There are two separate areas of playground equipment on the site, with a relatively large open area between them. The two playgrounds provide play equipment for different age groups—one for ages 2-5, and the second for ages 2-12. The Kindergarten students use the age 2-12 equipment during recess, and the Head Start students use the age 2-5 playground area (which is fenced).

The Kindergarten playground has several pieces of play equipment within an approximately 8,250 ft² sq. (125' x 66') rectangular area that was previously curbed. The curbing appears to have been removed sometime after spring, 2016. All pieces are Miracle Recreation Equipment components and appear to be relatively new. The largest piece of equipment is a composite play structure, which has a sticker stating that it is rated for ages 5-12. It appears to have a maximum fall height of approximately 6'-6". There are separate areas of swings—each area has a 4-bay swing, with the capacity to hold eight swings. All 16 swings are belt-style. There are also three "C-spring riders" that are rated for ages 2-5: a "Space Ship Columbia", a "Buzzy the Bumblebee", and a "Flippo Offspring". All of the spring riders have a maximum fall height of 2'-0". Finally, there is a freestanding tic-tac-toe panel.

The safe surface beneath the play structures is loose, wood mulch that is assumed to be engineered wood fiber. (Engineered wood fiber is an accessible surface, whereas wood chips are not.) It appears that the safe surface used to be contained within a plastic/composite lumber curb that was removed sometime after spring, 2016. Because the curb is no longer present, safe surface is spilling out onto the surrounding pavement and turf area to the east. The wood chip surface beneath the equipment was

saturated and had standing water at the time of one inspection, which could be due to lack of underdrains and local low spots in the wood chip surface. Frozen ground could also be a contributing factor. For play equipment with a fall height of 6'-6", a minimum of 9-inch depth of engineered wood fiber safe surface is required for compliance with Consumer Product Safety Commission (CPSC) safety standards. Being a loose fill surface, it can easily become displaced. Fiber-type "wear mats" are being used beneath swings and at slide exits at the Kindergarten playground, but many of the mats beneath the swings have been displaced to the point that there is no safe surface beneath them and they are no longer fulfilling their purpose. These should be periodically replaced in order to continue to function as they should. At the Head Start playground, the geotextile fabric beneath the safe surface was exposed at the end of one of the slides where a wear mat did not appear to be present.

There is a large paved area with games painted on the surface. The pavement is in poor condition, and the paint is very faded. There appears to be much more pavement (50,000 sq. ft.) than required for the student population, although many schools appreciate a large amount of pavement because it is easier to clear for winter recess. Two basketball goals posts are located side-by-side at the edge of the pavement. They both have a gooseneck -style, galvanized steel posts, one of which is bent just above the ground surface. There is fan-shaped aluminum backboard on one of the posts, but the other is missing a backboard. There is also a wood backstop in fair condition in the middle of the asphalt concrete pavement. The remains of a sheared-off, rusty metal post and concrete foundation exist near the backboard, which poses a safety hazard.

The second (Head Start) playground is located to the west of the school building, just south of the parking area and secondary access road. It is a rectangular space approximately 1,700 sq. ft. in area (36' x 50'). It contains a metal/plastic composite play structure, designed for ages 2-5. Like the Kindergarten playground equipment, the manufacturer is Miracle. There are also three freestanding, ground level components: two spring-rider seesaws (fall height 1'-6") and a drum panel. Like the other playground, the Head Start playground uses engineered wood fiber as a safe surface. Access to the playground area is only through a grassed area that has poor drainage. At the time of one inspection, over six inches of standing water was observed at the double-gate entrance to the playground.

Utilities

Storm drainage on the site is accomplished mainly by overland flow with two catch basins in the paved playground area, and another two near the main entrance. The two catch basins on the site's interior connect to an underground storm drain line that cuts diagonally (west-east) through the site. This drain line carries existing runoff in a small brook from the northwest part of the site, beneath an existing modular building and the play area. The steel grating at the inlet headwall has been recently replaced and is in good condition. Roof drains from the building exit the southwest corner of the building. A 10-inch roof drain line is connected to the 36-inch drain line that passes through the site.

The catch basins by the main entrance connect to the city storm drain line beneath West Street.

There are areas where overland flow is not adequately resolving the drainage, and puddling is occurring. This is especially true at the edges of the north parking lot at the rear of the school building. A low, grassy area behind the school contains some wetland vegetation. Sheet flow at the southeast side of the property, near the parking spaces closest to the main entrance, appears to flow directly onto a neighbor's lawn.

Water service is provided by a 4-inch diameter connection to a main that runs beneath West Street. The 4-inch line enters the building and reduces to 2-inch at the water meter.

Currently there is no fire suppression system in the building.

Sanitary sewer service is provided by an 8-inch connection to the municipal sewer main located beneath West Street.

There is an underground fuel oil tank beneath the driveway on the north side of the building, just outside the boiler room. This tank is approximately 10 years old and is functioning well. The tank has a leak monitoring system, but it does not appear to have a working gauge. There are also two above-grade 100-gallon LP gas tanks located on the west side of an outbuilding near the boiler room. These tanks were installed sometime after spring, 2016 and serve the building's water heaters.

Electric and telephone service is provided by overhead lines from West Street. The overhead lines run along the northwest property line to pole-mounted transformers, and then underground to the building.

The only exterior lighting is building-mounted near entrances. There are no lights present on the south side of the building.

Outbuildings

There are four outbuildings on the site. One is a cool storage building directly outside the boiler room exterior entrance that appears to be in good condition, and the other three are storage buildings. One of these is directly across the parking lot from the cool storage building, next to the dumpster. The exterior of this building is in poor condition with a lot of damage to the vinyl siding and trim on the façade that faces the parking lot. The second storage building is located adjacent to the Head Start playground. It looks to be in better condition than the other storage building, although there is some damage/rot to the siding at the base of the building. The third is between the ramps and the west end stair/elevator tower. This building was either built on site or delivered to the site after spring, 2016 and is set on cinder blocks. It appears to be in good condition.

Structural

The existing building consists of a steel framed, un-reinforced concrete masonry structure with reinforced concrete foundations that was constructed in 1965. The following are structural system descriptions that are based on visual inspections and a review of existing structural plans.

Roof Structure

The roof structure for the classroom wings consists of open web steel joists with a poured gypsum deck spanning between the joists. Support for the joists is provided by either wide flange steel beams or un-reinforced concrete masonry walls.

The roof structure for the multi-purpose room consists of long span steel joists that are supported by wide flange steel beams along the perimeter which are in turn supported by wide flange steel columns. A poured gypsum roof deck is used to span over the joists.

A previous structural analysis of the roof structure indicates that the roof structure has sufficient capacity to support the full design loads. Since the original analysis was performed there have been no increases in design loads and forces.

Visual inspections did not indicate any evidence of failure or damage of the roof structure. Sections of roof structure subject to snow drifting were previously reinforced.

Floor Structure

Floor framing consists of open web steel joists with concrete fill over steel form deck spanning over the steel joists. The joists are supported by either wide flange steel beams or un-reinforced concrete masonry walls.

A previous structural analysis was performed, and it was determined that floor structure has sufficient capacity to support the code mandated design loads. There have been no increases in design loads and forces since the previous analysis was performed.

The elevator addition floor framing is believed to consist of wood joists and plywood sheathing spanning over the joists. Plans were not available for review, but there is noticeable change in stiffness compared to the adjacent classroom wing.

Lateral Force Resisting System

Lateral forces, wind and seismic, must be resisted by both horizontal and vertical resisting elements of the structure. Consideration of lateral forces, especially seismic was not a normal design consideration for structure of this age. Therefore, it is necessary for existing building elements to be counted on to provide the required resistance to lateral forces.

Based on the mass and stiffness of the structure the maximum forces will most likely be seismic forces. Seismic forces would also be increased due to the fact that un-reinforced concrete masonry walls are used to resist seismic forces as explained below.

Horizontal resisting elements would consist of the poured gypsum deck and the floor slab acting as diaphragms. The effectiveness of a diaphragm depends on connections to supporting vertical resisting

elements. There are no positive or direct shear force transfer mechanisms in place to transfer diaphragm forces to the masonry walls.

Vertical resisting elements consist of the un-reinforced concrete masonry walls acting as shear walls. Due to the length of the corridor un-reinforced concrete masonry walls, there would be sufficient capacity to resist the imposed forces, assuming that the forces could be transferred to the walls. Since the walls are unreinforced, they would not fully comply with current code requirements but should still have an adequate level of performance to resist the design forces provided there were adequate connections of the roof diaphragm.

Foundation System

Foundations consist of reinforced concrete spread footings, at building columns, and foundation walls and wall footings at masonry walls. Visual inspections did not indicate any evidence of differential settlement or failure of the foundations. There were shrinkage cracks observed along the length of the foundation walls.

Architectural

Exterior Envelope

Roof

The building roof is accessed through a hatch in storage room 218, and an exterior steel ladder. The multi-level roofs have ballasted and adhered membrane roof systems installed around 1990, and will reach its life expectancy in another 5 years, plus or minus. The school has had to make multiple patchwork repairs to the existing roof. The metal fascia at the roof perimeter is in fair condition, with some discoloration and stains.

Siding

The red brick masonry on the exterior of the building is overall in good condition, though some areas show staining. Attempts to remove spray paint graffiti on the back of the building have not been successful. The wood clapboard siding on both faces of the classroom wing and the elevator addition are in poor condition and have exceeded their life expectancy. Many boards are curling and warped, and some board ends have pulled away from the building.

Windows

PeachTree brand insulated, screened, vinyl-clad wood windows were installed in the classroom wing, and are in fair condition, most showing signs of age and wear, and needing paint. The vinyl-clad windows are heavy and do not stay open on their own. Many of the insect screens have holes.

