



**City of Biddeford
City Council**

March 18, 2025 at 6:00 PM
City Hall Council Chambers & Zoom

[Click to Join Zoom Meeting Online](#)

Or call in by phone: +1 312 626 6799

Meeting ID: 982 9400 0348

Passcode: 517171

1. Roll Call
2. Pledge of Allegiance
3. Adjustment(s) to Agenda
4. Public Hearing
 - 4.a Pepper's Mexican Restaurant LLC Liquor License
5. Liquor License Consideration
 - 5.a Pepper's Mexican Restaurant LLC
6. Proclamation
 - 6.a Vietnam War Remembrance Day
 - 6.b Eid al Fitr
7. Presentation
 - 7.a School Budget Presentation by Superintendent Ray
 - 7.b City Budget Presentation by Acting City Manager Brian Phinney
8. Appointments
 - 8.a 2025.27 Mayoral Appointments to Citizen Committees
9. Public Addressing the Council
(3 minute limit per speaker for up to a total of 15 minutes)
10. Consideration of Minutes

10.a Council Minutes 3-4-25

11. Second Reading

11.a 2025.20) Approval of George and Clifford Street Intersection Improvement.

11.b 2025.21) Approval/Amend Code of Ordinances, Chapter 2 Article IV, Division 16
Citizens' Advisory Committee

11.c 2025.22) Approval/Amend Code of Ordinances, Chapter 74, Article II, Division 5,
Shellfish Conservation Ordinance

12. Orders of the Day

12.a 2025.24) Approval / Reconstruction Gil Boucher Park Bath House

12.b 2025.25) Approval / Engagement Agreement Extension for BerryDunn - FY24 Audit
Work

12.c 2025.04) Approval / River Wall Repair Project at Riverwalk Overlook (FEMA)

12.d 2025.28 Approval PFML Private Plan Substitute

12.e 2025.29 Approval Treasurer Appointment

13. Public Addressing the Council

(5 minute limit per speaker)

14. City Manager Report

15. Other Business

16. Council President Addressing the Council

17. Mayor Addressing the Council

18. Executive Session

18.a Executive Session MRS 405 (6) c Real Estate Matters

19. Adjourn

[MEET_FOOT]

NOTICE OF PUBLIC HEARING

CITY OF BIDDEFORD

Regarding: Liquor License, Peppers Mexican Restaurant, LLC

Notice is hereby given that the City of Biddeford will hold a public hearing regarding this application at its City Council Meeting on

Tuesday, March 18, 2025 at 6:00 pm

at the City Council Chambers, City Hall, 205 Main Street, Biddeford, Maine.

The purpose of the public hearing is to receive public comments on the following liquor license:

Peppers Mexican Restaurant, LLC

500 Mariner Way

Biddeford, Maine

Restaurant: Beer, Wine and Spirits

All interested persons are invited to attend the public hearing and will be given an opportunity to be heard at that time.

Please contact the Code Enforcement Office to schedule an inspection (207) 284-9236

CITY OF BIDDEFORD BUSINESS LICENSE APPLICATION

BUSINESS NAME: Peppers Mexican Restaurant LLC

Business Address: 500 mariner way Map _____ Lot _____

Mailing Address: 500 mariner way

Business Telephone Number: 207-570-8457

Email Address: Peppersmex2025@hotmail.com

OWNER/OPERATOR: Ricardo Jesus Guzman Zaragoza

Home Physical Address: 979 Essex St Lot 147 Bangor ME 04401

Home Mailing Address: _____

Home Telephone Number: 207-570-8457

Applicant(s) Date of Birth: 05-24-1992

Ricardo Guzman
Applicant's Signature

02-25-25
Date

Any information provided in this application, which is found to be false, will result in the denial or revocation of this license – per 1 M.R.S. 17-A §453.

910 ★ All applications are subject to a \$10.00 administrative fee and a late charge of \$10 for each license that has expired more than 30 days and an additional \$10 shall be charged for each month thereafter that the license has not been renewed.

TYPES OF ENTERTAINMENT:

\$150.00 (single/multiple events)

- ☐ Concert
- ☐ Exhibitions (live performances)
- ☐ Circus/Carnival

- ☐ Playhouse/Play

- ☐ Indoor Skating Rink
- ☐ Bowling Lanes
- ☐ Theater/Movie House
(plus \$25.00 per screen)
- ☐ Billiard Room(s)

\$150.00 (annual)

- ☐ Public Firing Range
- ☐ Bottle Club

AUTOMOBILE REPAIR AND/OR GRAVEYARD:

- ☐ Automobile Repair Garage for maintenance
- ☐ Automobile Graveyard

\$75.00

\$200.00

PLACES/DEALERS IN PRODUCTS:

\$200.00

- ☐ Secondhand Dealers
- ☐ Dealers in gold jewelry, etc.
- ☐ Antique Dealer

- ☐ Flea Market (for 20 tables; \$5 per add'l table)
- ☐ Junk Dealer/Recycling

Rev. 7.2024

Please contact the Code Enforcement Office to schedule an inspection (207) 284-9236

PAWNBROKER: \$200.00

VENDOR ON A PUBLIC PLACE: \$50.00

ICE CREAM TRUCK VENDOR \$75.00

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

VENDING ON WATERWAYS \$100.00

OPERATING LICENSE:

☐ Victualer (no alcohol)-State Cert. Required \$75.00

☐ Victualer serving beer and/or wine-State Cert. Required \$100.00

☒ Victualer serving beer, wine and/or liquor \$150.00

State Cert. Required

☐ Taxicab, motorbus, public automobile \$50.00
(plus \$20.00 per vehicle)

☐ Massage Establishment/Therapist \$100.00

☐ Combined Massage Establishment/Massage Therapist \$150.00

☐ Adult Business \$2,000.00

☐ Sludge Disposal \$50.00

MISCELLANEOUS:

☒ Advertising (for new liquor licenses) \$200.00

Business License Application Disclosure: Submitting, signing and paying the applicable fees does not guarantee the issuance of a business license in the City of Biddeford.

CITY COUNCIL APPROVAL DATE (if applicable): _____

CODE ENFORCEMENT APPROVAL: _____
(Occupancy Permit Issued)

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

City of Biddeford



PROCLAMATION

Recognizing Vietnam War Veterans Day

Whereas, By Presidential Proclamation, March 29th has been designated the annual observance of Vietnam War Veterans Day; and

Whereas, 2025 marks the 52st year since the last American troops officially left Vietnam on March 29, 1973; and the 50th year of Vietnam War Veteran's Memorial Day; and

Whereas, 48,000 men and women from the State of Maine served, while an additional 16,000 Maine residents were serving worldwide during the Vietnam War Era; and

Whereas, the names of 343 Maine residents who laid down their lives are etched on that black granite wall; and 11 are still missing and unaccounted for; and the POW/MIA flag will fly outside Biddeford City Hall until they are all brought home; and

Whereas, the City of Biddeford joins the Nation in recognizing Vietnam War Veterans by recognizing March 29th as Vietnam War Veterans Day; and

Whereas, there is new federal compensation enacted in 2023 for the effects of Agent Orange exposure and of which Vietnam Veterans should be aware, and the service officer at VVA Post 1044 at 508 Elm Street can provide information,

Whereas, on this day and every day, we encourage Biddeford residents to take time to honor those who selflessly served, who gave the ultimate sacrifice, who were wounded and live with those scars daily, those who bore witness and those who are still missing in Southeast Asia; we will never forget you; and

Now, Therefore, Be It Resolved that I, Martin Grohman, Mayor of the City of Biddeford, do hereby observe March 29th as VIETNAM WAR VETERANS DAY in Biddeford, and I encourage all Biddeford citizens to observe this day with appreciation for the men and women who so proudly served our country during this extended conflict.

***In Witness Whereof, We the undersigned have herewith affixed
our signatures this 18th day of March 2025.***

Mayor



City Clerk

City of Biddeford



PROCLAMATION

Whereas, Eid al-Fitr is a celebration which holds profound significance within the Islamic faith, commemorating the conclusion of Ramadan, a sacred month of fasting, prayer, and spiritual reflection; and,

Whereas, Muslims worldwide, and in Biddeford, gather in unity during this time to rejoice in the blessings from the month of Ramadan bestowed upon them, through sharing, spirituality, and overall joy; and,

Whereas, the state of Maine has at least 17,000 or more Muslims who observe Eid as a time of gratitude, forgiveness, compassion, and generosity by visiting with families and friends, enjoying delicious food, and offering gifts; and,

Whereas, Biddeford is proud of its diverse community, representing various traditions and faiths; and,

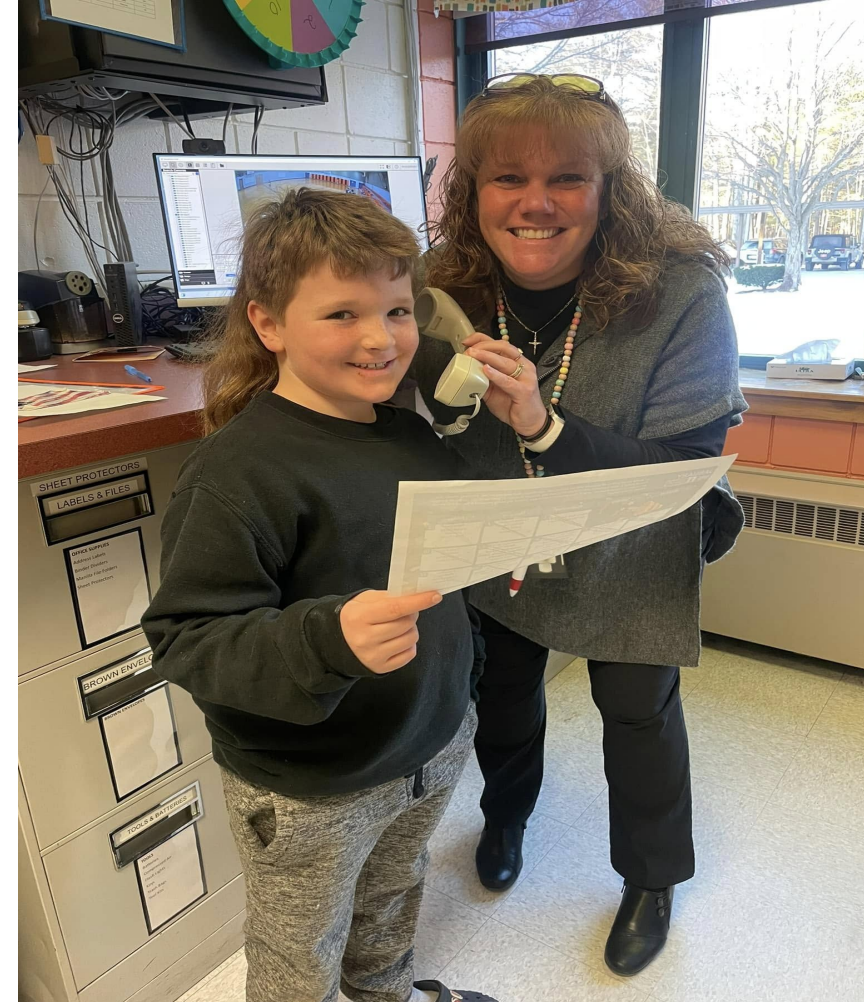
Therefore, Be It Resolved, I, Martin Grohman, Mayor of the City of Biddeford, do hereby honor that on or around Sunday, March 30, 2025, under the lunar calendar, is Eid-al-Fitr in our City. May this proclamation serve as a testament to our unwavering support of inclusivity, in particular the Islamic traditions, and we celebrate alongside our Muslim neighbors in Biddeford and beyond.

*In Witness Whereof, We the undersigned have herewith affixed
our signatures this 18th day of March 2025.*

Mayor



City Clerk



FY 26 Draft Budget Overview

3/7/2025

Commitment to Students

In the Biddeford Schools, our caring teachers and staff aim to nurture healthy, resilient students who are prepared to excel in any post-secondary pursuit. Through 2030, we will sharpen our focus on three key pillars to further advance students' academic and social-emotional growth:

PILLAR

01

We create an environment where learning feels more like *discovery* with practical application, authentic engagement, and transformative, student-centered experiences.

PILLAR

02

We will not ignore--nor make excuse for--the impact of what happens outside of school. Educating the whole child, being mindful of trauma, housing disruption, and our transient student population requires us to center relationships and rapport.

PILLAR

03

All learners are best supported by a positive culture and climate. By prioritizing a sense of belonging in our schools, we create an environment where students feel valued, respected, and empowered to reach their full potential.

Biddeford City Valuation

- Valuation Impacts State Subsidy **Significantly**
- Biddeford Valuation Continues to Rise
- Housing Prices Continue to Surge
- City valuation growth - 16.01%
- State average growth - 12.59%

Year	Average Valuation	Increase/Decrease from prior year	Local Share %	State Share %
2014	\$2,407,100,000.00		64.3	35.7
2015	\$2,348,925,000.00	-\$58,175,000.00	65.08	34.92
2016	\$2,316,700,000.00	-\$32,225,000.00	64.57	35.16
2017	\$2,257,266,667.00	-\$59,433,333.00	63.77	36.23
2018	\$2,235,800,000.00	-\$21,466,667.00	59.45	40.55
2019	\$2,244,850,000.00	\$9,050,000.00	63.84	36.16
2020	\$2,259,466,667.00	\$14,616,667.00	62.29	37.71
2021	\$2,338,933,333.00	\$79,466,666.00	61.7	38.3
2022	\$2,464,266,667.00	\$125,333,334.00	62.69	37.31
2023	\$2,642,466,667.00	\$178,200,000.00	57.61	42.39
2024	\$2,855,433,333.00	\$212,966,666.00	59.12	40.88
2025	\$3,174,283,333.33	\$318,850,000.00	62.23	37.77
2026	\$3,682,400,000.00	\$508,116,667.67	62.28	37.72
2027	\$4,171,650,000.00	\$489,250,000.00		

□

STATE CALCULATION FOR FUNDING PUBLIC EDUCATION (PreK-12) REPORT

ORG ID : 65

Biddeford Public Schools

2025 - 2026

Section 1: Computation of EPS Rates

Section : 1

A) Attending Counts:												B) Staff Positions														
			PreK-K		1-5		6-8		PreK-8		9-12		Total													
1) Attending Pupils (October 2023)			301.0	+	881.0	+	521.0	=	1,703.0	+	688.0	=	2,391.0													
2) Attending Pupils (October 2024)			284.0	+	905.0	+	513.0	=	1,702.0	+	719.0	=	2,421.0													
3) Attending Pupils Average			292.5	+	893.0	+	517.0	=	1,702.5	+	703.5	=	2,406.0													
									70.76 %		29.24 %		100.00 %													
												2 year average student count														
PreK-K EPS FTE			Student to Staff	+	1-5 EPS FTE	Student to Staff	+	6-8 EPS FTE	Student to Staff	+	9-12 EPS FTE	Student to Staff	=	EPS FTE Total	÷	Actual FTE Total	=	% Of EPS	x	SAU Data in EPS Matrix	=	Adjusted EPS Salary	=	Elementary Salary	Secondary Salary	
1) Teachers			19.50	(15:1)	+	52.53	(17:1)	+	30.41	(17:1)	+	43.97	(16:1)	=	146.41	÷	166.3	=	0.88	x	10,064,436	=	8,860,729	=	6,269,905	2,590,824
2) Guidance			0.84	(350:1)	+	2.55	(350:1)	+	1.48	(350:1)	+	2.81	(250:1)	=	7.68	÷	6.0	=	1.28	x	328,706	=	420,648	=	297,653	122,995
3) Librarians			0.37	(800:1)	+	1.12	(800:1)	+	0.65	(800:1)	+	0.88	(800:1)	=	3.01	÷	1.0	=	3.01	x	50,602	=	152,186	=	107,688	44,498
4) Health			0.37	(800:1)	+	1.12	(800:1)	+	0.65	(800:1)	+	0.88	(800:1)	=	3.01	÷	5.1	=	0.59	x	305,995	=	180,448	=	127,686	52,762
5) Education Techs			2.57	(114:1)	+	7.83	(114:1)	+	1.66	(312:1)	+	2.23	(316:1)	=	14.28	÷	21.0	=	0.68	x	578,397	=	393,379	=	278,357	115,022
6) Library Techs			0.59	(500:1)	+	1.79	(500:1)	+	1.03	(500:1)	+	1.41	(500:1)	=	4.81	÷	4.0	=	1.20	x	109,245	=	131,422	=	92,995	38,427
7) Clerical			1.46	(200:1)	+	4.47	(200:1)	+	2.59	(200:1)	+	3.52	(200:1)	=	12.03	÷	10.0	=	1.20	x	406,618	=	489,161	=	346,133	143,028
8) School Admin.			0.96	(305:1)	+	2.93	(305:1)	+	1.70	(305:1)	+	2.23	(315:1)	=	7.82	÷	7.0	=	1.12	x	719,555	=	803,362	=	568,464	234,898
												Student/staff ratios														
C) Computation of Benefits:																										
			Percentage		Elementary Salary		Secondary Salary								Elementary Benefits		Secondary Benefits									
1) Teachers, Guidance, Librarians & Health			26.00%	X	6,802,932		2,811,079						=		1,768,762		730,881									
2) Education & Library Technicians			40.00%	X	371,352		153,449						=		148,541		61,380									
3) Clerical			40.00%	X	346,133		143,028						=		138,453		57,211									
4) School Administrators			21.00%	X	568,464		234,898						=		119,377		49,329									
D) Other Support Per-Pupil Costs:																										
			PreK-8	9-12	X	Elementary Students	Secondary Students							Elementary Support		Secondary Support										
1) Substitute Teachers (1/2 Day)			52	52	X	1,702.5	703.5					=		88,530		36,582										
2) Supplies and Equipment			433	599	X	1,702.5	703.5					=		737,183		421,397										
3) Professional Development			74	74	X	1,702.5	703.5					=		125,985		52,059										
4) Instructional Leadership Support			36	36	X	1,702.5	703.5					=		61,290		25,326										
5) Co- and Extra-Curricular Student			48	144	X	1,702.5	703.5					=		81,720		101,304										
6) System Administration/Support			135	135	X	1,702.5	703.5					=		229,838		94,973										
7) Operations & Maintenance			1267	1504	X	1,702.5	703.5					=		2,157,068		1,058,064										
E) Other Adjustments:																										
1) Regional Adjustment for Staff & Substitute Salaries							Regional Index =	1.09							735,967		304,113									
Section 1: Totals																										
Divided by Attending Pupils:																										
Calculated EPS Rates Per Pupil:																										