Glazing System

The glazing systems in the administration area and Multi-Purpose Room are an aluminum storefront system with operable insulated metal windows and a translucent panel system in good condition.

Doors

The front entry doors are a dark brown aluminum storefront system and are in fair condition. Aluminum storefront doors were installed to replace damaged exterior steel doors at the elevator lobby located at the end of the classroom wing. All other exterior doors and vestibule doors are non-thermally broken painted steel, with single pane half-lite wire glazing, and are in fair to poor condition.

Interior Finishes

Ceilings

Ceilings throughout the school are 2'x4' suspended acoustic tile systems (SAT) and are generally in poor condition with a yellowing grid system, and stained, warped, and mismatched tiles.

Walls

Interior partitions are either painted masonry or gypsum board partitions. Overall, interior partitions are in good to fair condition. The exterior walls in each classroom are gypsum board infills and are in fair condition. The gypsum board walls in the administration area are in good condition.

Floors

Nearly all the flooring in the school is VCT in good to fair condition. The exceptions are the kitchen, Toilet Room 25A, and Corridor 201, which have stained and chipped VCT in poor condition, and Vestibule 4A, where the flooring has failed completely. Toilet rooms have 1x1 ceramic tile in either fair or poor condition, with chipped and missing ceramic tile base. Library 202 has sheet carpet in good condition but showing wear.

Doors

All doors in the school are painted hollow metal. Classroom and office doors have a wire-glass half-lite. Doors throughout the school are in fair condition but have been painted multiple times and show expected wear and tear. Classroom doors can only be locked from the corridor side, which requires doors to be always locked for security lock-down.

Stairs

Two main stairwells service the classroom wing, Stair 1 on the east end, and Stair 2 on the west end. Both sets of stairs are poured concrete and steel pan units with painted metal safety nosings and worn VCT treads. The wood handrails and guard rails show expected wear and tear. The stairs width for Stair 2 is 6'-6", and 6'-7-1/2" for Stair 1.

Toilet Facilities

The solid plastic toilet partitions in the multi-user toilet rooms are in good condition, but overall the multi-user toilet rooms are in fair to good condition. Single-user toilet rooms are in fair condition with finish conditions and ADA compliance issues.

Life Safety

Current Building Classification

Occupancy Classification - Educational Group E

Construction Classification - Type VB (IBC 2015, section 602), unprotected wood frame (due to the wood stud infill of the exterior wall in the classroom wing and elevator addition construction)

Allowable Area per Story = 9,500 SF (IBC 2015, Section 506, Table 506.2) + 7,125 SF* = 16,625 SF

(*additional area of approximately 7,125 SF is allowed because of perimeter open space around the school)

Existing Area per Story = 25,000 SF (first story), 15,000 SF (second story)

Allowable Number of Stories Above Grade = 1 (IBC 2015, Section 504, Table 504.4)

Existing Number of Stories Above Grade = 2

Allowable Height Above Grade = 40 FT (IBC 2015, Section 504, Table 504.3)

Existing Height Above Grade = 25 FT +/-

Sprinkled Building Classification

Occupancy Classification - Educational Group E

Construction Classification - Type VB (IBC 2015, Section 602), unprotected wood frame (due to the wood stud infill of the exterior wall in the classroom wing)

Allowable Area per Story = 28,500 SF (Table 506.2) + 7,125 SF* = 35,625 SF

(*additional area of approximately 7,125 SF is allowed because of perimeter open space around the school)

Existing Area per Story = 25,000 SF (first story), 15,000 SF (second story)

Allowable Number of Stories Above Grade = 2 (IBC 2015, Section 504, Table 504.4)

Existing Number of Stories Above Grade = 2

Allowable Height Above Grade = 60 FT (IBC 2015, Section 504, Table 504.3)

Existing Height Above Grade = 25 FT +/-

Egress

Path of egress distance in unsprinklered buildings with Educational Group E Classification has a maximum distance of 150 feet. Currently, all classrooms and offices have an egress distance of less than 150 feet. The multi-purpose room has a double egress door that empties directly outside.

Panic hardware is provided for all egress doors and appears to work.

Unsprinklered buildings in Educational Group E Classification, corridor walls are required to have a minimum one-hour fire rating. The original 1965 documents show CMU walls extend to the underside of deck, meeting code requirements for a fire separation. Classroom doors in corridor walls do have a

fire rated labels, though the labels have been painted too many times to read the fire rating. The classroom metal door frames, however, do not carry a fire rating labels. Classroom doors do not have closers as required by code.

Stair 1 and Stair 2 have an average rise of 7-3/8 inches (7-inch maximum allowed) and an average tread of 9-3/4 inches (11-inch minimum allowed) making both stairwells non-code compliant for use as egress stairs. The wood and gypsum board guard rails are 38 inches high (the minimum height is 42 inches), and the wood handrails do not have 12-inch extensions as required by code. Additionally, Stairwells 1 and 2 have non-normally occupied spaces (the sound module system installed under Stair 2 on the first floor, Storage 41 on the first floor, and Storage 218 on the second floor) that open into them or are contained within them. This is not allowed by code. Stairwell fire enclosures do not have latches as required by code.

Door 3A opening into Stair 1 on the first floor, Door 217 opening into Stair 1 on the second floor, Door 4A opening into Stair 2 on the first floor, 210 opening into Stair 2 on the second floor, and Door 2A opening into Vestibule 2 on the back of the lobby all have fire rated labels that have been painted and are no longer legible. The wire glass half-lite in these doors exceed the 100 square inch maximum allowed for a door vision panel in a fire rated stairwell enclosure, and the doors do not have latches, as required by code. The door frames do not have a fire rated label, though they are assumed to be rated. However, the storefront systems have wire-glass half-lites that exceed the 100 square inch maximum allowed, and the lower half of the storefront enclosures are painted plywood, which negates any fire rating. These four doors have electronic magnets that hold the doors open.

Hazardous Materials

According to the latest report available by Air Quality Management Services, dated July 8, 2008, both the first floor and the second floor (with the exception of the boiler room which had a concrete floor) contain asbestos mastic below VCT flooring, and multiple asbestos mud containing pipe fittings or elbows.

ADA

The school is ADA accessible at the front entrance, the entrance at the back of the lobby (Vestibule 2), and the elevator lobby entrance. The elevator at the end of the classroom wing provides accessible vertical circulation to the second floor. A clear accessible route allows for ADA access and egress to/from the elevator lobby and the rest of the building.

Most door hardware throughout the school is non-ADA compliant, including classrooms, toilet rooms, and office doors.

Drinking fountains in the classroom corridors and multi-user toilet rooms are not ADA compliant.

Single-user toilet rooms and multi-user toilet rooms have non-ADA compliant faucet hardware. Toilet Room 25A does not have ADA compliant grab bars or turning radius, and the shower is non-ADA compliant.

Current signage is ADA compliant.

Mechanical

Heating System

The building's heating plant consists of two Weil McClain model 988 oil-fired steam boilers, each rated for 1.7 million BTUs per hour. Safety switches and thermal switches are provided for each. Each boiler has an electric oil preheater. The make-up water system is a vertical steel tank with one pump serving each boiler. The cold-water make-up line to the tank is protected with a reduced pressure zone (RPZ) backflow preventer. Building condensate is collected in receivers with duplex pumps: one installed in a pit behind the boilers and one in the classroom wing. The receiver pumps supply the make-up water tank along with the cold-water make-up line. Water treatment is manual. The boilers have a common insulated natural draft breaching and vent through a chimney lined with firebrick. The boilers are approximately 25 years old and are in fair condition.

Building controls are Honeywell direct digital controls (DDC).

Ventilation

Each classroom has a steam unit ventilator (UV) on the exterior wall. Each UV has an outside air louver and motorized damper on the exterior wall to bring in fresh outside air for ventilation. Each classroom has a carbon dioxide (CO₂) sensor that controls the motorized damper. Whenever the CO₂ level rises above the set point, the outside air damper opens and the outside air mixes with the return air of the unit. This mixed air is drawn through a steam coil by the unit fan and blown into the room to provide ventilation and heating if necessary. These units are very inefficient and do not provide the current ASHRAE 62.1 "Ventilation for Acceptable Indoor Air Quality" minimum ventilation rates for occupants. Air is exhausted through a grille located in the ceiling near the corridor wall. These exhaust grilles are ducted to two exhaust fans located on either end of the second-floor roof. The unit ventilators and fans are approximately 50 years old and are well beyond their expected useful life.

Air is exhausted from the first and second floor classroom wing toilet rooms and janitor's closets through exhaust grilles that are ducted to a fan on the roof. The exhaust airflow rates in these rooms are unknown.

Two split system heat pumps have been added to two of the rooms in the adult education area. These units provide heating and cooling in the spaces they serve. There is a ceiling mounted unit ventilator serving three of the spaces in this area with fresh outside ventilation air.

The kitchen cooking/steaming equipment is served by a 10'-6" by 8'-0" exhaust hood that is ducted to an exhaust fan on the roof. Although this hood has grease filters, there are no grease producing appliances. The makeup air for the hood is provided through heating and ventilating units. The controls for the exhaust fan and heating and ventilating units are located in the kitchen. This system is approximately 50 years old and is well beyond its expected useful life. The dishwasher does not have a type II commercial exhaust hood as required by the International Mechanical Code.

The multi-purpose room is served by an air handling unit suspended above the ceiling of the kitchen and adjacent walk-in cooler. It is unknown if this air handler provides the current minimum ventilation requirements. The air handler is approximately 50 years old and is well beyond its expected useful life.

Plumbing

Water service to the building is a 4-inch entrance in the boiler room connected to the municipal water supply. The meter is 2 inches, and there is no backflow preventer installed on the water entrance.

Domestic hot water is provided by a recently installed Intellihot i250 high efficiency gas-fired condensing water heater. The hot water to the building is tempered by a mixing valve in the boiler room. A second mixing valve provides higher temperature hot water to the service sink in the boiler room.

The toilet fixtures in the building have recently been upgraded to low flow type fixtures. There are sufficient plumbing fixtures for the school's student and staff population. The first and second floor classroom wings each have a boys' gang toilet room, a girls' gang toilet room and a janitor's closet. There are drinking fountains located at either end of the corridor on each floor. The second floor also has a single staff toilet room with one water closet and one lavatory. The first and second floor boys' rooms each contain four water closets, five urinals, three lavatories, and a drinking fountain. The girls' rooms have nine water closets, three lavatories, and a drinking fountain. Although the lavatories are ADA compliant, they do not have ADA compliant faucets or protective coverings over the piping. There is a service sink in each of the janitor's closets. Classroom 208 contains a sink. Classroom 31 has a toilet room that contains a water closet and a sink. There is a toilet room that is accessed through the teacher's lounge that contains a water closet and a lavatory.

The administration area near the front lobby contains a men's toilet room and a women's toilet room each containing a water closet and a lavatory. There is a janitor's closet in between the two toilet rooms that has a service sink. The clinic has a toilet room associated with it that has a water closet and a lavatory.

Two rooms in the adult education area contain sinks with one also containing a toilet room with a water closet.

The kitchen contains several sinks, a dishwasher, and an electric water heater. There is a three-basin pot sink with two faucets. It is drained via a grease trap that is installed in the floor. Along the same wall is a two-bay prep sink that has a single faucet, a sprayer/washer faucet, and a one-horsepower In-Sink-Erator commercial disposer. In the dishwashing room, there is a dishwashing sink with a sprayer/washer faucet and a three-horsepower In-Sink-Erator commercial disposer. The dishwasher is an American Dish Service model L-72-3DW. It is equipped with a Hubble booster electric water heater that is approximately 50 years old and beyond its expected useful life. The drain from the dishwasher runs through a grease trap in the floor.

Fire Protection

The building is not protected with a sprinkler system.

The kitchen hood has no fire suppression system, but none is required since the hood covers only warming equipment, and no open cooking is performed.

Electrical

Power to the building is fed from a three-phase pole mounted transformer which is routed down the pole, underground to the building. The service enters the building to a 600 Amp 208/120, Volt main fused panelboard in the boiler room. Branch circuit panelboards are located throughout the building serving local branch circuits. Wiring is generally concealed in the walls. Any exposed wiring is run in conduit. The main distribution panelboard, and many of the branch panelboards appear to be original to the building and contain very few spares. The branch panelboards are located in corridors and classrooms and are not locked. A panelboard on the second floor has an opening between the enclosure and the copper wiring is exposed creating a safety hazard. Panelboard BD in the boiler room does not meet NEC requirements. Water pipes run above and below this panelboard are violating the dedicated equipment space required by NEC 110.2(E). Newer panelboards that were added later which serve the gym, some lighting, select pieces of equipment in the kitchen area. This panelboard has spares available. The floor has a new panelboard serving the computer room, and staff room which contain spares.

Lighting

Lighting throughout the building consists of surface mounted and recessed fixtures with T8 fluorescent lamps, fixtures with incandescent lamps and exterior building mounted fixtures with HID lamps. A number of the fixtures are missing lenses. Switching is typically by local wall switches. Classrooms do not have occupancy sensors. The corridors have occupancy sensors. The emergency lighting consists of battery powered wall mounted units, it does not appear that there is adequate coverage for egress lighting. The exterior of the building does not have emergency lighting. The lighting in the gymnasium is pendant fixtures T5 fluorescent lamps with occupancy sensors, with fixtures that have missing lenses.

Technology

An intercom system consists of speakers in the corridors, call buttons and speakers in the classrooms. The intercom system no longer functions with the telephone system and has a dedicated phone in the office. There is a master clock system that operates the class change of bells.

The building has wireless access points throughout and appears to have adequate network coverage. There is a computer lab on the second floor that was updated to have adequate power receptacles and data connections to serve the workstations. There is a data cabinet in the main office, and two data cabinets under the stairs in stairwell #2. Classrooms are equipped with a combination of data jacks, telephone jacks, smart boards, and televisions. The main entrance is locked with a pushbutton station controlled from the main office. Security cameras are located at various locations, but the staff does not have access to the video feed with their new computers. The DVR is located in the main office but is no longer functioning properly.

Fire Alarm

The fire alarm system is a Simplex 4200 zoned notification system. The system consists of manual pull stations, limited smoke and heat detectors, older style audio/visual appliances in corridors and multi-purpose room, and magnetic door hold opens. The Door holds are not operated by a smoke detector. The classrooms or common areas do not contain visual/audio appliances in the classrooms or common areas. A smoke detector is not located near the fire alarm panel as required by NFPA 72, paragraph 10.4.4.

Recommendations

The following are recommendations for addressing items identified in the assessment of the existing building and site. These items are categorized as Priority 1 (code related or otherwise critical) or Priority 2 (related to repair, replacement of aging equipment/materials or energy efficiency). The associated costs include subcontractor materials and labor, general contractor mark-up (general conditions, overhead, profit and bonding), design contingency and escalation assuming that work would begin during the summer of 2021. The totals costs for Priority 1 and Priority 2 are \$2,931,335 and \$4,112,700 respectively. These costs do not include design fees, permitting or any other project related costs.

Civil/Landscape

Handicapped-Accessible Parking

Priority: 1

Parking spaces do not conform to current ADA requirements. Parking spaces should be re-stripped to provide loading zones; ADA-compliant signage should be installed in front of each space. Signs displaying the universal symbol of accessibility, directing toward or identifying accessible building entrances, are either missing or in very poor condition. At least five accessible spaces should be provided, and at least one of these must be van accessible. Install new signage at, or directing to, entrances designated as accessible.

Cost: \$1,300

Access Drive Pavement Repair

Priority: 2

Cracking and potholes in roadways need to be repaired so that damage does not worsen. Pavement at access drive is in poor condition and should be removed and paved.

Cost: \$90,000

Parking Lot Pavement Repair - Northeast

Priority: 2

Cracking and potholes at parking lots need to be repaired so that damage does not worsen. Pavement at the parking lot northwest of the school building is heaved and rutted, indicating a failed base. Full depth reconstruction of this area is recommended. Pavement at the main loop and to the south are suitable for mill and overlay.

Cost: \$42,000

Parking Lot Pavement Repair - South

Priority: 2

Cracking and potholes in parking lot needs to be repaired so that damage does not worsen. Pavement at parking area is in poor condition and should be removed and paved. Inadequate aisle widths should be made larger when re-stripping.

Cost: \$89,600

Handicapped-Accessible Ramp: Non Code Compliant

Priority: 1

Requirement Description: Ramp leading from accessible parking spaces to designated accessible entrance has more than ½" lip. Remove pavement, re-grade and re-pave.

Cost: \$600

Chain Link Fence Damaged

Priority: 1

Sections of chain link fence are damaged and/or missing hardware. Repair or replace the fence. Remove vegetation where it is causing damage to fencing.

Cost: \$38,600

Landscaping

Priority: 2

The plantings against the building at the main entrance are overgrown, but they appear to be otherwise healthy. Existing weeds in this area should be removed and mulch applied. The plantings at the main entrance sign could be improved to make a better first impression. Consider adding an outdoor learning garden at the playground area.

Cost: \$15,000

Improve Surface Drainage at the Pre-K Playground

Priority: 2

Overland sheet flow of storm water is causing ponding and poor soil and lawn conditions at the back of the school. There are other isolated areas at parking lots and edges of pavement where ponding occurs. Check existing catch basin in the area at the back of the school to ensure that it is functioning. Resolve grading in this area so that sheet flow drains into existing catch basin. Check grades in other areas where ponding is occurring and resolve grading as necessary to sheet flow.

Cost: \$35,400

Playground Surface Repair/Accessibility Improvements

Priority: 1

The engineered wood fiber surface of the playground contains depressions and has standing water in the depressions during certain times of the year. Provide playground edging and supplement with

additional engineered wood fiber surfacing and underdrains. Re-grade the approach and provide accessible routes to all playgrounds.

Cost: \$36,200

Playground Equipment Repairs

Priority: 2

The basketball hoops require new nets and one of the posts and backboards are bent and broken. An abandoned equipment post in the vicinity of the backboard is raised slightly above grade and is a safety hazard. Remove abandoned posts and foundations in the vicinity of the backboard to mitigate safety hazards. Repair /replace the bent basketball post and provide new backboards, rims and nets.

Cost: \$7,000

Playground Pavements

Priority: 2

The existing pavement in the playground area is in poor condition. There may be more pavement than desired for the school population and pavement reduction should be considered. Remove excess pavement and remove/replace the pavements to remain.

Cost: \$183,700

Structural

Shear Connections

Priority: 1

Provide shear transfer angles to connect roof and floor diaphragms to supporting masonry walls. Angles would be connected to the roof and floor diaphragms and anchored to the masonry walls by use of post installed anchors. It is anticipated that angles would be spaced at approximately 4 feet on center.

Cost: \$26,565

Architectural

Exterior Wall Infill

Priority: 2

Remove wood clapboard siding and gypsum board infill wall assembly on the classroom wing, and clapboard siding and wood construction wall on the elevator addition and replace with an energy efficient, low-maintenance translucent panel and transparent operable window partition similar to current systems in the multi-user room and administration area.