STATE CALCULATION FOR FUNDING PUBLIC EDUCATION (PreK-12) REPORT

ORG ID : 65

Biddeford Public Schools

2025 - 2026

Section : 2

Section 2: Operating Cost Allocations

A) Subsidizable Pupils (Includes Superintendent Transfers)		PreK	K-8	9-12	Total		
1)	October 2023	112.0 +	1,584.0 +	676.0 =	2,372.0		
2)	October 2024 (may include PreK estimates)	85.0 +	1,615.0 +	712.0 =	2,412.0		
3)	Subsidizable Pupils Average	98.5 +	1,599.5 +	694.0 =	2,392.0		
					SAU EPS Rates from Page 1	Basic Cost Allocations	
B) Basic Counts		Average Pupils					
1)	PreK Pupils (Most Recent Oct Only)	85.0	X		8,506 =		723,010.00
2)	K-8 Pupils	1,599.5	X		8,506 =		13,605,347.00
3)	9-12 Pupils	694.0	X		9,005 =		6,249,470.00
4)	Adult Education Courses at .1	7.0	X		9,005 =		63,035.00
5)	PreK Equiv. Instruction Pupils (Most Recent Oct Only)	0.000	X		8,506 =		0.00
6)	K-8 Equiv. Instruction Pupils	1.000	X		8,506 =		8,506.00
7)	9-12 Equiv. Instruction Pupils	0.000	X		9,005 =		0.00
C) Weighted Counts (Most Recent Oct Only)		Pupils			SAU EPS Rates from Page 1	Weighted Cost Allocations	
1)	PreK Disadvantaged @ 0.6429	54.6	X	0.15	8,506 =		69,664.14
2)	K-8 Disadvantaged @ 0.6429	1,028.3	X	0.15	X		1,312,007.97
3)	9-12 Disadvantaged @ 0.6429	446.2	X	0.15	X		602,704.65
4)	PreK Multilingual Learners	21.0	X	0.525	8,506 =		93,778.65
5)	K-8 Multilingual Learners	280.0	X	0.525	8,506 =		1,250,382.00
6)	9-12 Multilingual Learners	108.0	X	0.525	9,005 =		510,583.50
D) Targeted Funds		Pupils			EPS Targeted Amount	Targeted Cost Allocations	
1)	PreK Student Assessment (Most Recent Oct Only)	85.0	X		56.00 =		4,760.00
2)	K-8 Student Assessment	1,599.5	X		56.00 =		89,572.00
3)	9-12 Student Assessment	694.0	X		56.00 =		38,864.00
4)	PreK Technology Resources (Most Recent Oct Only)	85.0	X		123.00 =		10,455.00
5)	K-8 Technology Resources	1,599.5	X		123.00 =		196,738.50
6)	9-12 Technology Resources	694.0	X		369.00 =		256,086.00
7)	PreK Pupils (Most Recent Oct Only)	85.0	X	0.10	8,506 =		72,301.00
8)	K-2 Pupils	554.5	X	0.10	8,506 =		471,657.70
9)	PreK Disadvantaged Targeted (Most Recent Oct Only)	54.6	X	0.05	8,506 =		23,221.38
10)	K-8 Disadvantaged Targeted	1,028.3	X	0.05	8,506 =		437,335.99
11)	9-12 Disadvantaged Targeted	446.2	X	0.05	9,005 =		200,901.55
E) Isolated Small School Adjustment							
1)	PreK-8 Isolated Small School Adjustment				=		0.00
2)	9-12 Isolated Small School Adjustment				=		0.00
Section 2: Operating Allocation Totals					=		26,290,382.03

Preliminary FY 2025-26 Governor's Recommended Funding Level Budget – Adjustments may be made to these printouts throughout FY 26

Operating Allocation

STATE CALCULATION FOR FUNDING PUBLIC EDUCATION (PreK-12) REPORT

ORG ID : 65

Biddeford Public Schools

2025 - 2026

Section 3: Other Allocations

Section : 3

A) Other Subsidizable Costs

		Base Year Expenditure		Inflation Adjustment		
1)	Gifted & Talented Expenditures from 2023 - 2024	266,407.18	X	102.60%	=	273,333.77
2)	Special Education - EPS Allocation		X		=	6,555,759.84
3)	Special Education - High-Cost Out-of-District Allocation		X		=	147,161.64
4)	Transportation Operating - EPS Allocation		X		=	1,602,058.82
5)	Approved Bus Allocation (Purchase Year FY 25 or earlier)		X		=	<u>154,516.00</u>
Total Other Subsidizable Costs						= 8,732,830.07

B) Teacher Retirement Amount (Normalized Cost)

1,041,865.48

Expenditure Based Subsidy

Total Adjusted Operating Allocation (Page 2) plus Total other Subsidizable Costs plus Teacher Retirement

=

36,065,077.58

C) Debt Service Allocations

1)	Town / District	Payment Date	Name of Project	Principal	Interest	Total
2)	Total Debt Service Principal & Interest Payments					
3)	Approved Lease for 2024 - 25		Biddeford Public Schools			0.00
4)	Approved Lease Purchase for 2024 - 25 for		Biddeford Public Schools			0.00
Total Debt Service Allocation						= 0.00

Section 3 : Total Combined Allocations (Page 2 Adjusted Total plus Other Subsidizable plus Debt Service)

=

36,065,077.58

Preliminary FY 2025-26 Governor's Recommended Funding Level Budget – Adjustments may be made to these printouts throughout FY 26

All Combined Allocations

STATE CALCULATION FOR FUNDING PUBLIC EDUCATION (PreK-12) REPORT

ORG ID : 65

Biddeford Public Schools

2025 - 2026

Section : 4

Section 4 : Calculation of Required Local Contribution - Mill Expectation

A) Subsidizable Pupils (Excludes Superintendent Transfers for SADs, RSUs & CSDs) by Member Municipality

Member Municipality	Average Subsidizable Pupils	Percentage of Total Pupils	Oper., Othr Sub, & Tchr. Ret. Allocation Distribution	Municipal Debt Allocation Distribution	Total Municipal Allocation Distribution as a Percentage of Pupils
Biddeford Public Schools	2,378.5	100.00%	36,065,077.58	0.00	36,065,077.58
Total	2,378.50	100.00%	36,065,077.58	0.00	36,065,077.58

B) State Valuation by Member Municipality

Member Municipality	3-Yr Average or Previous Yr State Valuation	Mill Expectation	Total Municipal Allocation Distribution per Valuation x Mill Expectation
Biddeford Public Schools	3,682,400,000	6.10	22,462,640.00
Total	3,682,400,000		22,462,640.00

3 Year Average Valuation

C) Required Local Contribution = the lesser of the previous two calculations :

Member Municipality	Total Allocation by Municipality	Required Local Contribution by Municipality	Calculated Mill Rate	State Contribution by Municipality (Prior to adjustments)
Biddeford Public Schools	36,065,077.58	22,462,640.00	6.10	13,602,437.58
Total	36,065,077.58	22,462,640.00		13,602,437.58

Required Local

Preliminary FY 2025-26 Governor's Recommended Funding Level Budget – Adjustments may be made to these printouts throughout FY 26

PK-12 Subsidy

STATE CALCULATION FOR FUNDING PUBLIC EDUCATION (PreK-12) REPORT

ORG ID : 65

Biddeford Public Schools

2025 - 2026

Section 5: Totals and Adjustments

Section : 5

	Total Allocation	Local Contribution	State Contribution
A) Total Allocation, Local Contribution, and State Contribution Prior to Adjustment	36,065,077.58	22,462,640.00	13,602,437.58
Totals after adjustment to Local and State Contributions	36,065,077.58	22,462,640.00	13,602,437.58
B) Other Adjustments to State Contribution Only			
1) Plus Audit Adjustments			0.00
2) Less Audit Adjustments	Vocational Subsidy		0.00
3) Less Adjustment for Unappropriated Local Contribution			0.00
4) Less Adjustment for Unallocated Balance in Excess Per Title 20-A, §15689-B, Subsection 6			0.00
5) Special Education Budgetary Hardship Adjustment			0.00
6) Career & Technical Education Center Allocation			3,523,393.45
7) Plus Long-Term Drug Treatment Centers Adjustment			0.00
8) Education Service Center Member Allocation	Educational Service Center		85,485.35
9) Minimum Teacher's Salary Adjustment			0.00
10) MaineCare Seed - Private (Paid to MaineCare by DOE on behalf of SAU)			0.00
11) MaineCare Seed - Public (Paid to MaineCare by DOE on behalf of SAU)			0.00
12) MultiLingual Learner Hardship funds			0.00
13) Minimum Hourly Wage Adjustment			0.00
C) Adjusted State Contribution			17,211,316.38
Local and State Percentages Prior to Adjustments :	Local Share % = 62.28 % State Share % = 37.72 %		
Local and State Percentages After Adjustments :	Local Share % = 62.28 % State Share % = 37.72 %		
FYI : 100% EPS Allocation	36,065,077.58		

State vs Local Share

Total State PK-12 + Vocational + ESC

Section F: Adjusted Local Contribution by Town

***** WARRANT ARTICLE *****

Member Municipality	Total Allocation	Adjusted Local Contribution	Adjusted Percentage	Adjusted Mil Rate
Biddeford Public Schools	36,065,077.58	22,462,640.00	100.00%	6.10
Totals	36,065,077.58	22,462,640.00	100.00%	

Preliminary FY 2025-26 Governor's Recommended Funding Level Budget – Adjustments may be made to these printouts throughout FY 26

Cost Per Student Southern Maine Schools 2024 W/O Debt Service/Vocational Education

SAU Name	Regular Instruction	Special Education Instruction	Other Instruction	Student and Staff Support	System Administration	School Administration	Transportation (includes buses)	Operations and Maintenance	All Other	Total	Resident Pupil Count	Add. money in local budget if BDS funded at comparative levels	Econ. Dis.	State Share
RSU 23	\$9,795.59	\$5,742.79	\$656.04	\$2,642.48	\$966.13	\$1,208.64	\$912.35	\$3,235.65	\$280.40	\$25,440.07	633	\$24,114,971.20	44.29	19.16
York	\$10,626.17	\$4,890.36	\$952.56	\$2,396.03	\$882.12	\$1,208.32	\$946.74	\$2,944.65	\$74.73	\$24,921.68	1,511	\$22,885,362.86	15.23	13.48
Falmouth	\$10,353.22	\$4,887.03	\$655.75	\$1,945.51	\$661.60	\$1,039.79	\$928.79	\$1,972.51	\$0.00	\$22,444.20	1,978	\$17,008,786.07	2.87	32.51
Kittery	\$8,905.57	\$4,451.70	\$416.97	\$2,431.72	\$1,504.99	\$1,338.57	\$970.34	\$1,757.00	\$107.41	\$21,884.29	931	\$15,680,666.51	19.09	12.88
Cape Elizabeth	\$10,042.94	\$2,982.43	\$626.61	\$2,430.46	\$635.01	\$846.51	\$674.41	\$3,094.57	\$108.22	\$21,441.15	1,525	\$14,629,543.68	5.46	15.88
RSU 21	\$8,726.97	\$3,872.81	\$594.73	\$1,805.66	\$824.77	\$967.15	\$1,177.79	\$2,242.53	\$72.95	\$20,285.36	2,399	\$11,888,018.49	9.78	17.09
Yarmouth	\$9,857.69	\$3,285.40	\$776.28	\$1,937.73	\$658.26	\$1,066.89	\$682.53	\$1,820.57	\$37.49	\$20,122.85	1,634	\$11,502,525.13	5.67	36.26
RSU 51/MSAD 51	\$9,225.75	\$3,819.24	\$426.39	\$1,613.91	\$674.66	\$859.37	\$935.31	\$2,247.27	\$0.00	\$19,801.89	2,189	\$10,741,207.25	3.43	50.45
South Portland	\$8,818.08	\$4,064.55	\$375.91	\$1,463.64	\$828.29	\$1,043.14	\$940.16	\$1,953.07	\$106.12	\$19,592.96	2,937	\$10,245,633.84	19.09	29.36
Scarborough	\$9,020.84	\$4,010.43	\$528.38	\$2,063.44	\$526.83	\$670.03	\$630.24	\$1,571.60	\$0.00	\$19,021.79	2,853	\$8,890,817.14	9.75	18.68
Brunswick	\$8,242.77	\$3,476.46	\$417.59	\$1,819.19	\$626.56	\$848.60	\$1,001.76	\$2,490.28	\$26.25	\$18,949.46	2,363	\$8,719,251.17	29.13	47.01
Wells-Ogunquit CSD	\$7,895.60	\$3,106.87	\$795.11	\$1,818.58	\$719.07	\$1,064.35	\$949.50	\$2,233.26	\$124.91	\$18,707.25	1,401	\$8,144,720.96	17.98	10.36
Portland	\$7,797.18	\$3,488.12	\$390.22	\$2,004.49	\$889.14	\$1,039.70	\$775.22	\$1,631.98	\$102.95	\$18,119.00	6,611	\$6,749,391.37	50.17	18.57
Saco	\$9,701.46	\$3,687.69	\$90.87	\$971.95	\$385.35	\$469.76	\$736.91	\$1,303.97	\$0.00	\$17,347.96	2,782	\$4,920,487.13	28.28	49.93
Westbrook	\$7,364.04	\$3,153.02	\$336.06	\$1,599.86	\$1,012.67	\$873.40	\$797.55	\$1,973.91	\$0.51	\$17,111.01	2,288	\$4,358,452.77	63.09	48.97
RSU 35/MSAD 35	\$6,858.23	\$2,966.98	\$543.39	\$1,852.07	\$598.85	\$1,021.60	\$1,115.97	\$2,103.76	\$6.52	\$17,067.35	1,983	\$4,254,887.21	12.15	51.20
State Total	\$7,029.40	\$3,364.54	\$411.39	\$1,508.94	\$629.94	\$948.34	\$1,015.32	\$2,067.87	\$52.81	\$17,028.56	170,519	\$4,162,886.79		
Dayton	\$8,881.23	\$4,303.11	\$39.40	\$621.38	\$349.99	\$557.86	\$1,014.83	\$868.73	\$0.00	\$16,636.52	338	\$4,162,886.79	25.49	56.29
RSU 14	\$6,667.53	\$2,894.15	\$361.47	\$1,550.83	\$469.05	\$999.59	\$1,029.44	\$2,645.80	\$6.45	\$16,624.31	3,130	\$3,204,008.86	22.04	41.09
RSU 06/MSAD 06	\$6,554.78	\$3,023.51	\$302.65	\$1,568.13	\$438.12	\$743.78	\$1,307.64	\$2,577.66	\$2.68	\$16,518.94	3,304	\$2,954,051.18	28.28	49.58
Gorham	\$7,439.62	\$2,811.92	\$400.78	\$1,403.12	\$520.89	\$899.98	\$887.99	\$1,486.46	\$6.64	\$15,857.41	2,838	\$1,384,919.71	8.79	60.96
RSU 60/MSAD 60	\$6,429.52	\$2,822.56	\$418.85	\$1,436.56	\$460.92	\$909.44	\$1,229.55	\$2,121.47	\$0.00	\$15,828.88	2,836	\$1,317,235.63	30.50	56.48
RSU 57/MSAD 57	\$5,900.25	\$2,789.46	\$340.54	\$1,400.61	\$373.47	\$745.09	\$1,351.36	\$2,561.09	\$97.25	\$15,559.12	2,920	\$677,369.16	35.68	41.11
Biddeford	\$6,476.36	\$3,505.38	\$291.74	\$1,173.64	\$487.39	\$728.08	\$801.78	\$1,807.38	\$1.80	\$15,273.55	2,372	\$0.00	60.20	40.56
Sanford	\$5,181.97	\$3,368.48	\$332.32	\$1,134.08	\$331.72	\$849.93	\$747.24	\$1,826.96	\$31.69	\$13,804.39	3,170	-\$3,484,846.44	53.51	76.31
Local Averages	\$8,198.47	\$3,641.85	\$461.27	\$1,711.87	\$659.41	\$916.64	\$939.39	\$2,103.01	\$49.79	\$18,681.72				
Biddeford Difference	-\$1,722.11	-\$136.47	-\$169.53	-\$538.23	-\$172.02	-\$188.56	-\$137.61	-\$295.63	-\$47.99	-\$3,408.17				
Rank of 24 Schools	21	11	22	20	18	21	18	19	18	23	12		Page 16 of 98	

Biddeford Student Demographics Over Time - October 1 Report

Student Count	
Year	Number of Students
24-25	2421
23-24	2391
22-23	2307
21-22	2346
20-21	2342
19-20	2457
18-19	2431
17-18	2440

Economic Status		
Year	Number of Students	Percent
24-25		
23-24	1414	59.14%
22-23	1258	54.53%
21-22	1242	52.94%
20-21	1237	52.82%
19-20	1328	54.05%
18-19	1330	54.71%
17-18	1368	56.07%

Program Enrollments - CTE	
Year	Number of Students
24-25	496
23-24	495
22-23	399
21-22	405
20-21	444
19-20	354
18-19	303

Special Education Counts		
Year	Number of Students	Percent
24-25	513	21.18%
23-24	531	22.21%
22-23	483	20.94%
21-22	486	20.72%
20-21	446	19.04%
19-20	490	19.94%
18-19	463	19.05%
17-18	466	19.10%

ELL Students		
Year	Number of Students	Percent
24-25	409	16.89
23-24	315	13.17%
22-23	200	8.67%
21-22	193	8.23%
20-21	200	8.54%
19-20	197	8.02%
18-19	204	8.39%
17-18	199	8.16%

Cost Drivers, Reductions, Position Changes

Additions

• STEM Position increase to full-time:	\$ 11,294.00
• Special Education Secretary increase to full-time:	\$ 17,845.00
• ELL Teacher:	\$ 68,327.00
• ELL Education Technicians:	\$ 78,822.00
• BIS Technology Refresh:	\$195,937.50
• BMS Technology Refresh:	\$157,184.00
• COT Technology Refresh:	\$160,600.00
• Reading Program:	\$ 51,314.00
• Math Program:	\$ 56,314.52
• New Program Training:	\$ 10,000.00
• Out of District Placements:	\$130,000.00
• Equipment:	\$ 55,000.00
• Psychological Services/OT/Speech:	\$ 91,000.00

Reductions

• Director of Guidance	(\$112,049)
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Reductions JFK to BPS

•	
• JFK School Nurse	(\$89,811)
◦ To be replaced with LPN position	(\$65,000)
• One-Year Kindergarten Position	(\$54,289)
• One-Year Secretary Position	(\$53,039)
• Education Technician at BPS	(\$43,190)

Salary/Steps/Benefits	\$1,453,920.77
Health Insurance	\$572,496.68
Updated Math and Reading Curriculum	\$117,628.52
Payroll Taxes	\$148,817.68
ELL Staff Additions	\$147,149.00
Out of District Placements and Additional Services	\$146,130.00
Total	\$2,586,142.65

Shared Services and Revenues

Revenue			Savings	
Organization/Item	Amount		Organization/Item	Amount
Dayton Shared Services	\$248,705.00		Payroll/HR Software	\$21,953.00
Dayton Student Tuition Projected	\$100,000.00		Shared Food Service Staff	\$32,250.00
Dayton Special Services Estimate	\$50,000.00		Shared Professional Development	\$9,000.00
Saco Shared Services	\$198,563.00		Adult Education	\$10,733.00
Saco Tuition	\$15,000.00		School Safety Software	\$2,350.00
Saco Special Education	\$35,000.00			
Dayton Stipends/Compensation	-\$58,500.00		Bus Routing Software	\$3,200.00
Saco Stipends/Compensation	-\$62,000.00		Talking Points	\$2,350.00
Sub Total	\$526,768.00		Sub Total	\$81,836.00
		\$608,604.00		

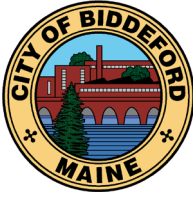
11 Year Budget Comparison				
	Total Budget Amount	Increase from Prior Fiscal Year	Expenditure Increase %	Tax Increase
FY 26	\$49,827,637.61	\$2,548,964.65	5.39%	11.58%
FY25	\$46,766,723.00	\$2,685,887.00	6.09%	6.92%
FY24	\$44,080,836.00	\$2,422,995.00	5.82%	6.94%
FY23	\$41,657,841.00	\$1,518,528.00	3.78%	2.98%
FY22	\$40,139,313.00	\$938,153.00	2.39%	-0.54%
FY21	\$39,201,160.00	\$946,361.00	2.47%	0.87%
FY20	\$38,254,799.00	\$1,257,536.00	3.40%	2.99%
FY19	\$36,997,263.00	\$980,797.00	2.72%	0.08%
FY18	\$36,016,466.00	\$915,502.00	2.61%	-2.23%
FY17	\$35,100,964.00	\$1,123,537.00	3.31%	0%
FY16	\$33,977,427.00	\$339,176.00	1.01%	2.56%
FY15	\$33,638,251.00	\$973,310.00	2.98%	0.54%
		11 Year Average	3.82%	2.97%

REVENUES			
		Proposed	Difference
2024-2025		2025-2026	
\$ 1,150,000.00	Carryover (previous year)	\$ 1,150,000.00	\$ -
\$ 4,556.57	Carryover (Long Term Debt Reduction FY20)	\$ 4,556.57	\$ -
\$ 215,000.00	Capital Carryover FY24	\$ 215,000.00	\$ -
\$ 300,000.00	SMAC Capital Disbursement	\$ 200,000.00	\$ (100,000.00)
\$ 300,000.00	Carryover (Current MaineCare)	\$ 300,000.00	\$ -
\$ 100,000.00	Tuition	\$ 100,000.00	\$ -
	Special Ed. Tuition		\$ -
\$ 25,136.00	Transportation (Non-Public)	\$ 25,136.00	\$ -
\$21,434.00	Other Transportation	\$21,434.00	\$ -
\$ 40,000.00	State Agency Clients	\$ 40,000.00	\$ -
	Miscellaneous (BMS Officials)		\$ -
\$190,687.00	Shared Service with Saco	\$198,563.00	\$ 7,876.00
\$209,019.00	Shared Service with Dayton	\$248,705.00	\$ 39,686.00
\$ 100,000.00	Regional Center (SMAC) Revenue	\$ 100,000.00	\$ -
\$ 100,000.00	COT Sending School Revenue	\$ 150,000.00	\$ 50,000.00
\$ 14,339,004.07	State Allocation (General)	\$ 13,602,437.58	\$ (736,566.49)
\$ 89,802.54	State Allocation (Regionalization)	\$ 85,485.35	\$ (4,317.19)
\$ 3,331,365.34	State Allocation (CTE)	\$ 3,523,393.45	\$ 192,028.11
\$ 21,013,755.66	Local Allocation	\$ 22,462,640.00	\$ 1,448,884.34
\$ 2,296,061.45	Local Allocation (Local only debt)	\$ 2,648,820.00	\$ 352,758.55
\$ 3,452,851.33	Additional Local	\$ 4,751,466.66	\$ 1,298,615.33
\$ 47,278,672.96	Total	\$ 49,827,637.61	2,548,964.65

- Examine Capital Improvement and if Fund Balance Can Cover One Time Costs
- Understand that Federal Funding is impacting programming and our ability to support families
- We are “hanging on” with this budget and operating with minimum staffing levels and supports for students
- Advocating to changes in funding formula to help impact our students in need

State Allocation (General)	(736,566.49)	-5.14%
State Allocation (Regionalization)	(4,317.19)	-4.81%
State Allocation (CTE)	192,028.11	5.76%
Total State Allocation	(548,855.57)	-3.09%
*Local Allocation	1,448,884.34	6.89%
Additional Local	1,298,615.33	37.61%
Total Local	3,100,258.22	11.58%
Total Budget	2,548,964.65	5.39%

Questions?