Cost: \$663,500

Exterior Doors

Priority: 2

Remove and replace exterior doors (not including the aluminum storefront at the school entrance and elevator lobby) with thermally broken aluminum storefront and doors with insulated glazing.

Cost: \$34,800

Ceilings

Priority: 2

Remove and replace SAT ceiling tiles and grid system.

Cost: \$280,000

Toilet Room Flooring

Priority: 2

Re-tile multi-user toilet room floors and wall base.

Cost: \$25,850

VCT Flooring

Priority: 1

Remove and replace damaged VCT and wall base and abate asbestos containing flooring mastic in elevator lobby, kitchen, and second floor corridor (including floor prep).

Cost: \$33,200

Interior Doors

Priority: 1

Remove and replace classroom door locksets to allow locking from within the room.

Cost: \$24,000

Priority: 2

Remove and replace classroom doors.

Cost: \$11,670

Roofing

Priority: 2

Remove ballast and adhered roofing and systems down to deck and replace with fully adhered EPDM system, including 6-inch insulation, cover board, and fascia.

Cost: \$375,750

Wall Insulation

Priority: 2

Provide 2-inch insulation, metal stud furring, and painted gypsum board on the inside of exterior masonry walls to increase thermal resistance and energy efficiency throughout the building.

Cost: \$34,000

Asbestos Abatement

Priority: 2

Abate and remove asbestos containing flooring mastic and 170 +/- pipe fittings in remainder of the school and provide new VCT flooring.

Cost: \$335,150

Interior Finish

Priority: 2

Paint walls in all areas to complete a full building renovation.

Cost: \$113,500

Classrooms

Priority: 2

Classrooms for pre-k and kindergarten students should each have a toilet and sink for student use.

Construct single user toilet rooms within each of the classrooms.

Cost: \$880,000

Note: The addition of toilet rooms within the classrooms would reduce the classroom size. The existing kindergarten classrooms are approximately 225 square feet less than State of Maine standards.

Entrance Security

Priority: 1

Administrative offices are undersized not located immediately adjacent to the main entrance.

Reconfigure spaces around the lobby and main entrance to provide adequate administrative space and visual connection with the approach to building to provide secure access.

Cost: \$200,000

Multi-Purpose Safety

Priority: 2

Cafeteria tables create a safety concern when stored along the room perimeter during gym use. Provide a storage solution for the tables.

Cost: \$60,000

Life Safety

Stairs

Priority: 1

Remove and replace Stair 1 and Stair 2 with new staircases to provide a code-compliant egress stair.

Cost: \$116,100

Stair Enclosures

Priority: 1

Replace hollow metal storefront fire rated stairwell enclosures with gypsum board fire rated partitions and fire rated doors with compliant vision lite size and latches.

Cost: \$24,500

ADA

Door Hardware

Priority: 1

Replace door hardware throughout the school with ADA-compliant levers and add closers to fire rated doors.

Cost: \$41,100

Water Coolers

Priority: 1

Replace water coolers with ADA-compliant water coolers. Refer to plumbing section for cost.

ADA Toilet

Priority: 1

Renovate Toilet Room 25A to provide a clean, safe, ADA and code-compliant toilet room.

Cost: \$21,500

Mechanical

Heating and Ventilation

Priority: 1

Most of the heating and ventilating system in the building is approximately 50 years old and is in need of replacement. Additionally, this equipment does not provide the current ASHRAE 62.1 "Ventilation for Acceptable Indoor Air Quality" minimum ventilation rates for occupants. This work includes the following:

- Replace heating and ventilating system with a hydronic heating system including new gas-fired condensing boilers, energy recovery ventilators, convectors, finned tube radiation, hydronic pumps and new piping.
- Replace the existing air handler serving the multi-purpose room.
- Provide a commercial exhaust hood for the dishwasher.
- Replace the exhaust and make-up air system for the kitchen.

Cost: \$1,990,000

Plumbing

Backflow Preventer

Priority: 1

Provide backflow preventer. The building's water pressure should be tested prior to installation to rule out the need of booster pumps.

Cost: \$3,250

ADA Toilet

Provide fixtures for renovated toilet room. Refer to architectural for pricing.

ADA Fixtures

Priority: 1

Replace 16 faucets with ADA compliant faucets. Provide protective shielding guards on 16 lavatories.

Cost: \$5,000

ADA Electric Water Coolers

Priority: 1

Replace electric water coolers with ADA approved water coolers.

Cost: \$11,250

Dishwasher Booster Heater

Priority: 1

Replace booster heater.

Cost \$8,500

Fire Protection

Priority: 1

Provide wet-pipe sprinkler system.

Cost: \$263,800

Electrical

Priority: 2

The existing 600 Amp, 208/120 Volt, three phase main fused panelboard in the boiler room, and four of the branch panelboards are functional, however they are nearing the end of their expected life. Replacement parts may not be available if needed.

Cost: \$182,470

Electrical Panels

Priority: 1

To meet current code requirements, it is recommended that two panelboards be replaced. The panelboard with the exposed copper wiring should be replaced. Panelboard BD in the boiler room which does not meet current NEC should be relocated to bring to current standards. If the main

distribution panelboard is replaced, newer panelboards should be refed from the new main distribution panelboard.

Cost: \$16,940

Lighting

Priority: 2

It is recommended that building mounted fixtures be replaced with full cutoff fixtures. To increase energy efficiency in the building, it is recommended occupancy sensors be added in the classrooms and common areas. The fluorescent fixtures should be replaced with more energy efficient LED fixtures for additional energy efficiency.

Cost: \$392,780

Emergency Lighting

Priority: 1

To meet current code requirements, it is recommended that emergency LED fixtures be added to the egress doors and additional emergency lighting be added to the corridors.

Cost: \$8,350

Intercom

Priority: 2

The current intercom system is functioning, however newer systems with better intelligibility are available. It is recommended that the intercom system be replaced.

Cost: \$112,750

Security System

Priority: 2

To meet current school standards, a security system is recommended. This system would include surveillance cameras at the entry points and corridors, door status and intrusion monitoring at exterior doors, and a panic button in the main office.

Cost: \$109,180

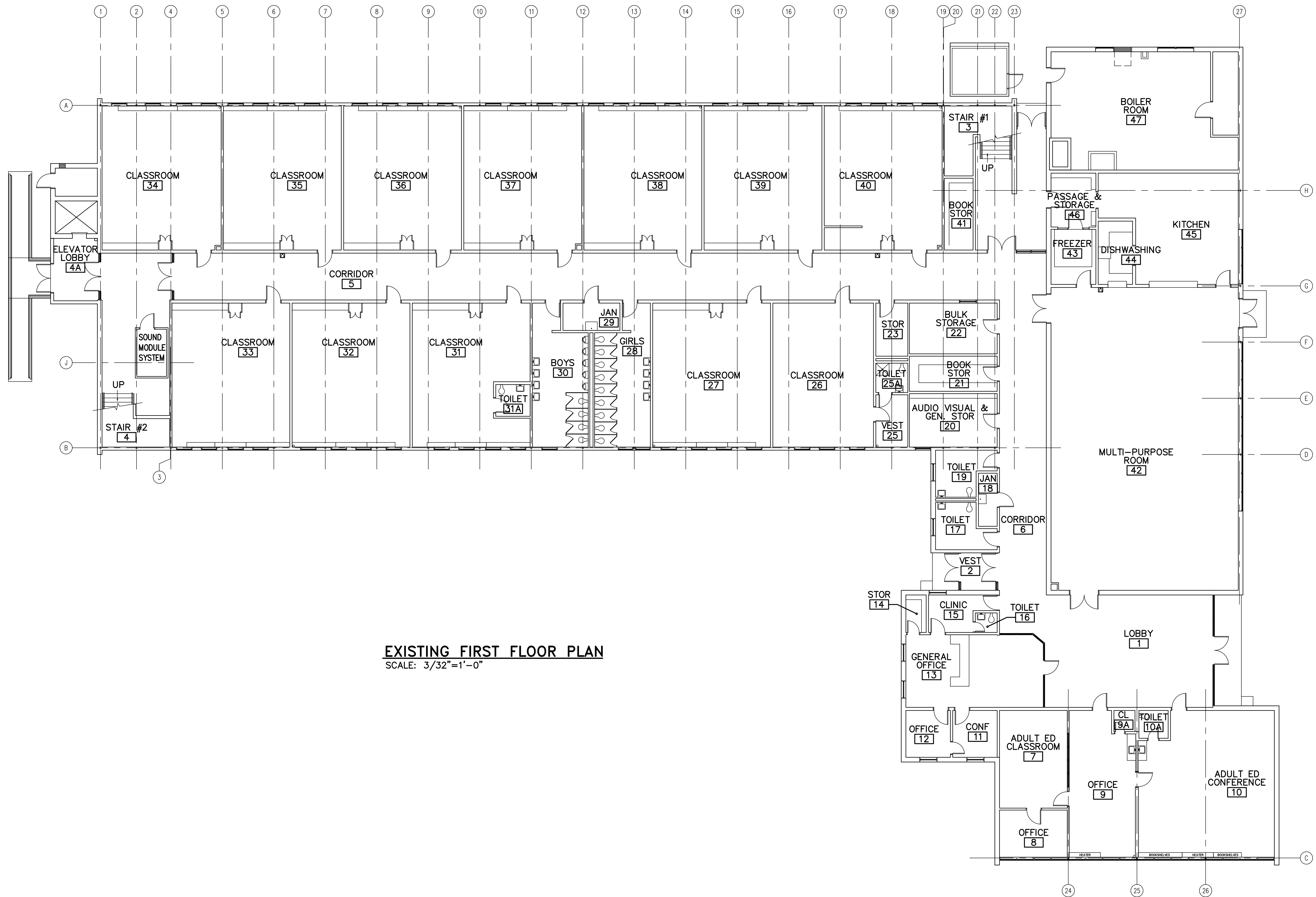
Fire Alarm

Priority: 1

The fire alarm system should be updated to add notification appliances to the classrooms and other general use rooms. Notification devices should be located within 15 feet from the end of the corridors. Manual pull station should be located at the main entrance. Smoke detectors should be added at magnetic door holders. A smoke detector should be added at the fire alarm panel.