City of Biddeford, Maine

From the Office of the Acting City Manager
P.O. Box 586 • 205 Main Street • Biddeford, ME 04005
Phone: (207) 284-9313
brian.phinney@biddefordmaine.org

March 18, 2025

FY2026 Preliminary Budget Review

Due to an error with the payroll data set, the overall budget review will be limited to those items that are not impacted by salaries. A full review of the FY26 Budget will be provided at the earliest possible opportunity.

Proposed New Positions/Personnel Changes

Various departments have proposed new positions within the FY26 Budget. These positions include:

Department	Org-Obj	Position	All-in Cost
Fire Department	21141-60102	Dept. Fire Chief	\$161,262(\$80,631 for 6-month)
Fire Department	21141-60105	Fire Inspector	\$140,143
Fire Department	21141-60106	P-T Admin. Assist.	\$45,426
Assessing	21105-60106	Field Lister	\$82,821
Recreation	21123-60106	P-T Custodian	\$24,134

The only new position reflected in the City Manager Recommendation is the Field Lister (Assessing).

Proposed Outsourcing Initiatives

The FY26 Budget includes new expenses for outsourced services. The first is sewer billing through Maine Water. The budget reflects \$81,000 in new charges for outsourcing. This amount can be reduced if the Council wishes to move all sewer billing to a quarterly frequency. Currently billing occurs monthly and quarterly. A transition to quarterly billing will reduce the billing by approximately \$24,154.

The Finance Department proposes outsourcing of payroll. As has been reported, the City has not been in compliance with IRS reporting on several occasions resulting in proposed penalties of +\$700,000 in penalties and interest for the most recent event. While the penalty amount is under review, it still represents a significant impact to the taxpayers and undermines public trust. The proposed estimate for outsourcing is \$63,000 and is listed under General Admin, 21111-60310. The service is included in the department's recommendation but is not included in the city manager's recommendation. While I support the concern for limiting exposure, establishing proper procedures and reporting timelines should reduce the possibility of future noncompliance events. Additionally, the outsourcing does not eliminate a full-time position. There is still a need for managing the payroll records and verifying data before it is delivered for processing. This would be a net increase to the budget.

Municipal Services (21128) and Social Services (21127)

Comments from the FY25 budget process raised questions about the general criteria for the distinction between the social services and municipal services expenditures. The process also created confusion for applicants requesting funding often resulting in applicants applying for funds from both cos centers. As a result, and in consultation with the Mayor and Council President, the application process was streamlined and the funding sources combined.

There is now a single funding application and within the application there is a streamlined section for applicants requesting \$5,000 or less. This change has resulted in positive feedback from the applicants. The separate review process for Social Services has also been eliminated. As you may recall the prior system included public review of the municipal services requests during the budget process and a separate social services review and award process after adoption of the budget. The revised system now combines both funding sources under the “Municipal Services” heading. This facilitates an evaluation of all applications at the time of budget review.

The social and municipal services funding also included board/committee/commission funding requests and funding for organizations that represent dues or partnership contributions. The boards/committees/commissions have been move to the respective department budgets and likewise, memberships/dues have also been moved to the appropriate budget book. The detail on the restructuring is provided below.

Original Book	Entity	Original Org/Obj	New Book	New Org/Obj
Municipal Services	Biddeford Conservation Commission	21128-60119	Planning & ED	21109-60797
Municipal Services	Planning Board	21128-60119	Planning & ED	21109-60797
Municipal Services	Climate Task Force	21128-60119	Planning & ED	21109-60797
Municipal Services	Historic Preservation Commission	21128-60119	Planning & ED	21109-60797
Municipal Services	Downtown Development Committee	21128-60119	Planning & ED	21109-60797
Municipal Services	Public Arts Commission	21128-60119	Planning & ED	21109-60797
	Citizens Advisory Committee	(New)	Planning & ED	21109-60797
Municipal Services	Project Canopy	21128-60119	Parks Maint.	21165-60500
Municipal Services	BSOOB ¹ Dues	21128-61199	General Admin	21111-60256
Municipal Services	Eastern Trail Alliance	21128-61199	General Admin	21111-60256
Municipal Services	Saco River Corridor Commission	21128-61199	General Admin	21111-60256
Municipal Services	SMPDC ²	21128-61199	General Admin	21111-60256
Municipal Services	Southern Maine Finance Agency	21128-61199	General Admin	21111-60256

¹Biddeford Saco Old Orchard Beach Transit

²Southern Maine Regional Planning & Development Commission

Mayor / Council (21101)

The Mayor-Council workbook includes funding for an inauguration due to the election year cycle. Five-thousand dollars (\$5,000) is proposed to fund the event.

Election (21104)

FY26 is a municipal election year with a possible municipal ballot. The budget includes an increase in election expenses to coincide with the election cycle.

Assessing (21105)

As noted above the Assessing budget includes a proposed new position of field lister. The department is under staffed compared to other communities of like size. The ability to manage and keep current with values across the city is important in recording assessed values and equally important for ensuring all properties are assessed in an equal and timely manner.

The department is utilizing NearMap Aerial Imagery to assist with property evaluations. This is an annual subscription (\$7,000, 60501-Operating Supp/Eqt Non-Cap) that is currently being evaluated. This provides two opportunities to serve as decision points for continued use of the software to confirm a benefit to the city. The first data review period will be May 29th. This will provide data to judge initial benefit prior to the end of the fiscal year. If the benefit is not realized the funding can be removed from the FY26 Budget. The second will be between May 29th through December 31, 2025, to capture a longer time period to confirm whether or not we should keep the software, but specifically for the FY27 Budget. The FY26 subscription cost is included in the City Manager Recommendation.

The Finance Committee approved the use of KRT for assisting Assessing with personal property listings. 60306- Other Prof/Consult Srvs Exp includes an ongoing expense. KRT's initial work is covered by the FY25 Budget. The City Manager Recommendation reflects the ongoing cost of the service in accordance with the meeting Brief (01/07/25).

Restructuring - City Clerk (21103) / Finance Department (21106)

The Finance Department and City Clerk Department underwent a restructuring to better align the staffing structure with the duties of the respective departments. While the process is still underway, the restructuring entails moving counter clerk and office manager positions to Finance. The net increase in the Finance budget is offset with an equal reduction in the City Clerk budget related to staffing.

General Administration (21111)

Aside from the potential payroll outsourcing referenced above, there is a new service contract included in 60310-Service Contract Expense. It is for Chargepoint. This is the EV charging provider for our EV stations. This expense has been carried as an expense but has not been specifically identified in the budget until now.

As noted under *Municipal Services (21128)* and *Social Services (21127)*, The dues and memberships line (60256) is increased and offset by a corresponding decrease in the Municipal Services budget.

The audit services line is up by about \$30,000 due to the additional audit in FY26 to get back on the regular schedule.

The user license line (60315) is up by a net increase of +\$130,00. This is due to general price increases and decreases in existing software expenses and the proposed addition of \$185,896 in new software at the department level. The City Manager Recommendation includes funding for the software with the exception of EnerGov (\$63,781) for net increase of \$66,515 as follows:

- End Point Protection (\$25,000) – This software reduces cyber risk. The service extend protection to critical platforms, physical, and virtual devices, identifies vulnerabilities based on CVE, MS-ID, and severity, monitors applications in real-time to detect malicious behavior, monitors files for early indication and detection of malware, detects open ports to stop threats before they start, includes threat response with details and expert assistance. This software is included in the City Manager Recommendation.
- Trusted Tech (\$78,000) – This is the user licensing for the MS365 platform. The licensing is included in the City Manager Recommendation.
- EnerGov (\$63,781) - Is a permit management software that assists municipalities with start to finish tracking of permits. The software allows for the creation of user groups, process tracking, staff assignments, and workflows to better manage permits in a timely manner with transparency. The City currently has a permit management module within the Munis suite, however staff feels the module is cumbersome and few users are trained on the software. This request is not included in the City Manager Recommendation.
- AudioEye (\$4,500) – Software to assist with ensuring the City’s website and webservices are ADA compliant. This software is included in the City Manager Recommendation.
- CivicPlus Archive Social (\$7,574) – This is archiving software for social media platforms. This software allows the City to retain and archive social media data in accordance with Maine’s Freedom of Access Act. This software is included in the City Manager Recommendation.
- Civic Plus Texting (\$945) – This software integrates with the City’s website to allow text notifications for information subscription services like parking bans, RFP/RFB notices, etc. This software is included in the City Manager Recommendation.
- Duo & EMS (\$6,096 combined) – The Department of Justice recently provided guidance on an October 2024 mandate regard access to the criminal justice information systems (CJIS). The mandate requires users, in this case the Police Dept., to install multifactor authentication services in all cruisers in order to access the CJIS database. The Police Department evaluated multiple systems and decided upon Duo and EMS. This software is included in the City Manager Recommendation.

This item also includes funding for the computer stabilization reserve account. In FY24 the reserve funding totaled \$157,899. In FY25 the reserve request of \$125,090 was reduced by \$75,000 to assist with budget reductions. The FY26 request includes a request for fully funding the reserve account at \$125,000.

Health & Welfare (21125)

The Health and Welfare budget cover the general assistance program. The eligible expenses are reimbursed at 70%. The budget for personnel has increased with the hiring of a second case worker in late FY24 otherwise the budget is flat.

Communications (21131)

The Communications budget covers general communications activities and the public access system. While the budget is essentially flat, there are discussion items for deliberations. First, the public access building is underutilized. One consideration may be to evaluate the need to retain the facility. The second may be to evaluate staffing needs in light of communication program changes and reduced producer content.

Fire Department (21141)

The FY25 budget for the Fire Department (21141) included a placeholder for two unfunded positions. These positions were allowed to be filled should the department be able to recruit for all positions. The two positions are reflected in the FY26 Budget.

York County Emergency Management Association (YCEMA) is coordinating a haz-mat team through county fire department staff. YCEMA will reimburse staff for training and hours worked minus benefits. The FY26 budget includes \$33,077.26 for YCEMA haz-mat training and response of which \$26,280 in direct costs will be reimbursed leaving a balance of \$6,797 in fringe benefits. The offsetting revenue is listed at 24152-40559.

Police Department (21146)

The police department expenses are essentially flat with the exception of building maintenance (60450) and operating supplies (60501). The facility is recommending \$40,000 for brick repair on the Bacon Street side of the building. Operating expense are up by about \$33,000 due to the cost of ammunition and a replacement program for pistol red dot sights.

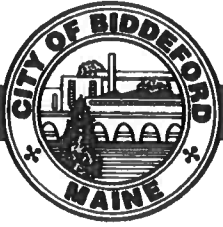
City of Biddeford



2025.27 IN BOARD OF CITY COUNCIL... March 18, 2025
BE IT ORDERED, that I Mayor Grohman do hereby appont the following:

Robert Cyr
Ward 6
To the Downtown Development Commission for a term
to expire December 31, 2027

Attest by: _____
Robin Patterson, Clerk



CITY OF BIDDEFORD

Application for City Committees, Commissions and Boards

**Items marked with an asterisk are required.*

Date*

2-27-25

Name*

ROBERT E. CYR

Pronouns

Street Address*

BIDDEFORD, ME 04005

Mailing Address
(if different)

Phone Number(s)*

Email Address*

Ward*

WARD 6

Which City Committee, Board or Commission do you request to be appointed to?*

- ☐ • Airport Commission
- ☐ • Biddeford Citizens Advisory Committee
- ☐ • Biddeford Fire Advisory Committee
- ☐ • Biddeford Housing Authority
- ☐ • Biddeford Police Advisory Committee
- ☐ • Board of Assessment Review
- ☐ • Cable T.V. Committee
- ☐ • Capital Projects Committee
- ☐ • Conservation Commission
- ☐ • Diversity, Equity and Inclusion Committee
- ☒ • Downtown Development Commission
- ☐ • Economic Improvement Commission

- ☐ • Harbor Commission
- ☐ • Historic Preservation Commission
- ☐ • Planning Board
- ☐ • Policy Committee
- ☐ • Project Canopy Committee Recreation
- ☐ • Commission
- ☐ • Recycling & Solid Waste Management Commission
- ☐ • Shellfish Conservation Committee
- ☐ • Sustainability Commission
- ☐ • Wastewater Management Commission
- ☐ • Zoning Board of Appeals
- ☐ • Other

CITY OF BIDDEFORD
Committee Application

Please list any prior experience serving on any Public Boards, Commissions or Committees (and approximate dates).

MEMBER OF THE DOWNTOWN DEVELOPMENT COMMISSION
2022 to 2024 (TERM EXPIRED)

MEMBER OF THE BIDDEFORD CULTURAL COALITION
SINCE 2018 REPRESENTING THE BIDDEFORD CULTURAL &
HERITAGE CENTER & THE YCGSEA

Please list any other experience that may be pertinent to the Board or Committee in which you are requesting to serve on.*

ST. JOSEPH'S

TREASURER OF THE KNIGHTS OF COLUMBUS Council 12941
SINCE 2004 - PRESENT

TREASURER OF THE MAINE PROFESSIONAL DRIVERS ASSOC.
SINCE 2018 - PRESENT

BEING RESPONSIBLE FOR CITY TAX DOLLARS SPENT FOR
FUTURE INITIATIVES THAT SUPPORT THE COMMUNITY POSITIVELY.

Please provide a brief statement describing your interest in serving the City of Biddeford.*

AS A LIFE LONG RESIDENT OF BIDDEFORD I FEEL I HAVE
A WEALTH OF KNOWLEDGE OF THE PAST HISTORY OF
THE CITY. I HAVE A STRONG DESIRE TO INFLUENCE
POSITIVE CHANGE TO SUPPORT AREA BUSINESSES AND
ECONOMIC GROWTH.

Attach any additional information to this application and return it to the City Clerk's Office.

City of Biddeford
City Council
March 4, 2025 at 6:00 PM
City Hall Council Chambers

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

The Biddeford High School Varsity Girls Basketball Team was present to celebrate their winning season.

4. Appointments

4.a 2025.18 Mayoral Appointments to Citizen Committees

Motion: Councilor Emhiser

Second: Councilor Lessard

Vote: Unanimous in favor.

Motion passed.

4.b 2025.19 Mayoral Appointment to Committee-Councilor

Motion: Councilor Whiting

Second: Councilor Lessard

Vote: Unanimous in favor.

Motion passed.

Councilor Doughty has attended one meeting with the committee and looks forward to working with them.

5. Public Addressing the Council

One citizen spoke about national politics and the complexities of human genetics.

One citizen shared positive news about the Biddeford Bike Bus.

One citizen spoke about ideas and communications with the mayor.

6. Consideration of Minutes

6.a Council Minutes 2-18-25

Motion: Councilor Beaupre

Second: Councilor Lessard

Vote: Unanimous in favor.

Motion passed.

7. Second Reading

7.a 2025.16 Approval Public Art Commission Ordinance

Motion: Councilor Beaupre

Second: Councilor Lessard

Vote: Unanimous in favor.

Motion passed.

8. Orders of the Day

8.a 2025.20) Approval of George and Clifford Street Intersection Improvement.

Motion: Councilor Beaupre

Second: Councilor Lessard

Vote: Unanimous in favor.

Motion passed.

8.b 2025.21) Approval/Amend Code of Ordinances, Chapter 2 Article IV, Division 16

Citizens' Advisory Committee

Motion: Councilor Beaupre

Second: Councilor Lessard

Councilor Lessard said that other city committees do not limit the members by specific demographics.

Councilor Belanger asked if this is required by HUD and if there would be any impact on funding.

Jessica Wilson, Community Development & Grants Manager, explained that it is a preference, not a requirement and there would be no impact.

Several councilors pointed out other committees that request certain demographics or experience for committee members.

Councilor Lessard – motion to amend Chapter 2, Article IV Boards, Committees, Commissions, Division 16 Citizens' Advisory Committee, Establishment – delete paragraph two.

Second: Councilor Belanger

Vote: 2 yeas – Councilors Lessard and Beaupre.

7 nays – Councilors Ortiz, Belanger, Gross, Doughty, Whiting, Emhiser and LaFountain.

Amendment failed.

Councilor Emhiser – motion to amend Chapter 2, Article IV Boards, Committees, Commissions, Division 16 Citizens' Advisory Committee, Establishment, second paragraph, delete “with particular emphasis on” and replace with “including”

Second: Councilor Doughty

Vote on the amendment: 7 yeas, Councilors Lessard, Belanger, Gross, Doughty, Whiting, Beaupre and Emhiser.

2 nays – Councilors Ortiz and LaFountain.

Amendment passed.

Vote on the order as amended: unanimous in favor.

Motion passed.

8.c 2025.22) Approval/Amend Code of Ordinances, Chapter 74, Article II, Division 5,

Shellfish Conservation Ordinance

Motion: Councilor Emhiser

Second: Councilor Lessard

Councilor Belanger commented that the changes are recommended by the State and that they passed unanimously at the most recent Policy Committee meeting.

Vote: Unanimous in favor.

Motion passed.

9. Public Addressing the Council

One citizen spoke about search and seizure issues and road repairs.

One citizen requested that the council pass a resolution in support of Governor Mills and the State of Maine.

10. City Manager Report

Acting City Manager Brian Phinney gave an update on the audits for FY23, FY24 and FY25. He also gave an update on a HUD grant and IRS payments.

The Recreation Department extended the deadline for summer program scholarships.

The General Assistance Department did a great job on the recent state audit.

Manager Phinney and Superintendent Ray are exploring private plan options to meet the Maine FMLA requirements.

11. Other Business

Councilor Whiting expressed his gratitude to the Fire Department and community for their response to his recent property fire.

Councilor Lessard reminded everyone of the importance and challenges of the upcoming budget process.

12. Council President Addressing the Council

Council President LaFountain shared the news that the Courier and other area weekly papers will be stopping their print production later this month. There will need to be a plan to reach the community for events and notices.

13. Mayor Addressing the Council

Mayor Grohman thanked Manager Phinney for his updates and expressed his confidence that we will solve the problems.

There will be a K-12 art show at the Biddeford Middle School tomorrow from 4-7 pm. He will select a few pieces of art to exhibit at City Hall.

The Mayor will be touring the Biddeford Housing Authority properties with Director Gagnon tomorrow at 2 pm.

There will be a grand opening ribbon cutting for 5 Corners Laundry, tomorrow at 4 pm.

There will be recognition of Vietnam Veterans on March 29th at Memorial Park.

14. Executive Session

14.a Executive Session MRS 405 (6) a Personnel Matters and MRS 405 (6) e Legal Matters

Motion to enter executive sessions at 7:22 pm by Councilor LaFountain

Second: Councilor Belanger

Vote: Unanimous in favor.

Motion passed

Motion to exit executive sessions at 8:15 pm by Councilor Belanger

Second: Councilor Lessard

Vote: Unanimous in favor.

Motion passed.

Order 2025.23

Pursuant to the Charter of the City of Biddeford, Article IV City Manager, Section 1, Brian Phinney shall immediately serve as Acting City Manager for an indeterminate period.

Motion: Councilor LaFountain

Second: Councilor Lessard

Vote: Unanimous in favor.

Motion passed.

15. Adjourn

Motion to adjourn at 8:16 pm by Councilor Belanger

Second: Councilor Lessard

Vote: Unanimous in favor.

Meeting adjourned.



City Council

Meeting Date: March 18, 2025

Meeting Time: 6:00 PM

Agenda Item No: 11.a

Item Description: 2025.20) Approval of George and Clifford Street Intersection Improvement.

Submitted By: JoAnne W. Fisk

Supporting Information/Documentation:

George and Clifford Streets intersection change 2nd

Key Terms:

Intersection stop sign change.

Executive Summary:

After review by the Traffic Committee at its January 28, 2025 meeting, a recommendation was made to change the existing two-way stop to a four-way stop at the intersection of Clifford and George Streets.

Detailed Review:

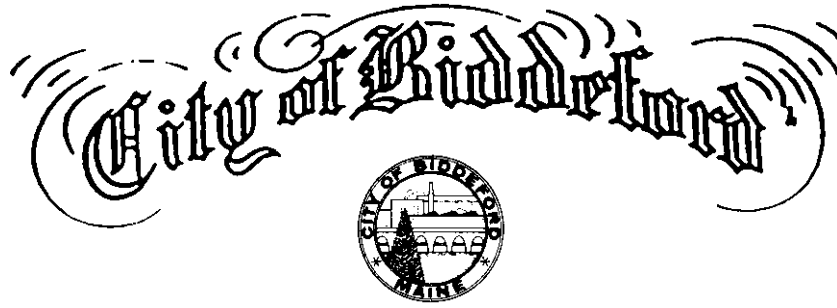
Safety for the motoring public was a key factor in the review of this intersection by the Traffic Committee. As George Street intersects with Clifford Street there is poor visibility to the oncoming intersection movement due to significant sloping of each road.

Funding Source:

N/A

Staff Recommendation:

Staff recommends the change.



2025.20 BE IT ORDAINED, by the City Council of the City of Biddeford March 4, 2025, that the Code of Ordinances, Chapter 42, Motor Vehicles and Traffic, Article IV Specific Street Regulations, **Section 42-95 Four-way stop Streets**, be amended by [adding](#) or [deleting](#) to read as follows:

The following street intersections are hereby designated as four-way stop intersections, and stop signs shall be erected on all four corners:

[Clifford Street and George Street](#)

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

The following street intersections are hereby designated as stop intersections. Unless otherwise indicated, stop signs shall be erected on the right hand side of the first-named street at the indicated intersection.

~~Clifford Street at George Street~~

March 4, 2025

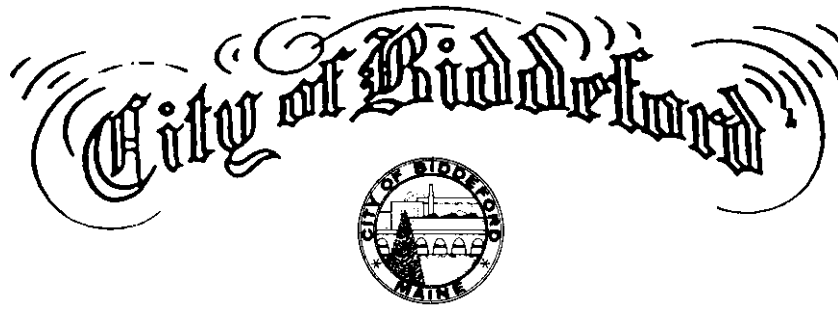
Motion: Councilor Beaupre

Second: Councilor Lessard

Vote: Unanimous in favor.

Motion passed.

March 18, 2025



Attested by: _____
Robin Patterson, City Clerk



City Council

Meeting March 18, 2025

Date:

Meeting 6:00 PM

Time:

Agenda Item 11.b

No:

Item 2025.21) Approval/Amend Code of Ordinances, Chapter 2 Article IV, Division 16

Description: Citizens' Advisory Committee

Submitted Jessica Wilson, Community Development & Grants Manager

By:

Supporting Information/Documentation:

Citizens' Advisory Committee Ordinance - PROPOSED FINAL DRAFT , 2025.21 CAC order 2nd

Key Terms:

CDBG: Community Development Block Grant, an annual award provided on a formula basis to entitled cities to develop viable communities via decent housing and a suitable living environment and via expanded economic opportunities, principally for low- and moderate-income persons (i.e., households earning no more than 80% of area median income).

HUD: US Department of Housing & Urban Development.

Executive Summary:

The Planning and Development Department proposes this draft ordinance to codify the existing Citizens' Advisory Committee. This is the overarching committee that knows the integral components of the CDBG Program, its plans and deadlines, and general functions and regulations of the program.

Detailed Review:

The Citizens' Advisory Committee is to be comprised of seven members from a cross section of all Biddeford citizens, with particular emphasis on those living in census tracts within City limits that are considered to "low/moderate income" by HUD.

The purpose of the CAC is to promote citizen participation through its role in advising the Community Development & Grants Manager and this Council on funding matters pertaining to

the City's CDBG programs. Further, the committee oversees the funding recommendations for CDBG dollars received from HUD. This assures that the housing and community needs of the City's low- and moderate-income residents are addressed through projects and activities.

Funding Source:

Staff Recommendation:

Staff recommends approval of this proposed Ordinance.

Chapter 2 Article IV Boards, Committees, Commissions

Division 16 Citizens' Advisory Committee

Establishment.

There is hereby created and established the Citizens Advisory Committee, herein after CAC, comprised of seven members and a staff member of the Biddeford Office of Planning and Development serving in an ex-officio capacity. All members shall be citizens and reside within the corporate limits of the City of Biddeford, with the exception of the ex-officio member, who may reside outside of the City.

In appointing members to the CAC, the Mayor and City Council shall seek to appoint members from a cross section of all citizens, with particular emphasis on those living in US Census Tracts within City limits that are considered to be "low/moderate income" by the US Department of Housing and Urban Development (HUD). The CAC is established under the authority of the Biddeford City Council and shall serve under the directive of the City Council.

Purpose; responsibilities.

(a) The purpose of the Committee is to promote citizen participation through its role in advising the Community Development Coordinator and City Council on matters pertaining to the City's Community Development Block Grant (CDBG) programs. The Committee oversees the funding recommendations for the CDBG dollars received from the U.S. Department of Housing and Urban Development (HUD). It assures that the housing and community development needs of the City of Biddeford's low- and moderate-income residents are addressed through projects and activities. provide an organized forum for two-way communication between the Office of Planning and Development and the community regarding Community Development Block Grant (CDBG) funding priorities and other community development needs.

(b) Responsibilities shall include:

- (1) Providing comments and/or recommendations in areas such as the assessment of needs, reviewing potential projects, and participating in Public Hearings to keep the citizenry informed.
- (2) Reviewing the Consolidated Plan, Consolidated Annual Performance & Evaluation Report (CAPER), Consolidated Annual Action Plan and any substantial amendments to any of the foregoing documents prior to publication, public review and public hearings.
- (3) Outreach to individuals and groups in the neighborhood(s) to involve them in decision making.
- (4) Where appropriate, making recommendations to the Office of Planning and Development and City Council on substantive issues, with the goal of improved community input to the City's Community Development Block Grant funding allocations.
- (5) Assist the Office of Planning and Development in identifying potential community partnerships, resources, and support to address emerging community needs and development opportunities that are eligible for CDBG funding.
- (6) Receive information and comments from fellow citizens at the Committee's regular monthly meetings and biennial public hearing forums.
- (7) Make presentations to the City Council at such times as may be requested by the City Council or as the CAC determines is necessary.

(c) The Committee is strictly advisory in nature and has no decision-making authority and is prohibited from incurring expenses, making payments, entering into contracts, leases, or obligations or otherwise binding the City.

(d) Application Process for Use of CDBG Funds:

All entities seeking to utilize Community Development Block Grant (CDBG) funds, including the City of Biddeford, must complete a formal application. The annual call for applications will open each year, with requirements for proposals outlined in alignment with the most current 5-year plan approved by the City Council. Applications will first undergo a completeness review by the CDBG Coordinator, followed by an evaluation and recommendation by the CAC. The CAC will then submit their recommendations to the City Council for final approval. This process ensures a transparent and equitable method for deciding between competing projects, providing all applicants with an equal opportunity to access CDBG funds.

Membership.

Members shall be appointed by the Mayor and confirmed by a majority of the City Council for staggered two-year terms. One seat shall be reserved for a City Council member, who will be nominated by the mayor and confirmed by the City Council. All subsequent appointments, except to fill a vacancy, shall be for two-year terms. After the initial term expires, the member may apply for reappointment for up to one additional two-year term. Thereafter, the member will need to wait one full year before re-applying for appointment. Members of the Committee shall serve without pay and at the discretion of the City Council. The Planning & Development Director will designate the ex officio staff member to provide assistance to the CAC.

Vacancies.

A vacancy in the membership of the Committee shall be determined upon the occurrence of any of the following:

- (1) The change in a member's primary residence to a place outside the City;
- (2) The death of a member;
- (3) The effective date of the resignation of a member;
- (4) The expiration of the member's term of office;
- (5) Three unexcused absences during a one-year period;
- (6) The removal of a member by the City Council for misconduct or nonperformance of duty.

A member may resign by submitting a written resignation to the Chair of the Committee. Once received by the Chair of the Committee, the Mayor's office will be notified. The resignation may not be withdrawn, and the member's office shall become vacant on the date specified in the resignation.

If a vacancy in the membership of the Committee occurs, the Mayor shall nominate a person to fill the vacancy within a period not to exceed thirty (30) days of its occurrence. The nomination shall be subject to the confirmation of the City Council. The person named to fill a vacancy shall serve out the term of the individual he/she replaces on the Committee. This term shall count as the member's first term and they will be eligible for a full 2-year term on completion of the term filled, after which they must wait one full year before re-applying for appointment.

Organization of Committee.

(a) The Committee shall annually elect one of its members as Chair and one of its members as Secretary. The Committee may also elect a Vice Chair.

(b) A quorum shall consist of 50% (plus one if an even number) of appointed members. The Chair shall be counted in determining a quorum and shall have one vote.

(c) A quorum shall be necessary to take any CAC action authorized or required. An issue shall carry by a majority of those voting.

(d) The ex-officio member of the CAC is a nonvoting member and shall serve in an advisory capacity.

(e) Notice of any expired terms and/or vacancies shall be given to the public. The Mayor shall nominate and the City Council shall confirm all appointments to fill expired terms and/or vacancies. The City Council may remove any member for misconduct or nonperformance of duty.

(f) The CAC may adopt and amend from time to time rules to govern the conduct of its administrative business.

Meetings.

(a) Meetings of the CAC shall be established by the Committee. Meetings shall be held at the Biddeford City Hall or at a suitable municipal public location. Meetings may be conducted virtually. Prior notice of any change in meeting date, time or place shall be provided to all members, the public, and the administrative staff a minimum of forty-eight (48) hours in advance of said meeting.

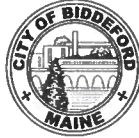
(b) All regularly scheduled and special meetings shall have an agenda approved by the Chair.

(c) The Committee shall meet a minimum of four (4) times per year, but may meet as often as the members deem necessary.

Conflict of Interest.

The Committee has adopted a Conflict of Interest policy due to U.S. Department of Housing and Urban Development (HUD) regulations regarding eligible recipients of Community Development Block Grant funding. The Conflict of Interest policy shall be shared with all members and potential members. Non-members can request to see the policy by contacting the city staff liaison to the Committee.

City of Biddeford



2025.21

IN BOARD OF CITY COUNCIL... MARCH 4, 2025

BE IT ORDERED, that the City Council of the City of Biddeford does hereby amend the Code of Ordinances as follows:

Amend Part II: Code of Ordinances, Chapter 2 Administration, Article IV Boards, Committees, Commissions, by adding new Division 16 Citizens' Advisory Committee, in accordance with the attached document.

March 4, 2025

Motion: Councilor Beaupre

Second: Councilor Lessard

Councilor Lessard – motion to amend Chapter 2, Article IV Boards, Committees, Commissions, Division 16 Citizens's Advisory Committee, Establishment – ~~delete paragraph two.~~

Second: Councilor Belanger

Vote: 2 yeas – Councilors Lessard and Beaupre.

7 nays – Councilors Ortiz, Belanger, Gross, Doughty, Whiting, Emhiser and LaFountain.
Amendment failed.

Councilor Emhiser – motion to amend Chapter 2, Article IV Boards, Committees, Commissions, Division 16 Citizens's Advisory Committee, Establishment, second paragraph, delete "~~with particular emphasis on~~" and replace with "including"

Second: Councilor Doughty

Vote on the amendment: 7 yeas, Councilors Lessard, Belanger, Gross, Doughty, Whiting, Beaupre and Emhiser.

2 nays – Councilors Ortiz and LaFountain.

Amendment passed.

Vote on the order as amended: unanimous in favor.

Motion passed.

March 18, 2025

Attest by: _____





City Council

Meeting March 18, 2025

Date:

Meeting 6:00 PM

Time:

Agenda 11.c

Item No:

Item 2025.22) Approval/Amend Code of Ordinances, Chapter 74, Article II, Division 5,

Description: Shellfish Conservation Ordinance

Submitted Robin Patterson, City Clerk

By:

Supporting Information/Documentation:

2025.22 Shellfish Ordinance 2nd

Key Terms:

Shellfish as defined by DMR: "Shellfish" means shellstock clams (surf clams, razor clams and soft-shelled clams; 12 M.R.S. §6001(41)), quahogs other than mahogany quahogs, and oyster shellstock (12 M.R.S. §6601(6)).

Executive Summary:

Shellfish Ordinance changes requested by the Maine Dept of Marine Resources

Detailed Review:

The proposed ordinance amendment is to enact changes requested by the Maine Department of Marine Resources. Most of the recommendations are language clarifications and for consistency in administering the licenses. Licenses must follow the same procedures for residents and nonresidents. For example, if resident recreational licenses are offered on a first come, first served basis the nonresident licenses must be as well, not by lottery as in the past.

Sec 74-105 d. 6. This section is not required by the state and is not standard language. We do not have a limit on the number of residential recreational licenses issued so this is not necessary. The advance date would also reduce the number of days the remaining licenses are available to the public.

Sec 74-105 - i Harvest logs and J conservation benefits are not being followed.

Proposed text shown in blue underline and text deletions are shown in ~~red-strikethrough~~.

This was reviewed by the Shellfish Warden, Harbormaster, Committee liaison Councilor Emhiser, and the Acting City Manager. The Policy Committee voted to move this forward to Council unanimously on 2-24-25.

Funding Source:

n/a

Staff Recommendation:

Staff recommends approval of the proposed ordinance amendment as written.

City of Biddeford



2025.22 **IN BOARD OF CITY COUNCIL... March 4, 2025**
BE IT ORDERED, by the City Council of the City of Biddeford, that
Chapter 74, Article II, Division 5, Shellfish Conservation Ordinance be amended as
attached by adding text in blue underline and deleting text in ~~red strikethrough~~.

March 4, 2025

Motion: Councilor Emhiser

Second: Councilor Lessard

Vote: Unanimous in favor.

Motion passed.

March 18, 2025

Attest by: _____

Robin Patterson, City Clerk

**DIVISION 5
SHELLFISH CONSERVATION ORDINANCE**

Sec. 74-101. Authority. [Ord. No. 2000.20, § 1, 4-4-2000; Ord. No. 2002.33, 4-2-2002]

This division is enacted in accordance with 12 M.R.S.A. § 6671.

Sec. 74-102. Purpose. [Ord. No. 2000.20, § 2, 4-4-2000; Ord. No. 2002.33, 4-2-2002; amended 4-7-2009 by Ord. No. 2009.11]

To establish a shellfish conservation program for the City of Biddeford that will ensure the protection and optimum utilization of shellfish resources within its limits. These goals will be achieved by means that may include:

- (a) Licensing and recommendation of any changes to licensing fees to the City Council annually. [Amended 11-17-2015 by Ord. No. 2015.75]
- (b) Limiting the number of shellfish harvesters.
- (c) Restricting the time and area where digging is permitted.
- (d) Limiting the minimum size of ~~elams~~ shellfish taken.
- (e) Limiting the amount of ~~elams~~ shellfish taken daily by a harvester.

Sec. 74-103. Shellfish Conservation Committee. [Ord. No. 2000.20, § 3, 4-4-2000; Ord. No. 2002.33, 4-2-2002; amended 4-7-2009 by Ord. No. 2009.11]

The Shellfish Conservation Program for the City of Biddeford will be administered by the Shellfish Conservation Committee consisting of seven members to be appointed by the Mayor and confirmed by the Council for terms of three years.

The Committee's responsibilities include:

- (a) Establishing annually in conjunction with the Department of Marine Resources the number of shellfish digging licenses to be issued.
- (b) Reviewing annually the status of the resource using the results of clam flat, harvester or dealer surveys and other sources of information and preparing in conjunction with and subject to the approval of the Department a plan for implementing conservation measures.
- (c) Submitting to the City Council proposals for the expenditures of funds for the purpose of shellfish conservation.
- (d) Keeping this division under review and making recommendations for its amendments.
- (e) Securing and maintaining records of shellfish harvest from the City's managed shellfish areas and closed areas that are conditionally opened by the Department of Marine Resources.
- (f) Recommending conservation closures and openings to the City Council in conjunction with the ~~area biologists~~ marine resource scientists of the Department of Marine Resources.

- (g) Submitting an annual report to the municipality and the Department of Marine Resources covering the above topics and all other committee activities. The Shellfish Management Plan shall include an annual review, budget, and objectives for the following year and will follow the DMR regulations as outlined in DMR Ch. 7.20 and 7.30.

Sec. 74-104. Definitions. [Ord. No. 2000.20, § 4, 4-4-2000; Ord. No. 2002.33, 4-2-2002; amended 4-7-2009 by Ord. No. 2009.11]

As used in this division, the following terms shall have the meanings indicated:

GUEST — Any person invited to assist a recreational license holder in harvesting a combined total that does not exceed one peck of shellfish per license per any one day.

MUNICIPALITY — Refers to the City of Biddeford, Maine.

NONRESIDENT — Anyone not qualified as a resident under this division.

RESIDENT — Refers to a person who is domiciled in this municipality. Proof of residency shall be by one of the following criteria:[Amended 11-17-2015 by Ord. No. 2015.75]

- (1) A person who pays real estate property taxes to the City or can provide a rent receipt within the jurisdiction of the City;
- (2) A person who is a registered voter in the City;
- (3) A person who can provide a vehicle registration from the City of Biddeford, Maine;
- (4) A person who can provide a valid motor vehicle license showing an address within the jurisdiction of the City;
- (5) A person who can provide a valid school ID showing an address within the jurisdiction of the City. Proof of eligibility will be the burden of the applicant.

SHELLFISH, CLAMS and INTERTIDAL SHELLFISH RESOURCES — In the context of this division the words "shellfish," "clams," and "intertidal shellfish resources" mean soft shell clams (*Mya arenaria*).

Sec. 74-105. Licensing. [Ord. No. 2000.20, § 5, 4-4-2000; Ord. No. 2002.33, 4-2-2002; Ord. No. 2004.8, 3-2-2004; amended 4-7-2009 by Ord. No. 2009.11]

It is unlawful for any person to dig or take shellfish from the shores and flats of this municipality without having a current license issued by this municipality as provided by this division. A commercial digger must also have a valid State of Maine Commercial Shellfish License issued by the Department of Marine Resources. All recreational licenses are for personal use only.