Cost: \$99,180

Appendix A – Existing Building Plans

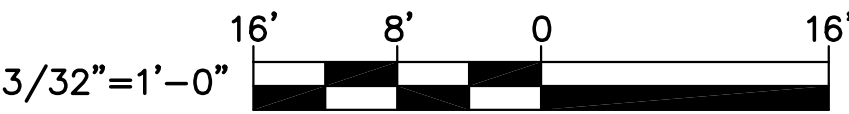


EXISTING FIRST FLOOR PLAN
SCALE: 3/32"=1'-0"

JOHN F. KENNEDY SCHOOL BUILDING EVALUATION REPORT

MARCH 3, 2020

03 Mar, 2020 - 9:30am
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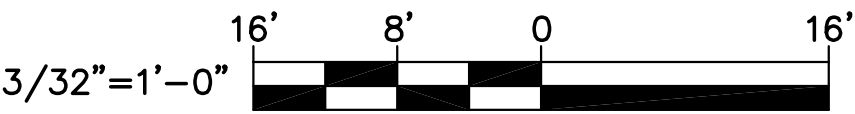
ARCHITECTURE ■ ENGINEERING ■ PLANNING



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ARCHITECTURE ■ ENGINEERING ■ PLANNING

Appendix B – Photographs



Civil Photo 1 - Parking area at north of building (south side).



Civil Photo 2 - Parking area at north of building (north side).



Civil Photo 3 - Designated accessible spaces at north parking lot.



Civil Photo 4 - Parking area at south of building.



Civil Photo 5 - Main entrance drop-off area.



Civil Photo 6 - Main entrance loop.



Civil Photo 7 - Designated accessible space at drop-off area.



Civil Photo 8 - Bicycle racks.



Civil Photo 9 - Pavement in poor condition.



Civil Photo 10 - Curb ramp at main entrance.



Civil Photo 11 - Main entrance.



Civil Photo 12 - Curb ramp at multi-purpose room doors.



Civil Photo 13 - Curb ramp at Vestibule 2.



Civil Photo 14 - Composite wood ramp at west entrance.



Civil Photo 15 - Entrance near boiler room.



Civil Photo 16 - Chain link fence in poor condition.



Civil Photo 17 – Chain link fence at Head Start playground.



Civil Photo 18 – Damaged chain link fence near vehicular access to the playground on western side of site.



Civil Photo 19 - shrubs near main entrance.



Civil Photo 20 - School sign and planting bed.



Civil Photo 21 - Oak tree at playground.



Civil Photo 22 - Imaginative play at Oak tree in playground.



Civil Photo 23 - Kindergarten playground equipment.



Civil Photo 24 - Kindergarten playground equipment.



Civil Photo 25 - Water ponding at base of slide.



Civil Photo 26 - Swings with buried wear mats.



Civil Photo 27 - Head Start playground equipment.



Civil Photo 28 - Puddle near Head Start playground.



Civil Photo 29 - Geotextile fabric exposure at playground.



Civil Photo 30 - Hard court at playground.



Civil Photo 31 - Lawn area at playground.



Civil Photo 32 - Sheared-off post and concrete base at playground.



Civil Photo 33 - Storage shed and LP tanks.



Civil Photo 34 – Storage building built/delivered sometime after Spring, 2016.



Architectural Photo 1 - Multi-level roof access by steel ladder.



Architectural Photo 2 - Typical condition of clapboard siding and single hung windows.



Architectural Photo 3 - Elevator addition with ADA access egress ramp.



Architectural Photo 4 - Condition of exterior metal door.



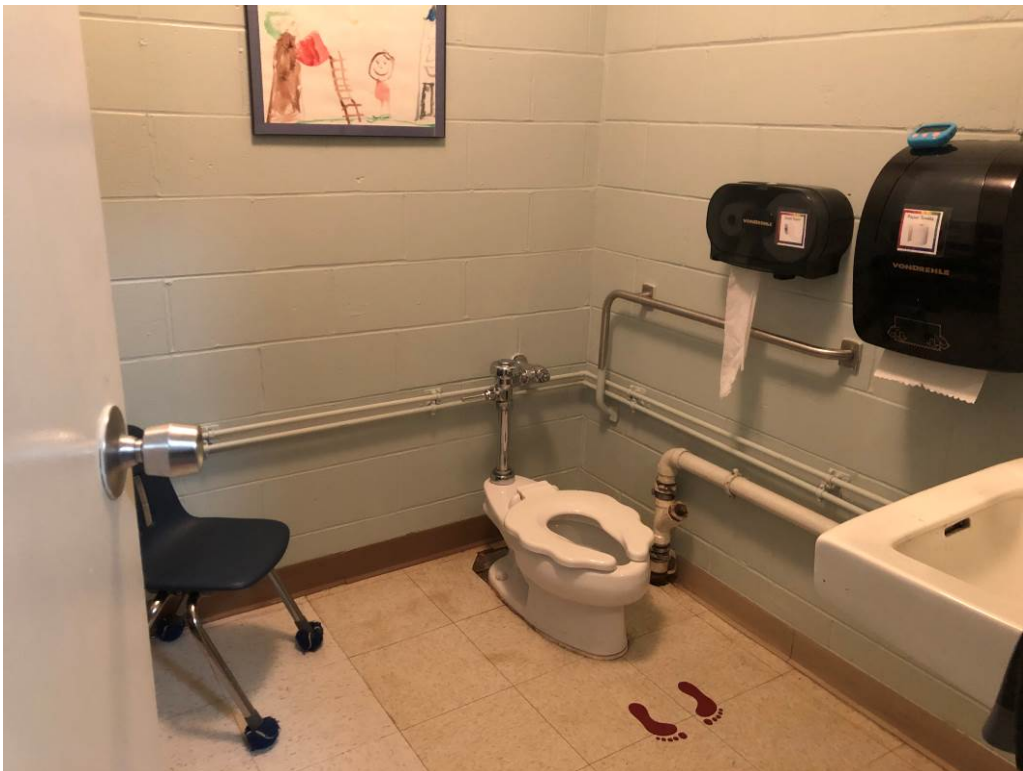
Architectural Photo 5 - Typical condition of admin offices with non-ADA complaint door hardware.



Architectural Photo 6 - Typical condition of single-hung vinyl-clad windows, and dowel used to hold them open.



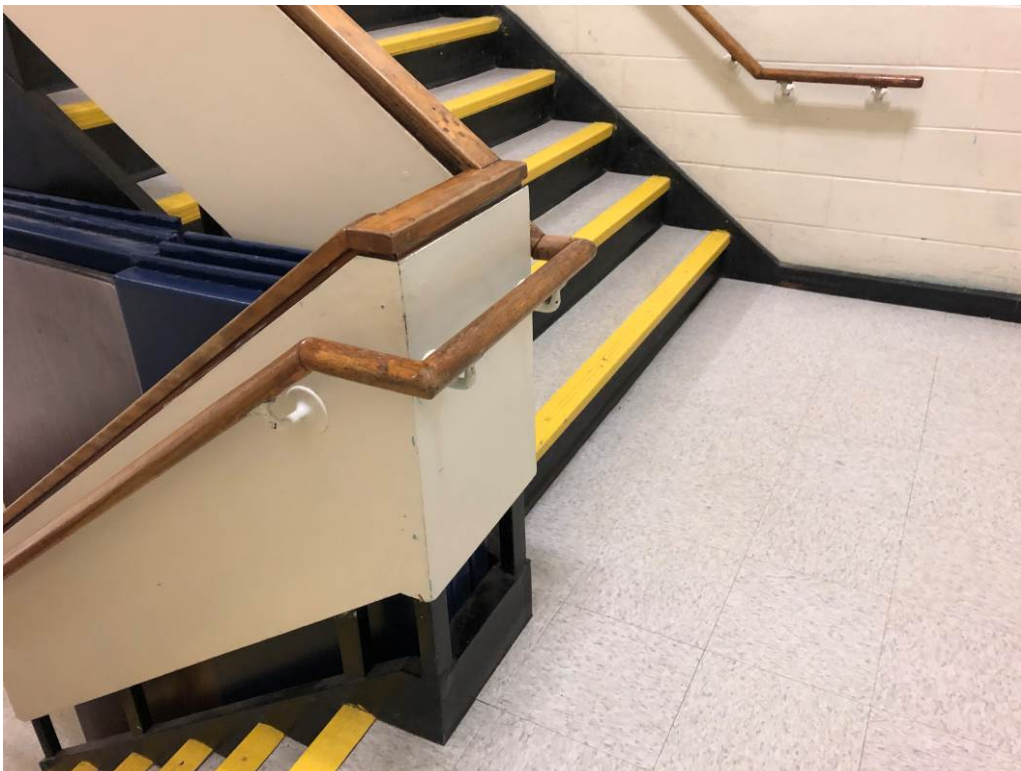
Architectural Photo 7 - Typical fire partition into stairwell enclosure showing wire glazing and painted plywood infills.