(a) Designation, scope and qualifications:

1. Resident commercial shellfish license. The license is available to residents of the municipality and entitles the holder to dig and take any amount of shellfish from the shores and flats of this municipality and reciprocating municipalities.
2. Resident commercial over 62 shellfish license. The license is available to residents of the municipality who can and do provide age verification legally attaining the age of older than 62 years of age at the time of purchase, and entitles the holder to dig and take any amount of shellfish from the shores and flats of this municipality and reciprocating

municipalities. [Added 11-17-2015 by Ord. No. 2015.75¹]

3. Nonresident commercial shellfish license. The license is available to nonresidents of this municipality and entitles the holder to dig and take any amount of shellfish from the shores and flats of this municipality.
4. Residential recreational shellfish license. The license is available to residents and real estate taxpayers of this municipality and entitles the holder and guest(s) to dig and take no more than one peck of shellfish per any one day from the shores and flats of this municipality.
5. Nonresident recreational shellfish license. The license is available to any person, not a resident of this municipality and entitles the holder and guest(s) to dig and take not more than one peck of shellfish per any one day from the shores and flats of this municipality.
6. Resident/nonresident one-day recreational shellfish license. The license is available to any resident or nonresident and entitles the holder to dig and take not more than one peck of shellfish during the one and only day, or any part thereof, for which the license has been purchased.
7. Resident student commercial shellfish license. The student must be at least 16 years of age or older and under 23 years of age, based upon May 1 of the year of application. A person issued a student license is enrolled: [Added 11-17-2015 by Ord. No. 2015.75]
 - a. A person must show proof of age and proof of school attendance, except that students attending college must show proof of 12 credit hours per semester by a state-recognized accrediting agency or body.
 - b. A person attending a public day school in accordance with the attendance requirement of 20-A M.R.S.A. § 5001-A, Subsection 1.
 - c. A person meeting the requirements of an alternative to attendance at public day school in accordance with 20-A M.R.S.A. § 5001-A, Subsection 3.
 - d. A person under the age of 18 as of May 1 of the year of application must have a parent or legal guardian signature on the shellfish application.
 - e. A person may not be considered to have ceased to be a student during any interim between school years if the interim does not exceed five months and if it is shown that the person has a bona fide intention of continuing to pursue a full-time course of study during the semester or other enrollment period immediately following the interim period. For purposes of this subsection, "full-time course of study" means at least 60% of the usual course load for the program in which the person is enrolled.
 - f. The Shellfish Committee may revoke a student license if the licensee fails to maintain the required student status
8. Nonresident student commercial shellfish license. The student must be at least 16 years

1. Editor's Note: This ordinance also redesignated of former Subsection (a)(2) through (5) as Subsection (a)(3) through (6), respectively.

of age or older and under 23 years of age, based upon the May 1 of the year of application. A person issued a student license is enrolled: **[Added 11-17-2015 by Ord. No. 2015.75¹]**

- a. A person must show proof of age and proof of school attendance, except that students attending college must show proof of 12 credit hours per semester by a state-recognized accrediting agency or body.
 - b. A person attending a public day school in accordance with the attendance requirement of 20-A M.R.S.A. § 5001-A, Subsection 1.
 - c. A person meeting the requirements of an alternative to attendance at public day school in accordance with 20-A M.R.S.A. § 5001-A, Subsection 3.
 - d. A person under the age of 18 as of May 1 of the year of application must have a parent or legal guardian signature on the shellfish application.
 - e. A person may not be considered to have ceased to be a student during any interim between school years if the interim does not exceed five months and if it is shown that the person has a bona fide intention of continuing to pursue a full-time course of study during the semester or other enrollment period immediately following the interim period. For purposes of this subsection, "full-time course of study" means at least 60% of the usual course load for the program in which the person is enrolled.
 - f. The Shellfish Committee may revoke a student license if the licensee fails to maintain the required student status
9. License must be signed. The licensee must sign the license to make it valid.
- (b) Application procedure. Any person may apply to the Clerk for the licenses required by this division on forms provided by the municipality.
1. Contents of application. The application must be in the form of an affidavit and must contain the applicant's name, current address, birth date, height, weight, signature and whatever information the municipality may require.
 2. Misrepresentation. Any person who gives false information on a license application will cause said license to become invalid and void.
 3. All recreational licenses will be available on a first come, first served basis, regardless of residency.
- (c) Fees. The fees for the licenses are as stated below and must accompany in full the application for the respective license. The Clerk shall pay all fees received to the Treasurer except for \$3 of each license that will be retained by the Clerk as payment for issuing the license. Shellfish license fees and fines shall be used by the municipality for shellfish management, conservation and enforcement. **[Amended 11-17-2015 by Ord. No. 2015.75]**
1. Resident commercial: determined annually.
 2. Resident commercial over 62: determined annually.

2. Editor's Note: This ordinance also redesignated former Subsection (a)(6) as Subsection (a)(9).

3. Nonresident commercial: determined annually.
 4. Resident student commercial: determined annually.
 5. Nonresident student commercial: determined annually.
 6. Resident recreational: determined annually.
 - ~~7. Resident recreational 65 to 69 years old: determined annually.~~
 8. Nonresident recreational: determined annually.
 - ~~9. Nonresident recreational 65 to 69 years old: determined annually.~~
 10. Resident recreational 70 years old or older: free.
 11. Nonresident recreational 70 years old or older: free.
 12. Resident/nonresident one day only license: determined annually.
- (d) Limitation of diggers. Clam resources vary in density and size distribution from year to year and over the limited soft clam producing area of the municipality. It is essential that the municipality carefully husband its shellfish resources. If, following the annual review of the municipality's clam resources, its size distribution, abundance and the warden's reports, as required by Section 74-103, the Shellfish Conservation Committee, in consultation with the DMR ~~area biologist~~, marine resource scientist, determines limiting commercial or recreational shellfish licenses is an appropriate shellfish management option for the following year:
1. Prior to April 1, the Committee shall report its findings and document recommendations for the allocation of commercial and recreational licenses to be made available for the following license year to the Commissioner of Marine Resources for concurrence.
 2. After receiving approval of proposed license allocations from the Commissioner of Marine resources and prior to May 1, the Shellfish Conservation Committee shall notify the Clerk in writing of the number and allocation of shellfish licenses to be issued.
 3. Notice of the number of licenses to be issued and the procedure for application shall be published in a trade or industry publication, or in a newspaper or combination of newspapers with general circulation, which the municipal officers consider effective in reaching persons affected, not less than 10 days prior to the period of issuance and shall be posted in the municipal offices until the period concludes.
 4. The Clerk shall issue licenses to residents and nonresidents as allocated starting June 1 ~~to residents and nonresidents~~ on a first-come, first-served basis. [Amended 11-17-2015 by Ord. No. 2015.75]
 5. Licenses may be returned to the municipality voluntarily and reissued to another person at the current fee according to the priorities established in this section. Any license returned is nonrefundable.
 - ~~6. Members of the Shellfish Conservation Committee shall be entitled to apply for a recreational shellfish license 30 days in advance of general license sales.~~

7. All clam diggers/harvesters must use hand implements only – no assisted air harvesting (scuba diving). [Amended 11-17-2015 by Ord. No. 2015.75]
 8. There shall be no night digging of shellfish. "Night" is defined as 1/2 hour after sunset and 1/2 hour before sunrise. [Added 11-17-2015 by Ord. No. 2015.75¹]
 9. All recreational clam diggers/harvesters shall not possess more than one container while harvesting. The container must have a maximum volume of not more than 10 quarts. NOTE: A ten-quart pail filled to within one inch of the rim is approximately one peck of clams.
- (e) Open license sales. When the Shellfish Conservation Committee determines limiting shellfish licenses is not an appropriate shellfish management option for one or more license categories for the following year:
1. Notice of the dates, places, times and the procedures for the license sales shall be published in a trade or industry publication, or in a newspaper or combination of newspapers with general circulation, which the municipal officers consider effective in reaching persons affected, not less than 10 days prior to the initial sale date and shall be posted in the municipal offices. A copy of the notice shall be provided to the Commissioner of Marine Resources.
 2. For each commercial license category, the Clerk shall issue one license to nonresidents when six licenses are issued to residents and one more to nonresidents when five more are issued to residents; thereafter, one nonresident license will be issued for every 10 additional resident licenses issued. A total of no less than 10% of the total number of resident licenses shall be issued to non-residents in accordance with DMR regulation 70.43 [Amended 11-17-2015 by Ord. No. 2015.75]
- (f) License expiration date. Each license issued under authority of this article expires at midnight on the last day of May next following the date of issuance.
- (g) Fee waivers. Recreational shellfish license fees will be waived for license holders 70 years or older. Individuals 12 years or younger do not need a license to assist a recreational shellfish license holder in harvesting not more than one peck of shellfish in total per any one day.
- (h) Suspension. Any shellfish licensee having three convictions for a violation of this division shall have ~~his~~ their shellfish license automatically suspended for a period of 30 days.
1. A licensee whose shellfish license has been suspended pursuant to this division may reapply for a license only after the suspension period has expired.
 2. The suspension shall be effective from the date of mailing of a notice of suspension by the Clerk to the licensee.
 3. Any licensee whose shellfish license has automatically been suspended pursuant to this section shall be entitled to a hearing before the Shellfish Conservation Committee upon the filing of a written request for hearing with the Clerk within 30 days following the effective date of suspension. The licensee may appeal the decision of the Shellfish

3. Editor's Note: This ordinance also redesignated former Subsection (d)(8) as Subsection (d)(9).

Conservation Committee before the Council by filing a written request for an appeal with the Clerk within seven days of the decision of the Shellfish Conservation Committee.

- ~~(i) Shellfish harvesting log. Commercial shellfish license holders shall be required to keep a shellfish harvesting log which must be submitted to the Shellfish Conservation Committee Secretary no later than the 15th of the following month. The log will include the date, location and number of bushels harvested during each day; failure to maintain and submit monthly shellfish harvesting logs shall cause the harvester to lose automatic license retention. [Amended 11-17-2015 by Ord. No. 2015.75]~~
- ~~(j) Conservation benefit. Biddeford commercial shellfish license holders who have purchased their licenses during the period of issuance for the previous license year and who have completed 12 hours of conservation work under the supervision of the Shellfish Conservation Committee shall be permitted to purchase a shellfish license the next year for a reduced fee, to be set by the Shellfish Committee annually, and purchased during the first week preceding the regular sale date of June 1. The Shellfish Conservation Committee will preapprove all accepted conservation projects by a majority vote. These records will be kept by the Secretary. In the event all commercial license holders complete their conservation obligation and it is deemed that licenses must be reduced for the following year, licenses will be issued by seniority. "Seniority" is defined as number of years a license has been held. If a tie in seniority occurs, the City Clerk will conduct a lottery to break the tie. The lottery will be conducted by placing the names in a container, then selecting one to determine the winner. [Amended 11-17-2015 by Ord. No. 2015.75]~~
- (i) "Biddeford commercial shellfish license holders who have purchased their licenses during the period of issuance for the previous license year will be entitled to renew their license the first week preceding the regular sale date of June 1"

Sec. 74-106. Opening and closing of flats. [Ord. No. 2000.20, § 6, 4-4-2000; Ord. No. 2002.33, 4-2-2002; amended 4-7-2009 by Ord. No. 2009.11]

- (a) The municipal officials, upon the approval of the Commissioner of Marine Resources, may open and close areas for shellfish harvest. Upon recommendations of the Shellfish Conservation Committee and concurrence of the Department of Marine Resources ~~area biologist~~ marine resource scientist that the status of shellfish resources and other factors bearing on sound management indicate that an area should be opened or closed, the municipal officials may call a public hearing and shall send a copy of the notice to the Department of Marine Resources. The decision of the municipal officials made after the hearing shall be based on findings of fact.
- (b) It shall be unlawful for any person to harvest, take or possess shellfish from any areas closed by the City of Biddeford in accordance with the Department of Marine Resources (DMR) Regulation Chapter 7. Harvesting shellfish in a closed area is a violation of this municipality's ordinance and is punishable under 12 M.R.S.A. § 6671. [Added 9-6-2016 by Ord. No. 2016.75]
- (c) Boundaries of conservation closures are explicitly defined in the conservation closure application submitted by the City of Biddeford to DMR and are part of the resulting permit issued by DMR. These permits are posted at the City Clerk's Office and on the DMR website.

[Added 9-6-2016 by Ord. No. 2016.75]

Sec. 74-107. Minimum legal size of soft-shell clams. [Ord. No. 2000.20, § 7, 4-4-2000; Ord. No. 2002.33, 4-2-2002; amended 4-7-2009 by Ord. No. 2009.11]

It is unlawful for any person to possess soft shell clams within the municipality which are less than two inches in the longest diameter except as provided by Subsection (b) of this section

(a) Definitions:

1. Lot. The word "lot" as used in this division means the total number of soft-shell clams in any bulk pile. Where soft-shell clams are in a box, barrel, or other container, the contents of each box, barrel, or other container constitute a separate lot.
2. Possess. For the purpose of this section, "possess" means dig, take, harvest, ship, transport, hold, buy and sell retail and wholesale soft-shell clam shell stock.

(b) Tolerance. Any person may possess soft-shell clams that are less than two inches if they comprise less than 10% of any lot. The tolerance shall be determined by count of not less than one peck nor more than four pecks taken at random from various parts of the lot or by a count of the entire lot if it contains less than one peck.

(c) Penalty. Whoever violates any provision of this section shall be punished as provided by 12 M.R.S.A. § 6681.

Sec. 74-108. Penalty. [Ord. No. 2000.20, § 8, 4-4-2000; Ord. No. 2002.33, 4-2-2002; amended 4-7-2009 by Ord. No. 2009.11]

A person who violates this division shall be punished as provided by 12 M.R.S.A. § 6671(10).

Sec. 74-109. Effective date. [Ord. No. 2000.20, § 9, 4-4-2000; Ord. No. 2002.33, 4-2-2002; amended 4-7-2009 by Ord. No. 2009.11]

This division, which has been approved by the Commissioner of Marine Resources, shall become effective after its adoption by the municipality, provided that a certified copy of the ordinance from which this division is derived is filed with the Commissioner within 20 days of its adoption.

Sec. 74-110. Period of ordinance. [Ord. No. 2000.20, § 10, 4-4-2000; Ord. No. 2002.33, 4-2-2002; amended 4-7-2009 by Ord. No. 2009.11]

This article shall remain in effect until eliminated or amended.

Sec. 74-111. Separability. [Ord. No. 2000.20, § 11, 4-4-2000; Ord. No. 2002.33, 4-2-2002]

If any section, subsection, sentence or part of this division is for any reason held to be invalid or unconstitutional, such decisions shall not affect the validity of the remaining portions of this division.

Sec. 74-112. Repeal. [Ord. No. 2000.20, § 12, 4-4-2000; Ord. No. 2002.33, 4-2-2002]

Any ordinance regulating the harvesting or conservation of shellfish in the municipality and any provisions of any other municipal ordinance that is inconsistent with this division is hereby repealed.



City Council

Meeting Date: March 18, 2025
Meeting Time: 6:00 PM
Agenda Item No: 12.a
Item Description: 2025.24) Approval / Reconstruction Gil Boucher Park Bath House
Submitted By: Lisa Thompson, Recreation Director

Supporting Information/Documentation:

Petit Excavation Bath House Bid 2025, 2025 Council Order 2025.24, 20250318 Bathhouse Project Financials - REFERENCE, Petit Biddeford Bathhouse Design - PLAN DRAWING

Key Terms:

N/A

Executive Summary:

To approve the bid from Petit Excavation in the amount of \$222,487.00 for the construction of a new bathhouse at Gilbert Boucher Park.

Detailed Review:

Gilbert Boucher Bath house was destroyed in a storm in January 2024. The parking lot also received substantial damage. Funds were approved at the June 18, 2024 City Council meeting for the construction of the bathhouse and reconstruction of the parking lot in the amount of \$352,450.00. Projected costs were \$329,750 and actual costs are \$385,194.00.

This is the third occasion that this item has gone out to bid. The first two RFPs resulted in bids that were too expensive or not the correct design. This latest bid from Petit Excavation meets all the needs addressed in the bid requirements. The attached design will be a 24 x 24 structure and have the following adjustments: 2 ADA bathrooms, 2 regular bathrooms, one outdoor shower/ foot washing area, and 2 interior sinks in the lifeguard/ triage area; one for first aid and one for custodial needs. The vendor has confirmed that these changes, though not reflected in the design submitted, will be added at no additional charge.

The bid also contained alternate pricing options for the following. None of these additions or deductions are included in this request.

- Solar Array Package-including 12 modules, inverter and all wiring and controls for

interconnection- add \$11,500.

- Provide and install two ceiling fans for general ventilation: add \$1,800.00
- Provide and install wooden surround slat walls to enclose outdoor shower areas: add \$3,200
- Provide a deduct to delete the 3 upper exterior wall windows : deduct \$1,900
- Provide and install an electric heat pump hot water heater in lieu of a standard heater included in the base bid: add \$1,700.00
- Change the exterior window color to black in lieu of the standard white included in the base bid : add \$200 per window

Funding Source:

Please see attachment showing detailed project funding sources.

Staff Recommendation:

Staff are recommending to accept the bid as presented by Petit Excavation at \$222,487.00 with no additions/ deductions stated above for construction of the new bath house.

ATTACHMENT 1

COVER LETTER for the BID PACKAGE for the City of Biddeford: Bath House / Lifeguard Station

Bid Date: March 3, 2025

To: Lisa Thompson, Recreation Director
City of Biddeford
P.O. Box 586
Biddeford, Maine

Bidder: Petit Excavation, 20 Forrest Street, Biddeford, Maine 04005

Dear Lisa:

Attached please find 2 copies of the following:

1. Bid - Contract
2. Affidavit of non-collusion
3. Attachment 1: Cover letter
4. Attachment 2: Outline of Construction Specifications
5. Preliminary plans
6. Copy of proof of Insurance

Bid Notes

1. The bidder has insurances that meet the requirements outlined in the RFP
2. The bidder has included the cost of posting either a performance bond or payment bond
3. The bidder acknowledges that the bid is valid through July 1, 2025
4. The bidder has reviewed and accepts the additional terms stated in the RFP
5. The cost of subgrade unforeseeable conditions (ie ledge removal or unsuitable materials) is not included

Alternate Pricing

1. Provide and install a solar array package including 12 modules, inverter and all wiring and controls for interconnection: **Add \$11,500.00**

2. Provide and install two variable speed ceiling fans for general ventilation: **Add \$1800.00**
3. Provide and install wooden surround slat walls to semi enclose the 2 outdoor showers:
Add \$ 3200.00
4. Provide a deduct to delete the 3 upper exterior wall windows: **Deduct \$1900.00**
5. Provide and install an electric heat pump hot water heater in lieu of a standard heater included in the base bid: **Add \$1700.00**
6. Change the exterior window color to black in lieu of standard white included in the base bid: **Add \$200.00 per window**

Bid Evaluation Notes

1. Price
2. Quality: The bidder acknowledges that the Bath House location is next to the open ocean, and susceptible to high winds and salt conditions. The bidder has included an engineered fastener and hold down budget for this geographic location. The bidder has also specified siding, and exterior materials, designed for the geographic location.
3. References: readily available upon request
4. Energy Efficiency: The bidder has specified high efficiency LED lighting for the project. If the city accepts alternates #1 and #5 above , then the facility will be essentially energy independent.
5. Longevity/maintenance requirements: The proposed exterior siding package is a cement panel system and is highly durable. High quality paint selections are designed for the bath house's seaside location. The interior wall board is designed for moisture resistance and high impact resistance.
6. Schedule: We acknowledge that the proposed completion schedule is going to be a challenge. Spring road closures and bad weather may contribute to this challenge.

ATTACHMENT 2

Outline of Building Specifications

General Conditions

1. Provide all management, admin, supervision, labor and material to complete the proposed scope of work
2. Included is the cost of a performance bond or payment bond
3. The cost of a building, plumbing and electrical permit is NOT included
4. Included is an allowance of \$5000.00 to complete the architectural plan set, ready for permitting
5. Included is an allowance of \$3000.00 structural engineer services to specify the required hurricane fastener systems
6. Construction debris removal is included

Site Work

1. Excavate and backfill for footings and frost walls
2. Provide and install gravels and compactions for 2 slab areas
3. Finish grade all exterior areas with structural gravels and sand toppings as required
4. Provide and install 4 pre cast landings at each exterior door
5. Provide and install water connection to the newly located meter pit
6. Provide and install the 4" sewer connection to the city's sewer connection

Concrete

1. Provide and install a continuous concrete footing (12" x 28" x L) under the building exterior walls
2. Provide and install 8" thick cast in place walls under the building area exterior walls

3. Vertical and horizontal steel reinforcing bars are included in the footings and frost walls
4. Wall and footing concrete shall be ¾" stone, 3000 psi mix
5. Provide and install an interior slab on grade, to be 5", 3500 psi, ¾" stone, with fiber mesh in mix reinforcement.
6. Provide and install an exterior slab on grade (patio) to be 6", 3500 psi, ¾" stone, with fiber mesh reinforcement. This slab will include a 36" wide x 24" thick haunch on 3 sides

Rough Carpentry

1. Provide and install a framed shell to per the general plan, to include 2x6 exterior wall framing, 2x12 rafter system, 2x4 interior wall framing to a height of 8', and zip roof and exterior wall sheathing
2. Fasteners, blocking and miscellaneous tie in framing is included
3. Included is an allowance of \$2000.00 to supply and install hurricane clips, hold downs and other fastening systems that the structural engineer may require. Please note that an allowance is an estimated placeholder budget, that may vary.
4. Strapping is included as required

Finish Carpentry

1. Provide and install 1 x 4 door and window trim
2. Provide and install pvc baseboard for moisture resistance

Moisture / Thermal

1. Provide and install an EPDM rubber roof system to include ½" insulation board, .060 fully adhered rubber, black metal edge flashing and all required miscellaneous fasteners, adhesives and flashings. Included is a 15 year product warranty from the manufacturer

Windows and Doors

1. Provide and install windows per plan, to be Kohltech " Supreme" (or a comparable equal if requested by the owner)

2. Provide and install heavy duty commercial grade fiberglass exterior doors with upper passive window, by Masonite (or a comparable equal if requested by the owner)
3. Door hardware to be Schlage dead bolt and key knob. All keys will be tied to one master system

Finishes

1. Pre stain all roof framing, sheathing and columns to be exposed to public view. Touch up all exposed areas to present a quality finished product
2. Provide and install painting to all interior wall boards and trims
3. Provide and install a heavy duty 2 coat exterior paint to all doors
4. Provide and install $\frac{5}{8}$ " moisture resistant high impact drywall on all interior walls to a height of 8'-0" AFF, taped and sanded, ready for paint.
5. Paint all exposed PVC venting black
6. Provide and install exterior painting per the manufacturer's specifications

Specialties

1. Toilet accessories are included
2. Two fire extinguishers are included

Plumbing

1. Provide an underground sanitary system to accommodate the proposed bathrooms per the plan
2. Provide PVC venting as required
3. Plumbing fixtures include: Bradford white 60 gallon hot water heater, Gerber elongated toilets, American Standard "Lucerne" wall mounted sinks, American Standard "Monterrey" commercial faucets, Symmons "Origins" shower valves
4. An exterior spigot is included
5. A slop sink to be located in the lifeguard room is not shown on the plan, but it is included

BID – CONTRACT

PROJECT IDENTIFICATION: City of Biddeford Bath House / Lifeguard Station

THIS BID SUBMITTED TO: City of Biddeford, Maine

1. The undersigned BIDDER proposes and agrees, if this Bid is accepted, to enter into an Agreement with OWNER in the form included in the Contract Documents, to complete all work as specified or indicated in the Contract Documents for the Contract Price, and within the Contract Time indicated in this Bid and in accordance with the Contract Documents.
2. BIDDER accepts all of the terms and conditions of the RFP's, including without limitations those dealing with the disposition of performance and payment bonds. This Bid will remain open for a minimum of four months after the Bid opening. BIDDER will sign the Agreement and submit the contract security and other documents required by the contract Documents no later than fifteen (15) days after the date of OWNER'S Notice of Award.
3. In submitting this Bid, BIDDER represents, as more fully set forth in the Agreement, that

(a) BIDDER has examined copies of all the Contract Documents and the following addenda:

Date

NA

Number

(receipt of all which is hereby acknowledged) and also copies of the Invitation to Bid and the Instructions for Bidders;

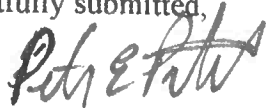
(b) BIDDER has examined the site and locality where the work is to be performed, the legal requirements (federal, state, and local laws, ordinances, rules, and regulations) and the conditions affecting cost, progress, or performance of the work and has made such independent investigation as BIDDER deems necessary;

(c) This Bid is genuine and not made in the interest of or on behalf of any undisclosed person, firm, or corporation and is not submitted in conformity with any agreement or rules of any group, association, organization, or corporation; BIDDER has not directly or indirectly induced or solicited any other BIDDER to submit a false or sham Bid; BIDDER has not solicited or induced any person, firm, or a corporation to refrain from bidding; and BIDDER has not sought by collusion to obtain for himself any advantage over any other BIDDER or over OWNER.

4. BIDDER agrees that the work will be completed by May 15, 2025.

Respectfully submitted,

By:



Name and Title PETER PETIT, OWNER

For: PETIT EXCAVATION

(Seal if by a Corporation)

Address:

20 FORREST STREET
BIDDEFORD, ME
04005

OUTLINE OF WORK

- Design build of a 24 X 24 structure for restrooms, lifeguard triage and storage.
- Removal of any waste incorporated by installation of new equipment.
- Five (5) Year warranty on materials and workmanship.
- Provide a complete and operable product to the satisfaction of the owner.

BID FORM and PROJECT SUMMARY- City of Biddeford

We herewith submit our bid in accordance with the requirements and specifications herein acknowledged as follows:

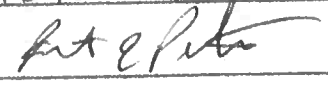
- i. We carry general liability (including products liability) insurance, which is in force and shall remain in force during the term of this contract.
- ii. We carry worker's compensation insurance, which is in force and shall remain in force during the term of this contract.
- iii. We agree to comply with the general specifications listed in the RFP.
- iv. We acknowledge having the opportunity to inspect each installation and confirm that site conditions are reflected in the bid submittal.

Company Name: PETIT EXCAVATING

Company Address: 20 FORREST STREET, BIDDEFORD

Company Telephone: 207-252-4770

Authorized Representative's Name: PETER PETIT

Authorized Representative's Signature: 

Representative's Email: egj@maine.rr.com

PROJECT SUMMARY: See "ATTACHMENT 2"

Bid No. 1

Total Project Cost \$222,487.00

Bid No. 2

Total Project Cost See "ATTACHMENT 1 - ALTERNATE PRICING"

**CITY OF BIDDEFORD
AFFIDAVIT OF NON-COLLUSION**

I swear (or affirm) under the penalty of perjury

1. That I am the Responder (if the Responder is an individual), a partner in the company (if the Responder is a partnership), or an officer or employee of the responding corporation having authority to sign on its behalf (if the Responder is a corporation)
2. That the attached proposal submitted in response to the City of Biddeford Request for Proposal has been arrived at by the Responder independently and has been submitted without collusion with and without any agreement, understanding or planned common course of action with, any other Responder of materials, supplies, equipment or services described in the Request for Proposal, designed to limit fair and open competition;
3. That the contents of the proposal have not been communicated by the Responder or its employees or agents to any person not an employee or agent of the Responder and will not be communicated to any such persons prior to the official opening of the proposals; and
4. That I am fully informed regarding the accuracy of the statements made in this affidavit.

Responder is Firm Name: Peter Petit Landscaping
Authorized Signature: [Signature]
Date: 2-27-25

Subscribed and sworn to me this 27th day of February, 2025

Notary Public: Robert H. Begin

My commission expires: ROBERT H. BEGIN
NOTARY PUBLIC, MAINE
MY COMMISSION EXPIRES SEPTEMBER 13, 2024

City of Biddeford

2025.24 IN BOARD OF CITY COUNCIL...March 18, 2025

BE IT ORDERED, that the City Council approves the recommendation for a Bid for a design build for the Gilbert Boucher Bath House from Petit Excavation, LLC for the amount of \$222,487.00.

Funding	Desc - FY25 CIP, Order 2024.118
	\$ CIP - Bathhouse
185,000.00	
	\$ Insurance Proceeds (balance)
26,172.78	
	\$ CIP - FD Lifepack (under budget)
5,638.00	
	\$ CIP - FD HVAC Duct Work Cleaning (under budget)
12,002.00	
	\$ CIP - PD Watchguard Body Camera (under budget)
27,215.00	
	\$ CIP - DPW Sidewalk Repair (repurpose)
33,701.92	
	\$ CIP - DPW Road Widener (under budget)
14,635.00	
	\$ CIP - DPW Fire Alarm (Over)
(4,170.70)	
	\$ CIP - Vehicle (FD Chassis, FY26)
85,000.00	
	\$ Total Funding Sources
385,194.00	

Attest by: _____

Updated 3.18.25 Projected Costs Estimates Bath house Project¹

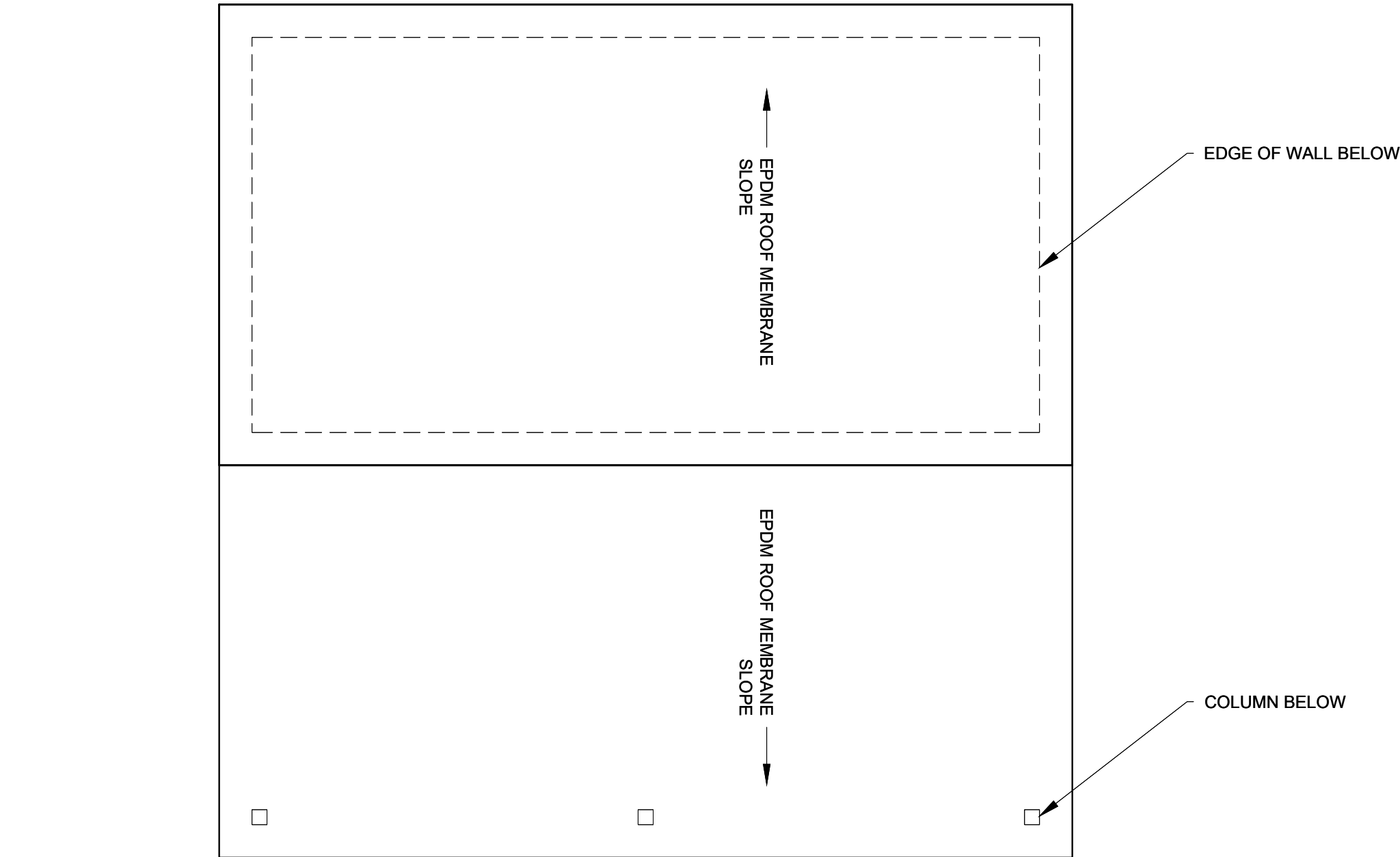
Bathhouse:	Projected Costs	Actual Costs	In-Kind
Bathhouse design/ build 28 X 32 structure ²	\$ 130,000.00	\$222,487.00	
CMP new pole	\$ 1,200.00	\$1,200.00	
Pump Station / forced main to Mile Stretch Rd.	\$ 165,000.00	\$145,957.00	
Electricity	\$ 2,500.00	\$0.00	
Water and Sewer connect	\$ -	\$4,500.00	
Total Bath house	\$ 298,700.00	\$374,144.00	
Parking lot:			
Gravel:	\$6,000.00	\$6,000.00	
Reclaim	\$15,000.00	\$0.00	In kind
Bumpers:	\$2,550.00	\$2,550.00	
Striping:	\$5,000.00	\$0.00	In kind
Signage:	\$2,500.00	\$2,500.00	
Total Parking lot	\$31,050.00	\$11,050.00	
Total Cost	\$ 329,750.00	\$385,194.00	
Budget Shortfall		(\$55,444.00)	

¹Original budget authorization 2024.104

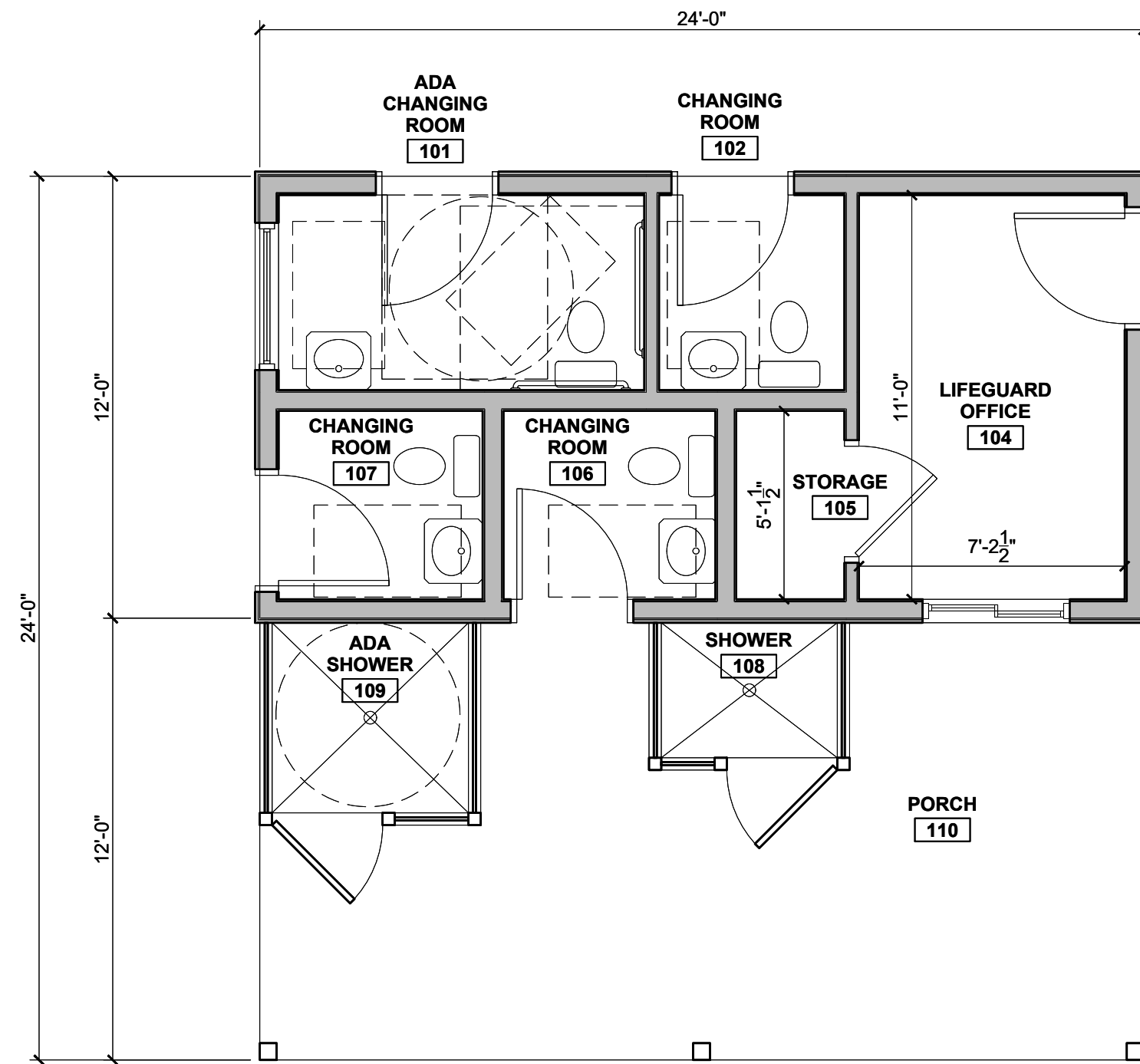
²Final design dimensions 24 x 24

Bathhouse Project Funding Sources

Funding		Desc - FY25 CIP, Order 2024.118
\$	185,000.00	CIP - Bathhouse
\$	26,172.78	Insurance Proceeds (balance)
\$	5,638.00	CIP - FD Lifepack (under budget)
\$	12,002.00	CIP - FD HVAC Duct Work Cleaning (under budget)
\$	27,215.00	CIP - PD Watchguard Body Camera (under budget)
\$	33,701.92	CIP - DPW Sidewalk Repair (repurpose)
\$	14,635.00	CIP - DPW Road Widener (under budget)
\$	(4,170.70)	CIP - DPW Fire Alarm (Over)
\$	85,000.00	CIP - Vehicle (FD Chassis, FY26)
\$	385,194.00	Total Funding Sources



2 ROOF PLAN
1/4" = 1'-0"



1 FLOOR PLAN
1/4" = 1'-0"

© 2025 RYAN SENATORE
ARCHITECTURE

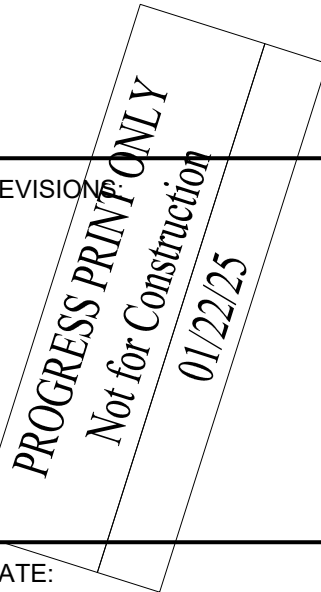
BATH HOUSE
BIDDEFORD POOL
BIDDEFORD, MAINE



RYAN SENATORE
ARCHITECTURE
500 CONGRESS STREET, SUITE 2
PORTLAND, MAINE 04101
O: 207-747-5159
C: 207-650-6414
senatorearchitecture.com

CONSULTANTS:

REVISION



DATE:

PROJECT No. 2505

DRAWN BY: RJS

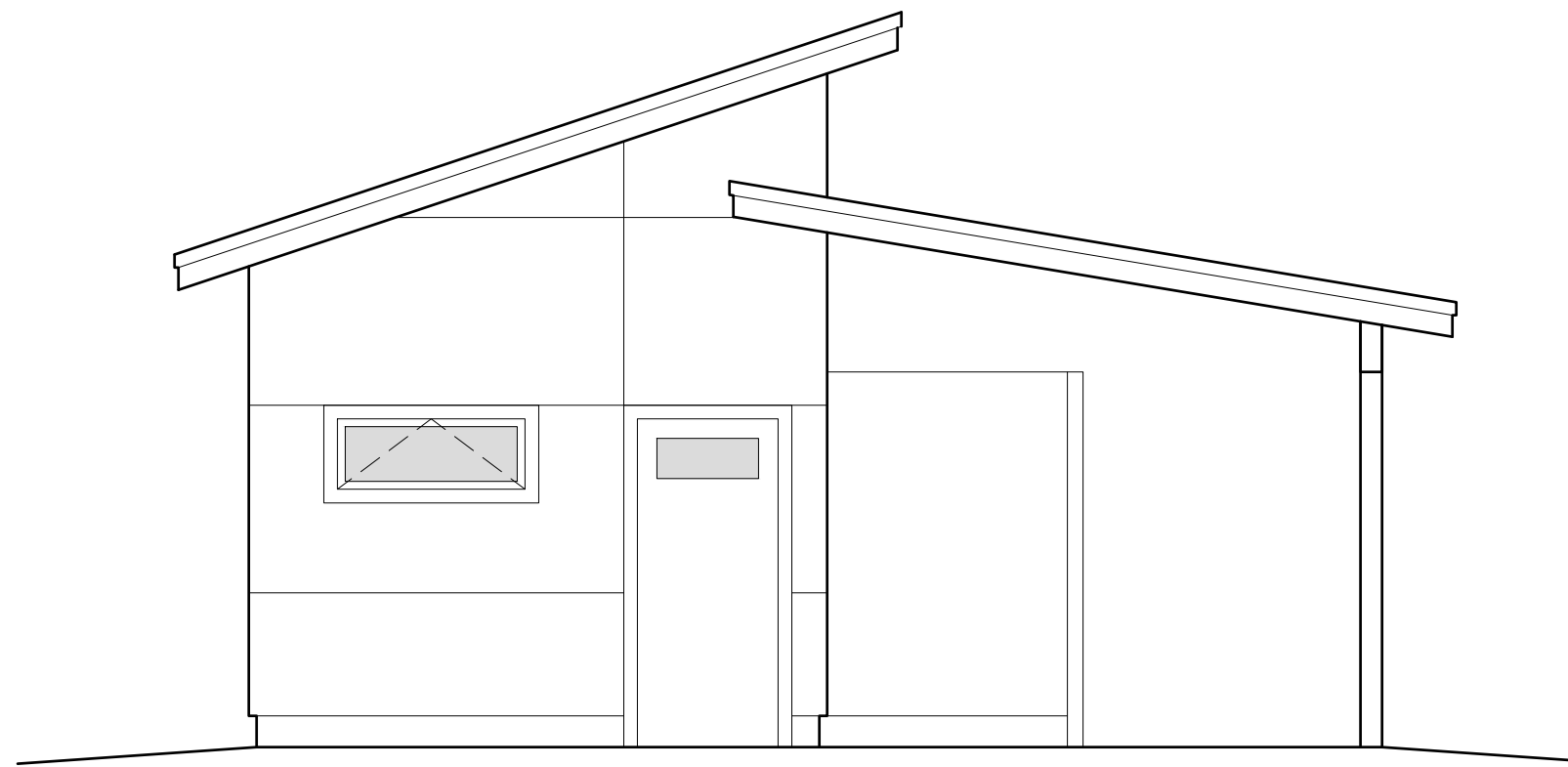
CHECKED BY: RJS

SCALE: AS NOTED

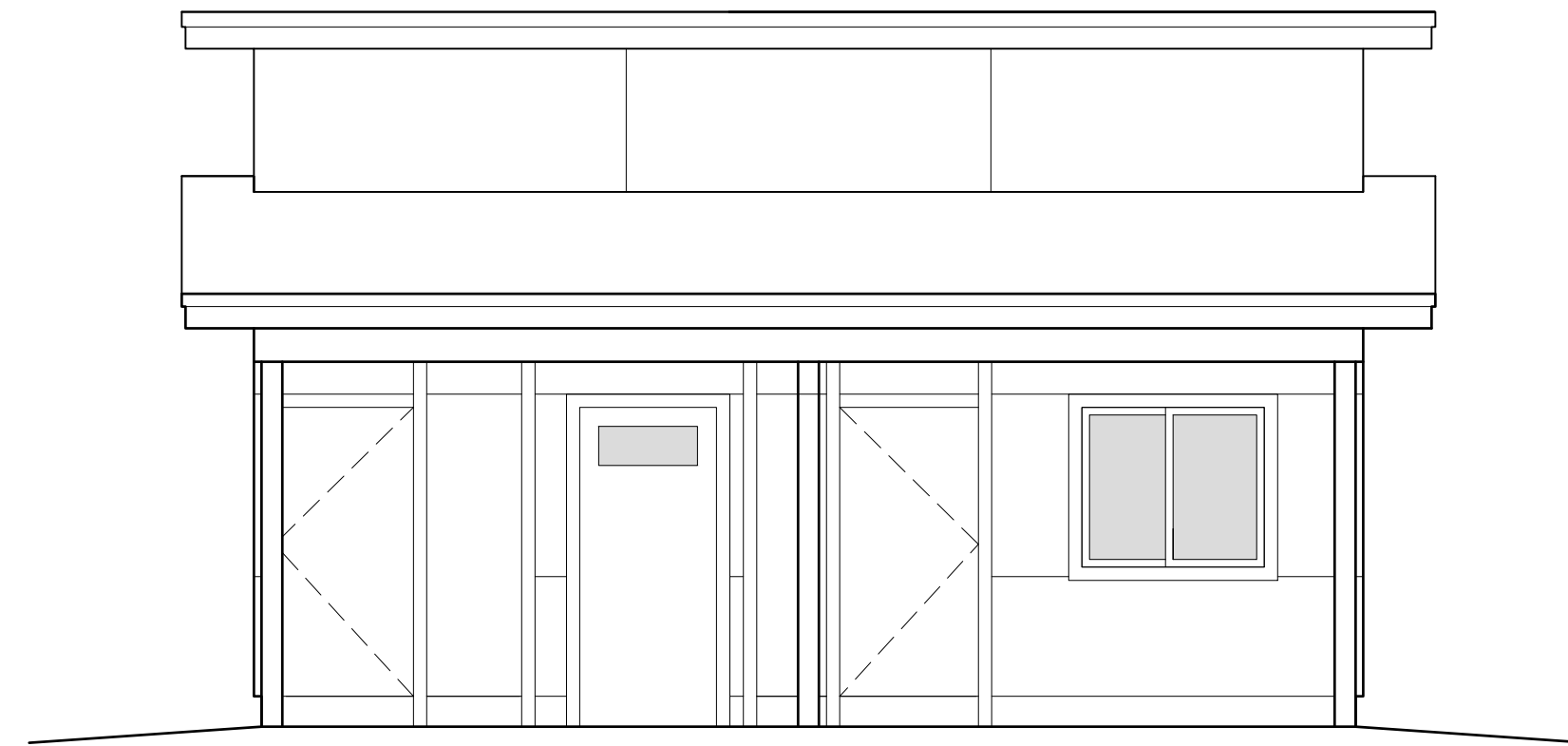
SHEET TITLE:

FLOOR AND
ROOF PLANS

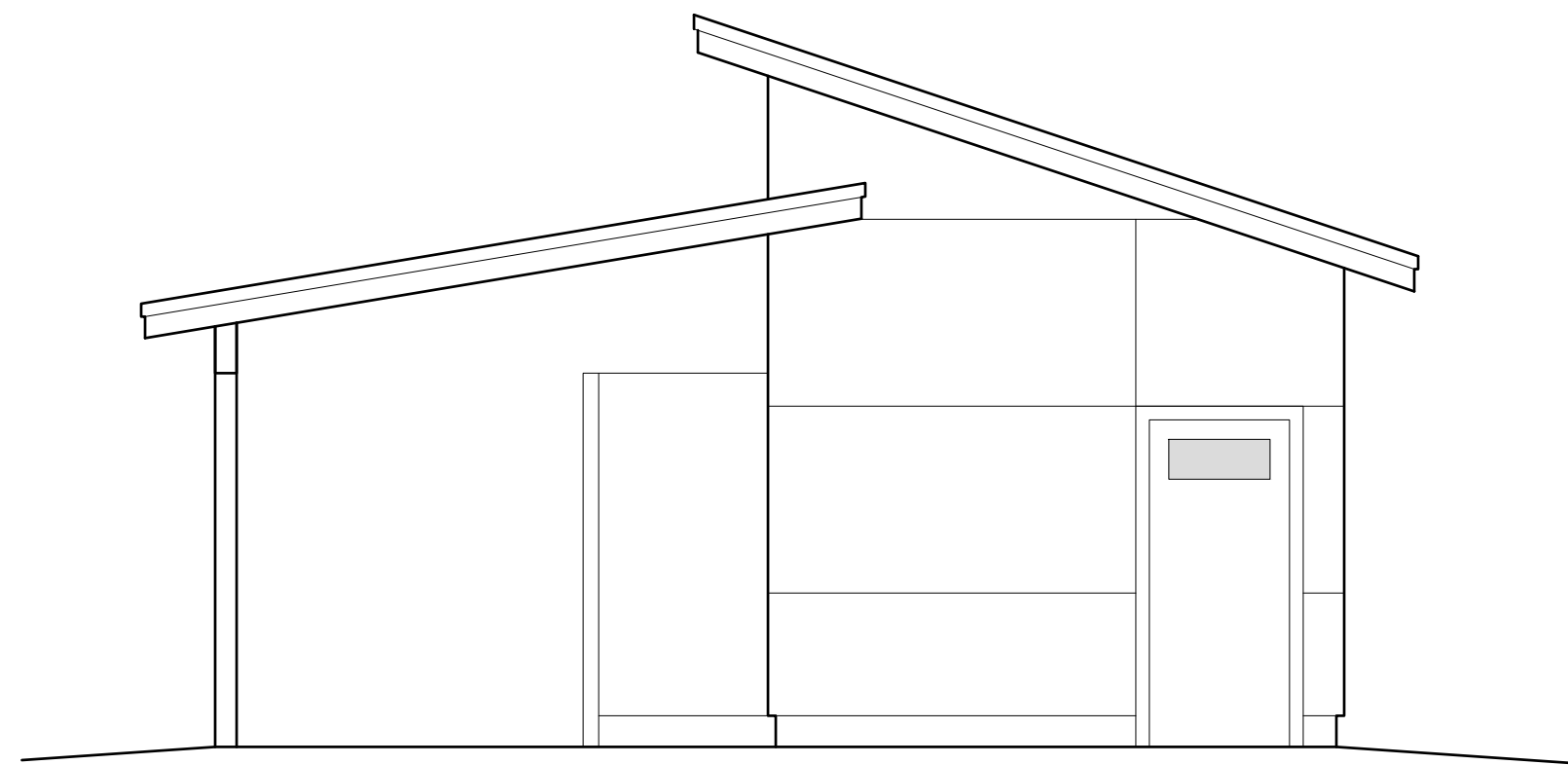
A1-0



4 WEST ELEVATION
1/4" = 1'-0"



3 SOUTH ELEVATION
1/4" = 1'-0"



2 EAST ELEVATION
1/4" = 1'-0"



1 NORTH ELEVATION
1/4" = 1'-0"

© 2025 RYAN SENATORE
ARCHITECTURE

BATH HOUSE
BIDDEFORD POOL
BIDDEFORD, MAINE



RYAN SENATORE
ARCHITECTURE
500 CONGRESS STREET, SUITE 2
PORTLAND, MAINE 04101
O: 207-747-5159
C: 207-650-6414
senatorearchitecture.com

CONSULTANTS:

REVISION

PROGRESS PRINT ONLY
Not for Construction
01/23/25

DATE:

PROJECT No. 2505

DRAWN BY: RJS

CHECKED BY: RJS

SCALE: AS NOTED

SHEET TITLE:
ELEVATIONS

A2-0



City Council

Meeting Date: March 18, 2025

Meeting Time: 6:00 PM

Agenda Item 12.b

No:

Item 2025.25) Approval / Engagement Agreement Extension for BerryDunn - FY24

Description: Audit Work

Submitted By: Brian S. Phinney, acting city manager

Supporting Information/Documentation:

20250318 Berry Dunn Engagement - ORDER, 20250311 Berry Dunn Proposal FY24 Audit Support Services - REFERENCE

Key Terms:

Executive Summary:

Approval of this item extends the current FY23 Audit assistance engagement with Berry, Dunn, McNeil & Parker, LLC to provide additional support in preparation for the FY24 Audit.

Detailed Review:

The City Council authorized engaging the services of Berry, Dunn, McNeil & Parker, LLC (BerryDunn) to assist with audit preparation work in order to complete the FY23 Annual Comprehensive Financial Report (ACFR) commonly referred to as "the Audit". This work began in May 2024 (Order 2024.65, Not-to-exceed \$35,000). The work entailed an assessment of the status of the financial records and a review of system controls. This activity allowed BerryDunn to develop an estimate for directly assisting finance staff with reconciling the financial records in preparation for completion of the FY23 Audit.

The Phase II work began in July 2024 (Order 2024.109, \$300,000 est) and is still underway.

Runyon Kersteen Ouellette, "the Auditor", is scheduled to be on site the last full week in March to complete the FY23 ACFR. Delivery of the ACFR is expected by April 25th.

Typically, the FY23 ACFR process would start in July/August of 2023 and the audit report delivered between December 2023-March 2024. The FY24 ACFR would typically be started in July 2024 and the audit report delivered between December 2024-March 2025. The FY25 ACFR

In order to make headway toward getting back on track for the normal audit schedule, I recommend extending BerryDunn's engagement to assist with preparation for the FY24 Audit as well. This work is anticipated to run through the end of June in preparation for RKO's ACFR services in July. Concurrent with the BerryDunn work finance staff will prepare the FY25 records in order to be positioned for RKO to perform the FY25 Audit work in October. The next Audit (FY26) will then align with the typical July 2026 schedule.

FY23 Audit Support Services

FY24 Audit Support Services

Total exposure	\$655,837 – \$675,837
----------------	-----------------------

^B It is hoped that BerryDunn's involvement during the audit will be minimized and limited only to priority issues thus reducing this number significantly. The ability to fill the currently vacant positions in Finance will influence the Finance Department's capacity and thus the amount of support needed.

It should also be noted that the expense for the Auditors is in addition to the support services provided by BerryDunn. There will be two audits completed in FY26 versus the usual one audit - FY24 and FY25. The FY26 Budget will reflect the additional audit expense.

Staff recommends approval of the Order as presented.

City of Biddeford



2025.25

IN BOARD OF CITY COUNCIL... March 18, 2025

BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the City Manager to sign an agreement with Berry, Dunn, McNeil & Parker, LLC for additional work required for the FY24 Annual Comprehensive Financial Report originally authorized under Order 2024.109 in the amount not-to-exceed \$143,187 and audit support services associated with preparing for and completing the FY24 Annual Comprehensive Financial Report and related documents, commonly known collectively as “the Audit” in the amount of \$232,650, for a total of \$375,650.

Note: Funding for this work shall be as follows: \$143,000 assigned to the anticipated FY24 end of year surplus (Est \$870,000 leaving a balanced of approximately \$382,315) and \$232,650 to be absorbed within the FY25 Operating Budget.

Attest by: _____



PROJECT PLAN

City of Biddeford, Maine

DATE

March 11, 2025

BerryDunn

1000 Elm Street, 4th Floor
Manchester, New Hampshire
t: 603.518.2600
f: 603.666.4755

Katharine Balukas, CPA, Principal

kbalukas@berrydunn.com

Leah Shanahan, CPA, Principal

lshanahan@berrydunn.com

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1.0 Executive Summary

BerryDunn will partner with the City of Biddeford (the City) to assist the City in preparing for the fiscal year 2024 financial statement audit. We understand that there has been turnover within the City that may have impacted the timeliness of the audit. We are happy to partner with your team, if your team has capacity to assist with work outlined below, we would be happy to reduce our scope and clarify roles on areas outlined below.

2.0 Areas of Focus

Based on discussions with the City we've identified the following focus areas:

2.1 Cash

- Assist Gerry with questions as needed.

2.2 Credit Cards

- ✓ Credit Card Reconciliations – Prepare for all credit card accounts for FY2024
 - Review and input as necessary missing FY2024 transactions.

2.3 Prepaid Expenses

- ✓ Prepaid Expense Reconciliations – Prepare for all prepaid expenses for FY2024
 - Adjust nonspendable fund balance accordingly

2.4 Capital Asset Information

- ✓ Capital Assets – Preparation of capital asset schedules for FY2024

2.5 Accounts Receivable

- ✓ AR Reconciliation (general fund) – Prepare reconciliation of AR for FY2024
- ✓ Grant receivables (special revenue funds) – Prepare reconciliations of grant receivables for FY2024

2.6 Accounts Payable and Other Liabilities

- ✓ Liabilities – Prepare reconciliation of accounts payable and other liability accounts for FY2024

2.7 Special Revenue Funds

- ✓ Review status of City grants
 - Document surplus, inactive, or deficit fund balances

2.8 School Department Reconciliation

- ✓ Work with the City to reconcile the school department audited year-end information
- ✓ Compile capital asset information

2.9 Interfund Balances (Due to / Due Froms)

- ✓ Interfund Balances (due to / due froms) – Reconcile and balance interfund balances for FY2024

2.10 Fund Balances

- ✓ Prepare a roll forward reconciliation of all fund balance accounts.

2.11 Federal Funds (Uniform Guidance)

- ✓ Prepare FY2024 SEFA

2.12 Leases/SBITAs

- ✓ Perform analysis to identify any new Leases or SBITA's entered into due the fiscal year
- ✓ Perform calculations and prepare journal entries for any new leases and/or SBITA's
- ✓ Perform on-going calculations and prepare journal entries for existing leases and SBITA's

2.13 Transit

- ✓ Assist with reconciliation with Transit audit accounting as requested

2.14 Financial Statements

- ✓ Prepare FY2024 financial statements and footnotes
- ✓ Assistance with government wide conversion entries

2.14 Review

- ✓ Review of any schedules and reconciliations as requested by the City

3.0 Fees

Estimated 800-1,000 hours

Our estimated hours above assume the work will be completed in a remote manner. Should travel be required, any direct travel costs will be billed in addition. We are well-equipped to perform the requested services on a remote basis but do value and recognize the need to be in person for certain tasks. Our fees will be billed based on our discounted hourly rates below within the estimates noted.

Position	Base Rate	Discounted Rate
Principal	\$550	\$410
Senior Manager	\$410	\$310
Manager	\$355	\$270
Senior	\$305	\$230
Staff	\$175	\$135
Admin. Assistants	\$75	\$60

Table 1: Proposed Schedule and Estimated Total Costs

Date	Activities	FTEs/ Week	Hours per Week	# Weeks	Discounted Blended Rate	Cost/ Week	Estimated Total Costs
April 2025 – June 2025	Technical accounting assistance and audit readiness	1.45	58	13	\$225	\$13,050	\$169,650
July 2025 – August 2025	On-going assistance during audit process	0.75	30	8	\$225	\$7,875	\$63,000

4.0 Project Timeline

We are planning for the preparation and year-end close process for fiscal year 2024 to be completed in 3 months. We have included additional hours above to be available as a resource to both the City and the auditor's for the 8 weeks following the year-end close process to assist with questions during the audit process. Throughout the engagement we will provide status updates at the frequency requested by the City (weekly, biweekly or monthly) on the work completed, work to be completed, and the remaining fees to date.

5.0 Response

Since the procedures to be performed will not constitute an audit made in accordance with U.S. generally accepted auditing standards, we will not express an opinion on any of the items specified in the reports issued or on the financial statements of the City taken as a whole. The work will be performed in accordance with AICPA's Statement on Standards for Consulting Services.

In rendering these services, we will be relying on the accuracy and reliability of historical financial information or other financial data of the City provided by management. We will not, as a part of this engagement, audit, compile, or review such information, and we will not express an opinion or any form of assurance on it. You and your representatives will provide to us promptly, upon request, all information and documentation reasonably deemed necessary or desirable by us in connection with the services described herein. You and your representatives represent and warrant that all information and documentation provided or to be provided is true, correct and complete, to the best of your knowledge and belief, except as you may otherwise advise us at the time you provide us the information. We are authorized to rely upon such information and documentation without independent investigation or verification.

Our working papers, including any copies of your records that we choose to make, are our property and will be retained by us in accordance with our established records retention policy.

Either party may cancel this agreement at any time by providing written notice of cancellation to the other party. Upon termination, BerryDunn will be entitled to payment, determined on a pro rata basis, for services satisfactorily performed. Disputes will be handled by a process of arbitration, mediation, or other means provided by law for resolving problems and for determining who bears the cost of consequential damages arising from errors, omissions, or negligence.

We will not perform management functions, make management decisions, or act or appear to act in a capacity equivalent to that of a member of management or an employee and, if applicable, will comply with AICPA or regulatory independence guidance.

The City agrees to the following:

1. Management of the City shall make all management decisions arising out of, or in connection with, these services, including the following general activities:
 - a. Authorizing, executing, or consummating all transactions.
2. The City will designate an appropriate individual to oversee the non-audit services.
3. The City will evaluate the adequacy and results of the services.
4. The City accepts responsibility for the results of the services.

The scope of this engagement does not constitute the provision by the firm, its principals, or staff of any legal advice. Moreover, because our engagement is limited in nature, it cannot be relied upon to discover all documents and other information or provide all analyses which may have importance to this matter.

Alternative Practice Structure

BDMP Assurance, LLP (BDMP Assurance) and Berry, Dunn, McNeil & Parker, LLC (LLC) practice in an alternative practice structure in accordance with the AICPA Code of Professional Conduct and applicable laws, regulations, and professional standards. BDMP Assurance is a licensed CPA firm that provides attest services to its clients. By no later than June 30, 2025, LLC will no longer be a licensed CPA firm and will not provide audit and attest services. You understand that you have retained LLC for the purpose of providing services in this engagement. Services provided by BDMP Assurance, if any, are governed by a separate engagement letter.

LLC retains all client files for BDMP Assurance and LLC but will share them with BDMP Assurance as needed. To the extent you have separately engaged BDMP Assurance to provide services, you hereby consent and authorize us to share with BDMP Assurance information that we may obtain from you in the course of our engagement. BDMP Assurance and LLC will maintain the confidentiality of all client information and comply with professional standards regarding your information.

Billing

We are committed to providing you with a fee that is reasonable and fair for the high quality of service you will receive. Our billings for the services set forth in this letter, which will be based upon our rates as outlined above. Out-of-pocket expenses, including travel costs, for the above services will be billed separately, including an annual administrative and processing fee of \$825. A late charge is added on all unpaid bills in excess of 30 days at an annual rate of 18% (1½% per month). This engagement includes only those services specifically described in this letter. Appearances before judicial proceedings or government agencies such as the Internal Revenue Service or other regulatory bodies, arising out of this engagement, will be billed to you separately.

We may stop work at any time in the event of any unpaid balance. We may resign from this engagement at our sole discretion at any time.

Other

Our work is not designed to perform specific procedures to detect waste or abuse; however, we will inform the appropriate level of management of any material errors, fraudulent financial reporting, or misappropriation of assets that comes to our attention.

In performing our services, management is responsible for the substantive outcomes of the subject matter of the services and, therefore, has a responsibility to be in a position in fact and appearance to make an informed judgment on the results of the services. Management will also be responsible for the following:

- Designating an individual who possesses suitable skill, knowledge, or experience to oversee any accounting services.
- Establishing and monitoring the performance of the service to help ensure that it meets management's objectives.
- Making all management decisions arising out of, or in connection with, these services.
- Evaluating the adequacy of the services performed and any findings that result.

Since the procedures to be performed will not constitute an audit made in accordance with auditing standards generally accepted in the United States of America, we will not express an opinion on any of the items specified in the reports issued or on the financial statements of the City taken as a whole. The work will be performed in accordance with AICPA's Statement on Standards for Consulting Services.

Each party hereto agrees that any electronic signature is intended to authenticate a written signature, shall be valid, and shall have the same force and effect as a manual signature. For purposes hereof, "electronic signature" includes, but is not limited to, a scanned copy of a manual signature, an electronic copy of a manual signature affixed to a document, a signature incorporated into a document utilizing touchscreen capabilities, an electronic sound symbol or process attached to or logically associated with a contract or other record and executed or adopted by a person with an intent to sign the record, or a digital signature.

Sincerely,

BERRY DUNN McNEIL & PARKER, LLC

By: 

Katharine Balukas, CPA, Principal

By: 

Leah Shanahan, CPA, Principal

This proposal correctly sets forth the understanding of the City of Biddeford.

Name: _____

Title: _____

Signature: _____

Date: _____



City Council

Meeting Date: March 18, 2025

Meeting Time: 6:00 PM

Agenda Item No: 12.c

Item Description: 2025.04) Approval / River Wall Repair Project at Riverwalk Overlook (FEMA)

Submitted By: Roby Fecteau, Code Enforcement Office

Supporting Information/Documentation:

Council order river wall price March 18th

Key Terms:

Executive Summary:

City staff has been in discussions with several construction companies that can perform the work for the river wall/River Walk plaza. A formal bid process took place in September 2024. Due to the bids being too high, City staff and its engineers performed value engineering measures to try to lower costs. A series of meetings with engineers and contractors did reduce costs. Staff does believe there will be more cost savings during the construction process.

Detailed Review:

Bids were received and opened on September 9, 2024.

- 1 Bid received for earthwork, wall and concrete: \$10,300,000
- Met with contractors and reviewed for cost-saving measures
- Alt Bid received on September 17, 2024: \$8,600,000

Second bid opening: January 30, 2025.

Earth Work:

Shaw Bros: \$1,885,506.77 (This includes alt low bid for stone wall reconstruction)

Wall Construction:

H.B. Flemming: \$4,075,000.00 (Updated Bid 02-5-2025 \$3,396,000.00)

Concrete Work:

Consigli Construction: \$1,890,000.00

CPM Constructors: \$2,967,625.00

Proposal A: With overlook and walks

Wall Construction	\$3,396,000 (Includes wall panels)
Concrete work	\$1,540,000
Earthwork	\$1,885,507
General/survey	\$150,000
Inspections	\$100,000
Total	\$7,071,507
Contingency	\$1,060,726
Total	\$8,132,233

Proposal B Without overlook

Wall Construction	\$3,396,000 (Includes wall panels)
Concrete work	\$1,100,000
Earthwork	\$1,800,507
General/survey	\$140,000
Inspections	\$90,000
Total	\$6,526,507
Contingency	\$978,976
Total	\$7,505,483

Funding Source:

FEMA-4647-DR-ME - Approved Project Award : Project # 672295

Total Award excluding local 4% match \$5,375,875.03

Local 4% match	\$212,905.94
Total available funding	\$5,588,780.97
Engineering Costs	\$900,000.00
Total available	\$4,688,780.00

Proposal A Funding Shortfall: \$8,132,233 - \$4,688,780 = **\$3,443,453**

Proposal B Funding Shortfall: \$7,505,483 - \$4,688,780 = **\$2,816,703**

The available funding source for a project with a shortfall of \$2.8M is limited to the current reserve account for the RiverWalk construction project. The status of the audits compound the issue. The recommendation is to use the Riverwalk reserve funding (\$3M) to fund the River Wall repair project. The conclusion of the FY23, FY24 and FY25 audits, by December 2025, will provide certainty as to the extent of available funds to potentially replenish the RiverWalk reserve account to enable that project to move forward. Of the two projects, the River Wall Repair Project is the priority.

Staff Recommendation:

Staff recommends proposal A. Any cost savings in proposal B would cost more in the future if the city was to decide to install the overlook.

City of Biddeford

The seal of the City of Biddeford, Maine, is circular. It features a central illustration of a bridge over a river, with a lighthouse on the left and a building on the right. The words "CITY OF BIDDEFORD" are inscribed around the top inner edge, and "MAINE" is at the bottom.

2025.04

IN BOARD OF CITY COUNCIL... March 18, 2025

BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the City Manager to enter into multi-contractor contracts with qualified construction companies to rebuild the river wall/ river walk plaza located at 2 Main Street.

Be it further ordered the total costs shall not exceed \$ 8,132,233.00

Attest by: _____



City Council

Meeting Date: March 18, 2025
Meeting Time: 6:00 PM
Agenda Item No: 12.d
Item Description: 2025.28 Approval PFML Private Plan Substitute
Submitted By: Diana DePaolo

Supporting Information/Documentation:

20250318 PFML Change-ORDER, City of Biddeford PMFL Cost Comparison,
City_of_Biddeford_02-25-2025_STD1_PFL_SD

Key Terms:

Opting into a Private Paid Family and Medical Leave Plan

Executive Summary:

Opting into a Private Paid Family and Medical Leave Plan

Starting January 1, 2025, the State of Maine began the requirement of a 1% payroll tax contribution from employers and employees to fund the new Paid Family and Medical Leave (PFML) program. However, they have begun to allow an option to opt into a state-approved private PFML plan that would offer the same benefits. I have met with our insurance broker and it appears that this will allow initial significant cost savings. Under this private plan, the 1% payroll contributions would not begin until May 1, 2026, aligning with when the program actually starts paying out claims. This means the City would avoid the 1% payroll cost from April 1, 2025, to May 1, 2026, leading to an estimated savings of nearly \$200,000 during that period (see attachment provided by broker).

The private plan, offered by Standard Insurance Company, has been designed to mirror the state program, ensuring that employees receive the same benefits, including wage replacement, leave eligibility, and coverage for qualifying events like personal medical leave, family caregiving, and safe leave. While the City will be required, still, to remit payroll contributions and comply with reporting requirements for the state program from January through March of 2025, we anticipate state approval of the private plan by April 1, 2025. Once approved, we will no longer be required to submit payments or reports to the state program, allowing for a streamlined transition to the private plan.

We share an EIN with the schools, which requires us to work with them on how we would like to implement either the state or a private plan. They have obtained all the relevant information and state they are in favor of moving forward with this plan. This plan ensures compliance with Maine's PFML mandate while maximizing financial savings for both the City and its employees.

Detailed Review:

N/A

Funding Source:

N/A FY25 - Budgeted Payroll item

Staff Recommendation:

Staff recommends approval

City of Biddeford



2025.28 IN BOARD OF CITY COUNCIL... March 18, 2025

BE IT ORDERED, that the City Council does hereby approve the City of Biddeford to move from contributing to the State of Maine PFML fund to opting into a state-approved private PFML plan that offers the same benefits. Under this private plan, the 1% payroll contributions would not begin until May 1, 2026, aligning with when the program begins paying out claims.

Attest by: _____
Robin Patterson, City Clerk

PMFL Potential Cost for Calendar Years 2025 & 2026

City of Biddeford

State Insurance Option

State Plan Rate of 1.0% for Coverage 05/01/2026 thru 12/31/2026

<i>Pay state for years 2025 and 2026</i>	Cost	Monthly Payroll	Monthly Cost	2 Year Cost
Employee's portion	0.50%	\$1,534,926	\$7,675	\$184,200
Employer's portion	0.50%	\$1,534,926	\$7,675	\$184,200
Total	1.00%	\$3,069,852	\$15,350	\$368,400

Standard Insurance Option

Private Plan Rate of 1.0% for Coverage 05/01/2026 thru 12/30/2026

State Plan Rate of 1.0% for Coverage 01/01/2025 thru 03/31/2025

<i>Pay State for 1st Quarter 2025</i>	Cost	Monthly Payroll	Monthly Cost	2 Year Cost 25/26*
Employee's portion	0.50%	\$1,534,926	\$7,675	\$84,425
Employer's portion	0.50%	\$1,534,926	\$7,675	\$84,425
Total	1.00%	\$3,069,852	\$15,350	\$168,850

*2 year cost is 1st 3 months of 2025 and last 8 of 2026. No charge in between

Potential Two year savings with Private Carrier: \$199,950

Year 3 Cost for State would be \$184,200

Year 3 Cost for Private Plan \$184,200

Please see proposal from Standard Insurance Company for terms and limitations.



Your Employee Benefits Proposal

Prepared for: City of Biddeford

Presented by: PAQUIN AND CARROLL LLC

Proposal Prepared on:
February 25, 2025

Maine Paid Family and Medical Leave
(PFML) Insurance

Proposed Effective Date:
May 1, 2026

Standard Insurance Company



Maine Paid Family and Medical Leave (PFML) Insurance

As of May 1, 2026, all employers with at least one eligible Maine employee are required to cover those employees with paid family medical leave (PFML) coverage. This coverage must provide temporary income replacement to those employees who are welcoming a new child into their family, caring for a family member with a serious health condition, addressing one's own serious health condition, helping relieve family pressures when someone is called to active military service, and safe leave for health and safety needs related to domestic violence, stalking, sexual assault, or abuse experienced by the employee or the covered individual's family member.

Covered Members

Any eligible employee of the Employer working in Maine.

Fully Insured Plan 1	
Benefit Schedule	The portion of the employee's Individual Average Weekly Wage (IAWW) that is equal to or less than 50% of the State Average Weekly Wage (SAWW) is replaced at a rate of 90% The portion of the IAWW that is more than 50% of the SAWW is replaced at a rate of 66%, up to the maximum weekly benefit
State Average or Minimum Wage	\$1144.67 Weekly
Maximum Weekly Benefit	\$1145 Per Week
Benefit Waiting Period	7 Calendar Days
Maximum Benefit Period	12 weeks combined between both medical and family leave
Employee Contributions	Employee contribution rates cannot exceed .5% of covered wages up to the Social Security Wage Base. Rates are subject to change annually.

Additional Plan Design Details

- Benefit waiting period of 7 days applies to leave for own serious health condition only.
- The State Average Weekly Wage (SAWW), maximum weekly benefit, contribution rate, and taxable earnings limit are subject to change annually.
- Eligibility requirements include, but are not limited to, Maine-based employment.
- PFML benefits will be paid to claimants on a weekly basis.
- PFML may be reduced while receiving unemployment or certain workers' compensation benefits or any other eligible sources of income permitted by law.
- PFML will run concurrently with leave taken under state or federal family and medical leave acts if applicable.
- Job protection is generally available for covered individuals who have been employed by their current employer for at least 120 days prior to the commencement of paid leave.
- Family members include: children (regardless of age), step-children, grandchild, legal wards, spouse, domestic partner, sibling, parents, step-parents, grandparent, individuals who stood in loco parentis to the employee or the employee's spouse or domestic partner when they were minors, and any other individual with whom the covered individual has a significant personal bond that is or is like a family relationship, regardless of biological or legal relationship.

Additional Plan Design Details (continued)

- Qualifying Leave Reasons include: one's own serious health condition; care of a new child in the first year after birth, adoption, or placement through foster care; care for a family member with a serious health condition; qualifying exigency leave for reasons related to a family member's active duty or impending call to duty in the armed forces; safe leave to care for self or a covered individual's family member due to domestic violence, stalking, sexual assault or abuse; and any other leave reason required by law.
- Any modifications to PFML plan documents, claim submission forms, letters, or other documents related to PFML are subject to approval by The Standard.
- Application of ERISA should be determined by the Policyholder in consultation with its own legal counsel.
- In order to enter into private plan administration, an employer must obtain approval from the State of Maine.
- The Standard's private plan offering is subject to, and dependent upon, state approval.

Cost

	Fully Insured Plan 1
Members	272
Annual Volume	18,419,112.16
Rate	1.00 Pct of Taxable Wage Base
Annual Premium	\$184191.12
Rate Guarantee	Until December 31, 2027

Conditions

- The 1-year rate guarantee applies to groups on a 1/1 through 12/31 calendar cycle. For this initial period, Maine PFML rate guarantees will apply from 5/1/26 through 12/31/27.
- Rates are subject to change based on finalization of state regulations and are subject to state filing.
- Rates will be reevaluated within 90 days of the policy effective date and are subject to change if there is a material change in the group's composition or to the state's plan design.
- The Policyholder will be responsible for securing and maintaining state approval of a private PFML plan, and for complying with the legal and regulatory PFML requirements of the governing state. This includes, but is not limited to, collection of employee contributions, providing notice, keeping records, reporting to the state, and paying any penalties for failing to comply.
- PFML under the Group Policy is provided in conformance with the legal and regulatory PFML requirements of the governing state.
- The plan design and employee contribution rates are mandated by the governing state and are subject to change.
- The plan requires that The Standard manage both Family Leave and Medical Leave; we do not offer standalone family leave and/or medical leave administration services.
- Absence management services, if any, must be in house or provided by The Standard. Absence management may not be provided through a separate TPA or carrier. If applicable, see the accompanying absence management services proposal.
- An insured line of coverage with at least 10 insured lives must be in force with The Standard.

More Information

For more information regarding the Maine statutory Paid Family and Medical Leave requirements including additional employer obligations, click here: <https://www.maine.gov/labor/pfml/>



Producer Compensation Disclosure

We recognize the valuable role of insurance advisors, consultants and brokers ("producers") in helping their clients design an employee benefits program, and we support reasonable and fair compensation for these services. Producers may be eligible to receive compensation from The Standard.

The commission quoted in this proposal are noted below. Additionally, fees for administrative, marketing or consulting services may apply. If applicable, fees are noted below.

Normal commission scale (www.standard.com/financial-professional/insurance-benefits/compensation) included for PFL.

Unless participation is declined by the producer or client, contingent compensation is additional compensation that may also be paid and is dependent on the satisfaction of one or more minimum requirements, such as a specified amount of new premium volume or persistency in connection with the producer's block of business. For information about our customary producer rewards program visit www.standard.com/financial-professional/insurance-benefits/compensation. Some producers may have a contingent compensation arrangement that differs from our customary program. Please consult with your producer for additional details.

About This Employee Benefits Proposal

We appreciate the opportunity to provide you with this benefit and cost summary proposal from The Standard. This document outlines certain important features of the group insurance coverages available. This is not a contract or an offer to contract for such coverages. Detailed information about other important features of the coverage proposed is available on request. Just ask your broker/consultant or your representative at The Standard.

A completed application must be submitted before a group can be considered for coverage. Insurance will be effective after the application is accepted by The Standard. If approved, we will issue a contract containing our customary language. It will not duplicate policy language from another carrier. The group contract will contain provisions and defined terms not described in this Employee Benefits Proposal. The group contract will control if there are discrepancies between it and this proposal.

This benefit and cost summary proposal expires on May 26, 2025, unless replaced or withdrawn by The Standard.

The proposed premium rate and plan design for each coverage are based on the underwriting data received by The Standard. Final premium rates and plan provisions will be determined by The Standard on the basis of: applicable state laws, policyholder contributions, confirmation of occupations, the actual composition of the group of persons who will become insured and our current underwriting rules and practices.

Financial Strength Ratings

For information about our Financial strengths ratings visit: <https://www.standard.com/about-standard/company/financial-strength>

The Standard is a marketing name for StanCorp Financial Group, Inc. and subsidiaries. Insurance products are offered by Standard Insurance Company of 1100 SW Sixth Avenue, Portland, Oregon in all states except New York. Product features and availability vary by state and are solely the responsibility of Standard Insurance Company.



City Council

Meeting Date: March 18, 2025
Meeting Time: 6:00 PM
Agenda Item No: 12.e
Item Description: 2025.29 Approval Treasurer Appointment
Submitted By: Brian S. Phinney

Supporting Information/Documentation:
20250318 Treasurer Appointment - ORDER

Key Terms:
N/A

Executive Summary:
The Council must appoint a Treasurer in order to stay in compliance with the City Charter. The order appoints Acting City Manager, Brian S. Phinney, Treasurer for the City of Biddeford.

Detailed Review:
Acting City Manager Brian S. Phinney

Funding Source:
N/A

Staff Recommendation:
The City Manager was also the appointed City Treasurer. The Acting City Manager will assume those responsibilities upon appointment.

City of Biddeford



2025.29

IN BOARD OF CITY COUNCIL... March 18, 2025

BE IT ORDERED, that the City Council does hereby appoint Brian S. Phinney, Acting City Manager as Treasurer for the City of Biddeford.

Attest by: _____
Robin Patterson, City Clerk