Architectural Photo 8 - Toilet room 25A.



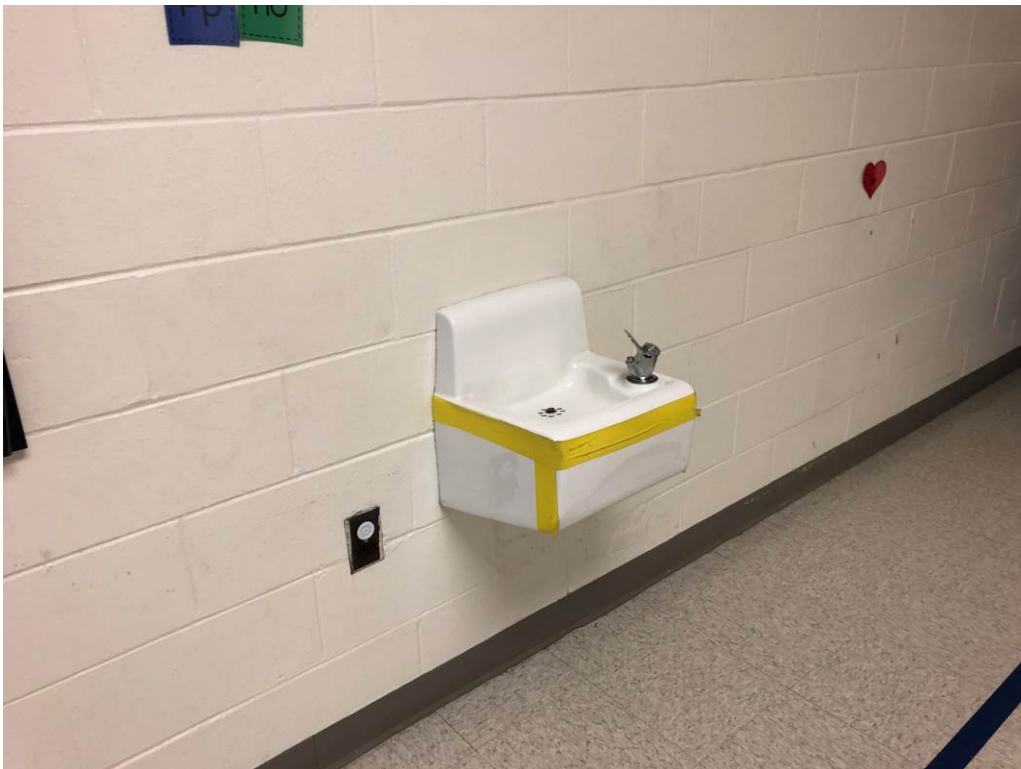
Architectural Photo 9 - Stair 2 showing overall condition, non-complaint handrails, guardrail, riser and tread.



Architectural Photo 10 - Typical condition of Stair 1 and 2 handrail and guardrail.



Architectural Photo 11 - Elevator lobby with partially removed floor tile.



Architectural Photo 12 - Typical non-ADA compliant classroom corridor drinking fountain.



Architectural Photo 13 - Typical condition of corridor SAT ceiling.



Architectural Photo 14 - Typical multi-user toilet room floor.



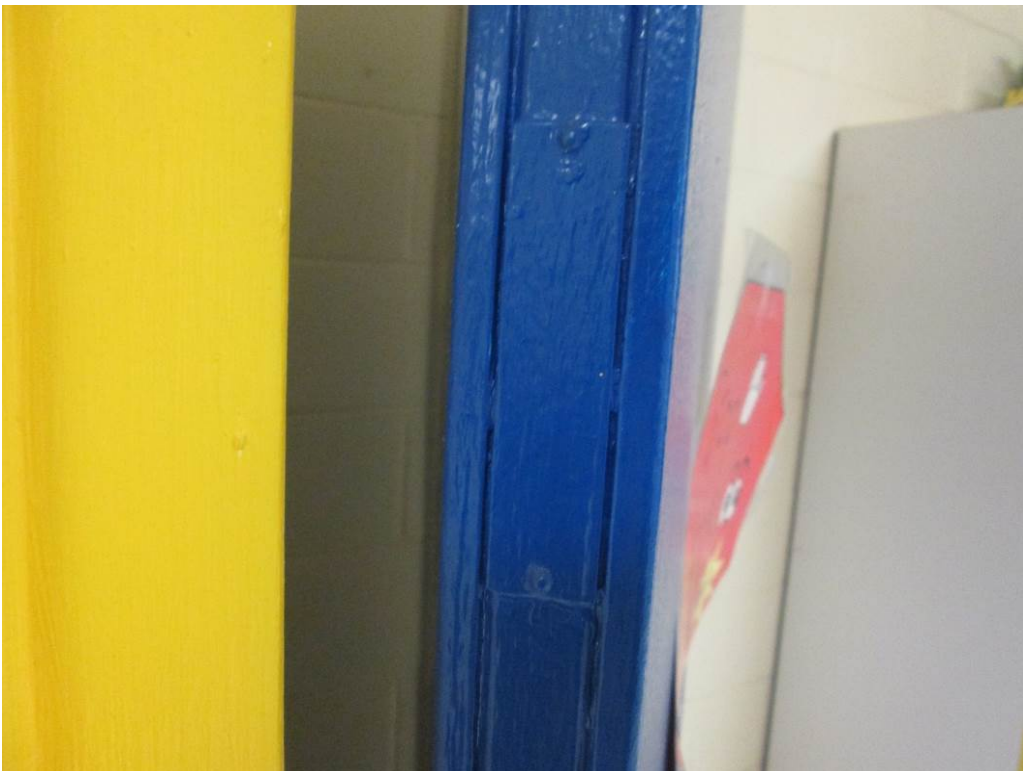
Architectural Photo 15 - Typical condition of multi-user toilet room, showing translucent window.



Architectural Photo 16 - Typical door threshold condition in kitchen.



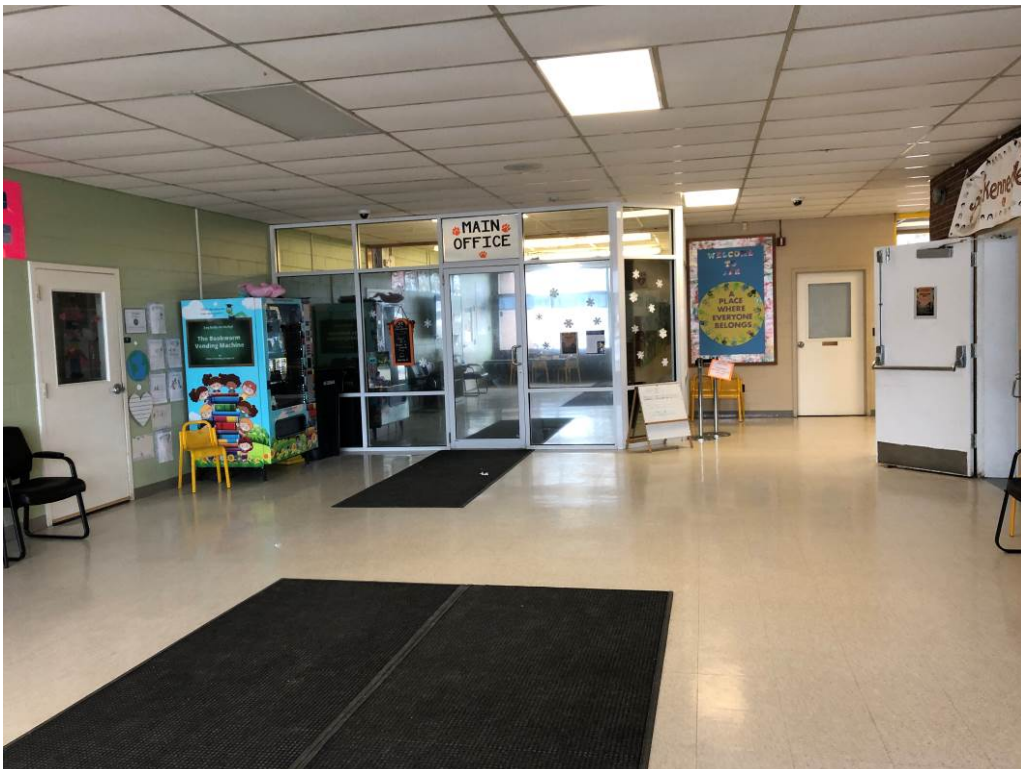
Architectural Photo 17 - Electronic magnetic door holder, typical at all stairwell enclosure storefronts.



Architectural Photo 18 - Typical painted hollow metal door showing layers of paint over a presumed fire rating.



Architectural Photo 19 - Typical single-user classroom toilet.



Architectural Photo 20 - Administrative office suite located away from entrance.



Mechanical Photo 1 – Typical unit ventilator.



Mechanical Photo 2 – Kitchen exhaust hood.



Mechanical Photo 3 – Commercial dishwasher.



Plumbing Photo 1 – Electric booster water heater.



Plumbing Photo 2 – Gas-fired water heater.



Electrical Photo 1 - Main distribution panelboard.



Electrical Photo 2 - Branch panelboard with exposed wiring.



Electrical Photo 3 - Branch panelboard with pipes located within dedicated equipment space.





City Council

Meeting Date: September 16, 2025

Meeting Time: 6:00 PM

Agenda Item No: 9.d

Item Description: 2025.129 Resolve — Board, Committee, Commission Ordinance Template

Submitted By: Brian S. Phinney, COO

Key Terms:

Executive Summary:

In early 2025, the Policy Committee initiated a comprehensive review of the City's Code of Ordinances to ensure consistency across the administrative language governing boards, committees, and commissions. The review identified notable inconsistencies in terms such as membership, appointments, and quorum requirements. To address these issues, the Committee has developed and is recommending adoption of a Board, Committee, and Commission Ordinance Template (Attachment 1). This template provides a consistent structural and administrative outline that can be applied across all relevant Code sections. It is intended to both guide the Committee's ongoing review and serve as the framework for establishing any new bodies in the future.

The Policy Committee reviewed and refined the template during its July and August 2025 regular meetings. The template was designed with flexibility to comply with statutory requirements, the City Charter, and other applicable ordinances while maintaining a uniform format. Staff supports adoption of the template, which will provide a standardized approach that benefits City staff, appointed members, the City Council, and the public. Adoption of the template, presented as a Resolve requiring only one reading, will allow the Policy Committee to continue its review and recommend Code amendments for City Council approval in a consistent and efficient manner.

Detailed Review:

In early 2025, the Policy Committee began a comprehensive review of the Code of Ordinances (Code) to assess and provide consistency with the Code. Currently, the administrative language varies across the various boards, committees, and commissions. There are inconsistencies with regard to terms, membership, appointments, quorums, etc.

The Policy Committee is recommending adoption of the *Board, Committee, and Commission Ordinance Template* included as Attachment 1. This template will serve as a structural and administrative outline as the Committee continues its review of all Code sections related to all boards, committees, and commissions. By adopting the template, the Policy Committee will be able to review and amend the Code as needed in a consistent manner. The template will also serve as the basis for the proposed creation of any new boards, committees, and commissions that may occur after the Policy Committee has completed its comprehensive review.

For reference, the Policy Committee reviewed the template at the [July 2025](#) and [August 2025](#) regular meetings. Meeting video and Committee agenda documents are available for review via the hyperlinked meeting dates provided above. The template includes enough flexibility for compliance with board/committee/commission-specific statutory requirements and other restrictions that may be mandated under state law, Charter, or local ordinance while maintaining a consistent format.

Funding Source:

N/A

Staff Recommendation:

Staff supports the adoption of the Board, Committee, Commission Ordinance Template. The template will provide a consistent framework for creating and or amending committee references within the ordinance. This will benefit staff, appointed members, the City Council, and the public.

Next Steps:

The item is presented as a Resolve. As a resolution, only one reading is required. If approved, the Policy Committee may continue its comprehensive review of the various boards, committees and commissions. Any proposed Code amendment recommendations will be presented to the City Council for adoption following the template format.

Attachments:

1. 20250916 2025.128 Board, Commission, Committee Ordinance Template - RESOLVE
2. 20250916 Attachment 1 - Board/Committee/Commission Ordinance Template

City of Biddeford

The seal of the City of Biddeford, Maine, is circular. It features a central illustration of a lighthouse on an island, with a ship in the water. The words "CITY OF BIDDEFORD" are inscribed around the top inner edge, and "MAINE" is at the bottom. The seal is flanked by two decorative, symmetrical scroll-like flourishes.

2025.128

IN BOARD OF CITY COUNCIL... September 16, 2025

BE IT RESOLVED, that the *Board/Committee/Commission Ordinance Template* is hereby adopted and will serve as the administrative basis for establishing a uniform format within the Code of Ordinances for all board, committees, and commissions.

Attest by: _____

Board/Committee/Commission Ordinance Template

Section X-XX1. {COMMITTEE NAME}

- A. Authority or Establishment. The City of Biddeford {COMMITTEE NAME} (hereafter the "{BOARD/COMMITTEE/COMMISSION}"), is hereby created.
- B. Duties and responsibilities. The {BOARD/COMMITTEE/COMMISSION} shall have the following duties and responsibilities:
1. {Prepare, and revise (specify)}.
 2. {Review and approve, (specify)}
 3. {Specify other duties and responsibilities as applicable}
- C. Membership.
1. The {BOARD/COMMITTEE/COMMISSION} shall consist of {NUMBER} members, {NUMBER} voting members, {NUMBER} associate members *[Optional: and one nonvoting student representative. The purpose of the student representative is to provide youth insight and civic engagement opportunities for students. The student member shall not be counted toward quorum and shall not be eligible for appointment as a voting member.]* Each member shall be nominated by the Mayor, confirmed by the City Council. All current appointments shall have a term of office expiring no later than {DATE}. The Mayor shall have the discretion of appointing members and associate members to the {BOARD/COMMITTEE/COMMISSION} for shorter terms in order to accomplish staggered three year terms.
 2. Associate members may be made voting members of the {BOARD/COMMITTEE/COMMISSION} upon the absence, vacancy, retirement or nonappointment of a voting member. The chairperson shall appoint a nonvoting member as a voting member for any absence. All other appointments shall be made in accordance with the City Charter, Article II, Sec 2(a) – Appointment of Citizens.
 3. All members of the {BOARD/COMMITTEE/COMMISSION} shall be registered voters and residents of the City of Biddeford except for the student representative who shall be a resident of Biddeford and currently enrolled at Biddeford High School. *[Statutory optional language -No serving municipal officer or official of the City of Biddeford shall serve as a member of the {BOARD/COMMITTEE/COMMISSION}.]*
 4. Members of the {BOARD/COMMITTEE/COMMISSION} shall reflect as much as possible several geographic areas of the City, and shall have diverse professional or employment backgrounds. This is to ensure as much as possible that the interests of the City and applicants are fairly and reasonably represented.
 5. *[Section designated for special requirements that may be specific to a particular {BOARD/COMMITTEE/COMMISSION}, to include but not be limited to, limits on ward residency.]*
- D. Vacancies. In the event a member resigns or ceases to serve for any reason, the Mayor shall nominate with confirmation by the City Council a new member to serve for the remainder of the unexpired term.

E. Removal from office.

1. Members of the {BOARD/COMMITTEE/COMMISSION} may be removed from office by the municipal officers for the following reasons:
 - a. A member is no longer a resident of the City of Biddeford; or
 - b. A member is absent from three consecutive regular {BOARD/COMMITTEE/COMMISSION} meetings without being excused by the Chairperson; or
 - c. A member is absent from six meetings or workshops of the {BOARD/COMMITTEE/COMMISSION} without being excused by the Chairperson; or
 - d. A member conducts themselves in a manner that is inconsistent with the Code of Ethics (Chapter 2, Article I, Sec 2-3), or their official position of the {BOARD/COMMITTEE/COMMISSION}, i.e. consistent conflicts of interest or unprofessional behavior toward applicants, City employees or members of the public at the discretion of the Chairperson.
 - e. A member is an elected official and resigns or no longer serves as a city councilor provided however they may be subsequently appointed as a voting member or associate member under Section C if so qualified.
2. Removal action may be initiated by the Mayor, a member of the City Council or the Chairperson of the {BOARD/COMMITTEE/COMMISSION}. A letter shall be submitted to the municipal officers stating the reasons for the removal request, which shall be considered by the municipal officers within 30 days.
3. The {BOARD/COMMITTEE/COMMISSION} member in question shall be provided a copy of the letter and shall be given the opportunity to appear before the municipal officers in public or in executive session at the discretion of the member in question.

F. {BOARD/COMMITTEE/COMMISSION} officers.

1. *[Select Option A or Option B: Option A - A Chairperson shall be appointed by the Mayor and confirmed by the Council each January after a general municipal election unless required sooner by Charter or ordinance. Option B – A Chairperson shall be elected by the members of the {BOARD/COMMITTEE/COMMISSION} at its first regular meeting after a general municipal election.]* The {BOARD/COMMITTEE/COMMISSION} shall elect from its voting membership the following officers:

Vice Chairperson;

[Optional officers, Secretary, etc].

2. Elected officers shall be responsible for the following:
 - a. Chairperson Conduct of meetings, scheduling and announcing meetings, signing official correspondence for the {BOARD/COMMITTEE/COMMISSION}. *[Optional language specific to the board/committee/commission: The Chairperson shall vote only in case of a tie OR The Chairperson shall be a voting member.]*
 - b. Vice Chairperson acts in place of the Chairperson when they are absent or required to

leave the Chair because of conflict; acts as Chair for special subcommittees of the {BOARD/COMMITTEE/COMMISSION} as needed.

- c. *[Optional for other officers: Secretary: ensures that the records of meetings are accurate and available for the Board's review and reference.]*

G. Staff. The {BOARD/COMMITTEE/COMMISSION} *[Insert language that may define specific powers or responsibilities of staff relative to supporting the board/committee/commission].*

H. Meetings.

1. The {BOARD/COMMITTEE/COMMISSION} shall conduct {FREQUENCY} meetings, or at least regular scheduled meetings during a calendar year subject to actionable items. Meetings shall convene on the {NUMBER} {DAY OF WEEK} of each month, unless prior arrangement and public (as described elsewhere in the Code) announcement has been made by the {BOARD/COMMITTEE/COMMISSION}
2. Upon motion by the {BOARD/COMMITTEE/COMMISSION} the Chairperson may call for special meetings and workshops as needed.
3. All meetings of the {BOARD/COMMITTEE/COMMISSION} shall be open to the public except as otherwise authorized under Maine's Freedom of Access Act. Materials and records of the meetings shall be maintained and available for public inspection.
4. *[Optional language specific to the respective board/committee/commission designating the requirement to publish rules for the conduct of meetings to insure orderly conduct and efficient processing of board/committee/commission matters or that the board/committee/commission shall adopt Roberts Rules of Order.]*
5. {BOARD/COMMITTEE/COMMISSION} meetings shall be called to order when a quorum of the voting members are present. For this purpose a quorum shall be a majority of the voting members. When a regular member of the {BOARD/COMMITTEE/COMMISSION} is unable to serve because of conflict of interest, incapacity, absence or lack of confirmed appointment to fill a permanent vacancy, an associate member shall be designated to vote by the Chairperson.
6. *[Optional language specific to the respective board/committee/commission designating the need to issue written decisions on matters and where the written decisions are directed.]*

I. Authority to Establish Subcommittees.

1. The Commission may from time to time establish subcommittees composed of such persons as the Commission shall desire, comprising current members of the Commission, or other experts as needed, to provide advice and counsel on matters as defined by the {BOARD/COMMITTEE/COMMISSION}. All subcommittees shall provide notice of meetings, conduct such meetings in public, and be bound by the same rules as the {BOARD/COMMITTEE/COMMISSION}.
2. All subcommittees shall be advisory. Any recommendations requiring action or adoption shall be presented to the full {BOARD/COMMITTEE/COMMISSION} for review and adoption.

- J. Conflicts. Any questions raised by any interested party of whether a particular issue involves a conflict of interest sufficient to disqualify a member from voting shall be decided by a majority of the members present except the member who is being challenged.



City Council

Meeting Date: September 16, 2025
Meeting Time: 6:00 PM
Agenda Item No: 9.e
Item Description: 2025.132 Approve/Change of Property Tax Deadline
Submitted By: Truc Dever

Key Terms:

Executive Summary:

On May 6, 2025, Council approved Order 2025.52 establishing that property taxes shall be payable in two installments on October 15, 2025 and April 1, 2026. In order to allow a minimum of 30 days from the date of mailing for property tax payments, staff request Council move the first installment deadline to October 30, 2025.

Detailed Review:

Tax payers are typically provided at least 30 days to remit the first installment of their property tax payments. The time needed for commitment of the FY 26 mill rate, printing, and mailing of tax bills would have reduced that payment timeline.

Order 2025.132 amends the date upon which taxes become delinquent and interest begins to accrue, from October 15, 2025 (Order 2025.52) to October 30, 2025.

Funding Source:

N/A

Staff Recommendation:

Staff recommend Council approve Order 2025.132 to move the property tax deadline to October 30, 2025.

Next Steps:

Should Council approve the order, property owners will have at least 30 days to submit their property tax payments.

Attachments:

1. 20250916 2025.132 Approval Change of Property Tax Deadline - ORDER

City of Biddeford



2025.132 IN BOARD OF CITY COUNCIL... September 16, 2025

BE IT ORDERED, that the City Council does hereby approve that in accordance with 36 M.R.S. §505(4) property taxes shall be delinquent if not paid by October 30, 2025 for the first installment.

Note: This Order amends the date upon which taxes become delinquent and interest begins to accrue, from October 15, 2025 (Order 2025.52) to October 30, 2025.

Attest by: _____
Robin Patterson, City Clerk

City of Biddeford

The seal of the City of Biddeford, Maine, is circular. It features a central illustration of a lighthouse on a rocky shore with trees. The words "CITY OF BIDDEFORD" are inscribed around the top inner edge, and "MAINE" is at the bottom. The seal is flanked by two decorative, symmetrical scroll-like flourishes.

2025.130 IN BOARD OF CITY COUNCIL... SEPTEMBER 16, 2025
BE IT ORDERED, that the City Council of the City of Biddeford does hereby
reschedule the City Council Meeting scheduled for Tuesday, November 4, 2025 to
Thursday, November 6, 2025.

Attest by: _____
Robin Patterson, City Clerk



City Council

Meeting Date: September 16, 2025
Meeting Time: 6:00 PM
Agenda Item 9.g
No:
Item 2025.131 Approval of Code of Ethics Redraft to be Sent to Policy Committee
Description:
Submitted By: Brian S. Phinney, COO (on behalf of Councilor Beaupre and Councilor LaFountain)

Key Terms:

Executive Summary:

A positive vote on this item directs the Policy Committee to review the Code of Ethics (Code of Ordinances, Part II, Chapter 2, Article 1, Sec 2-3). A council member initiated the review and provided draft amendments for consideration. The Code of Ethics was last reviewed in June 2017. The Policy Committee is further directed to complete its review and provide recommendations to the City Council no later than November 18, 2025.

Detailed Review:

The City Charter was amended in 2016 to include a requirement that the city adopt a code of ethics. The Charter reference is [Article XII, Sec. 10 - Code of Ethics](#). A Code of Ethics was adopted in June 2017 at [Code of Ordinances, Part II, Chapter 2, Article 1, Sec. 2-3](#).

Councilor Beaupre requested a review of the Code of Ethics with draft changes for consideration. In accordance with the Rules of the Council, Sec. A-2(6)(m), a member may place an item on a city council agenda with the concurrence of at least one other member within 30-days with final agenda review and approval by the Mayor and Council President. The request was seconded by Councilor LaFountain.

As a policy matter, the associated Order directs the Policy Committee to conduct the review and provide the City Council with recommendations no later than the last regular council meeting in November.

Funding Source:

N/A

Staff Recommendation:

Staff is neutral as this is a policy matter initiated by the City Council.

Next Steps:

If adopted, the item will move to the Policy Committee with instructions that the Committee review and provide recommendations to the City Council no later than November 18, 2025. As an ordinance amendment, any change(s) will require two readings, with final changes taking effect 30 days later.

Attachments:

1. 20250916 2025.131 Refer to Policy Committee - Amend Code of Ethics Part II, Chapter 2, Article 1, Sec 2-3 - ORDER
2. 20250916 Attachment 1 - Amend Code of Ethics Part II, Chapter 2, Article 1, Sec 2-3 - REDLINE

BE IT FURTHER ORDERED, that the Policy Committee consider, as a starting point of the review, the proposed amendments referenced in Attachment 1 - Amend Code of Ethics Part II, Chapter 2, Article 1, Sec 2-3 - REDLINE

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Attachment 1

Code of Ordinances

Part II

Chapter 2 – Administration

Article I – In General

Sec. 2-3. Code of Ethics. [Added 6-20-2017 by Ord. No. 2017.56]

There shall be a Code of Ethics for all elected and appointed officials in and for the City of Biddeford:

- (1) Officials shall view service to the City as an opportunity to serve the public, state and nation as the best means to promote the City of Biddeford and its citizens. We are working to make Biddeford the best place to live, work and do business.
- (2) Officials must maintain a courteous tone, especially in reference to any divergence of opinion and shall avoid injecting any personal note into discussions or debate. Officials must never attack or make any allusion to the motives of another official.
- (3) Officials shall remember at all times that they have no legal authority within the City outside the scope of their position, and shall conduct their relationships with the City of Biddeford staff, the local citizenry, and all media communications in recognition of their authority.
- (4) Officials shall not interfere with the daily administration of City business.
- (5) Officials shall listen to all citizens and shall refer all complaints or concerns to the proper authorities.
- (6) Officials shall not criticize City employees publicly, but shall make such comments to the City Manager for investigation and action, if necessary.
- (7) Officials shall make decisions only after all facts bearing on a question have been presented and discussed.
- (8) Officials shall not disclose the confidential business of the City to unauthorized persons.
- (9) No official shall be permitted to vote on any question when his or her private rights or interests, distinct from public interest, is immediately involved.
- (10) Officials shall take notice of the date and time that meetings at which their attendance is expected are scheduled and shall punctually attend all meetings unless for good cause they are unavailable.
- (11) Acknowledgement required – All persons appointed to serve on a Commission, Board or Committee must sign a statement of compliance with the Code of Ethics, and that violations thereof may result in removal.

Sec. 2-4. Censure

a) Definition.

Censure is a formal, public, condemnation of a duly appointed member of a Board, Committee or Commission, whose actions run counter to the group's acceptable standards for individual behavior, or for a violation of the City's Code of Ethics.

b) Purpose.

The purpose of the censure process is to place an appointed Board, Commission or Committee member on notice of misconduct and to provide the appointed member with an opportunity to correct the misconduct. The City Council may censure any Board, Commission or Committee member at a regular or special meeting open to the public following a good-faith determination by the Council that the member has engaged in conduct that is contrary to rules and regulations applicable to the Board, Commission or Committee that impedes the orderly business of Board, Commission or Committee operations. Grounds for censure include, but are not limited to, persistent disruptive conduct at meetings, violations or abuses of the Code of Ethics bylaws or rules, acting on behalf of the Board, Commission or Committee without authorization. The City Council shall use the following procedure when censuring an appointed Board member, Commission or Committee member:

c) Procedure:

- i. Motion to censure a Board member may be initiated by the Chairperson of any Board, Commission or Committee. The recommendation for Censure shall be delivered to the Mayor and Council President. The recommendation shall be in writing and provide the specific facts and grounds for the proposed censure, including the date and specific conduct relied upon for the motion. The motion shall not be conclusionary, eg, "for alleged violations of the Code of Conduct," but shall be a factual statement that describes conduct only and is not intended to embarrass or humiliate the board member.
- ii. The Mayor responsible for promulgating the agenda shall include the motion on the agenda of the next regular or special Council meeting scheduled at least thirty (30) days following the delivery of the proposed censure motion.
- iii. The Board, Commission or Committee member subject to censure shall be given a minimum of thirty (30) days prior written notice. The notice shall provide the specific facts and grounds for the proposed censure as specified in 1 above. .
- iv. The member subject to censure shall be given a reasonable opportunity to be heard at the meeting, either orally or in writing, prior to the Council's vote on a motion of censure.

- v. 5. The Council shall decide by a majority vote of those present and voting whether or not the Board, Commission or Committee member should be censured. For the purpose of censure motions, abstentions shall not be counted as votes.

d) Violations: