



**City of Biddeford
City Council**

September 1, 2026 at 6:00 PM
City Hall Council Chambers & Teams

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1. Roll Call
2. Pledge of Allegiance
3. Adjustment(s) to Agenda
4. Appointments
 - 4.a 2026.125 Approval-Appointment City Councilor to Ward 4
 - 4.b 2026.126 Approval- Mayoral Appointment to a Committee- Citizen
5. Presentation
 - 5.a CBIZ FY24 Audit Presentation-James Wilkinson
 - 5.b Opioid Fund Update
6. Public Addressing the Council
(3 minute limit per speaker for up to a total of 15 minutes)
7. Consideration of Minutes
 - 7.a Approval- City Council Meeting Minutes- August 18, 2026
8. Orders of the Day
 - 8.a 2026.121 Approval - CY27-28 Opioid Settlement Funds Strategic Use Plan
 - 8.b 2026.123 Approval — Reclassification of Administrative Assistant 1 position — Police Department

- 8.c 2026.108 Approval- City of Biddeford-York County Emergency Management Agency -
MOU/ Commitment Letter
- 8.d 2026.122 Approval- Oktoberfest Special Event Permit
- 8.e 2026.124 Approval — Industrial Pretreatment Program Fee Ordinance Update
- 8.f 2026.120 Approval -New Cingular Wireless, LLC - Lease, Fourth Amendment
- 9. Public Addressing the Council
(5 minute limit per speaker)
- 10. City Manager Report
- 11. Committee Updates by Council
- 12. Other Business
- 13. Council President Addressing the Council
- 14. Mayor Addressing the Council
- 15. Executive Session -1 MRS 405 (6) - (E) Legal Matter and 1 MRS 405 (6) - (C) Real Estate
Matter
- 16. Adjourn

City of Biddeford



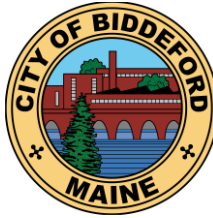
2026.125 IN BOARD OF CITY COUNCIL... , SEPTEMBER 1, 2026

BE IT ORDERED, that I Liam LaFountain, Mayor of Biddeford, do hereby appoint the following to complete the term as the Ward 4 City Councilor for the City of Biddeford:

Jessica Muise
Ward 4
For a term to expire December 7, 2027

Attest by: _____
City Clerk

MAYOR
LIAM LAFOUNTAIN



CITY OF BIDDEFORD
MAINE

OFFICE OF THE MAYOR

Memorandum

To: Biddeford City Council
From: Mayor Liam LaFountain
Re: Mayoral Appointments to City Council – Ward 4
Date: September 1, 2026

Appointment Information:

Nominee	Jessica Muisse
Ward	Ward 4
Board/Commission/Committee	City Council
Membership	Ward Councilor
Term	Remaining City Council Term
Proposed Appointment Date	September 1, 2026

Recommendation:

I recommend Jessica Muisse for appointment to the vacant Ward 4 seat on the Biddeford City Council. Jessica has 20 years of experience in nonprofit organizations, including work as an executive director, program manager, consultant, and board member. She currently chairs the Biddeford Public Art Commission, serves as Acting Chair of the Governing Body of the Cultural Alliance of Maine, and previously served on Biddeford's Historic Preservation Commission. Council President Beaupre and I interviewed Jessica on August 27 and discussed her experience, priorities for Ward 4, and approach to working with residents and fellow councilors. Based on her application and our conversation, I believe she will bring relevant experience, preparation, and a collaborative approach to the City Council.

Ward 4 Councilor Application

Mayor Liam LaFountain is inviting eligible Ward 4 residents to apply for appointment to the vacant Ward 4 seat on the Biddeford City Council following the resignation of Councilor Dylan Doughty.

Per the City of Biddeford's Charter, "If a vacancy in the membership of the City Council occurs more than 180 days after the previous election, the Mayor shall nominate, and the City Council shall confirm, a person to fill this vacancy within a period not to exceed 30 days of its occurrence. The person elected/named to fill a vacancy shall serve until the first Tuesday after the first Monday in December following the next biennial election."

Eligibility

To be eligible for appointment, applicants must be residents of Ward 4 and registered voters. No member of the City Council shall be employed by the City of Biddeford or Biddeford School Department as an employee or agent, or hold any office or employment, the compensation of which is payable by the City, during their term.

Additional Background Information

- City Charter
- Rules of the City Council

Completed applications are due by Friday, August 14 at 5:00 PM.

Name Jessica Muise

Pronouns she/they

Street Address 4 Wilson Street

Mailing Address (If Different) Field not completed.

Phone Number REDACTED

Email Address REDACTED

Why are you interested in serving as the Ward 4 City Councilor? I moved to Biddeford in 2021 to grow my career in the nonprofit sector, and in the years since I've become a homeowner in Ward 4 and made Biddeford my permanent home. I've built both my career and my community life here while serving on city commissions, volunteering with local organizations, and getting to know my neighbors. I've considered running for City Council

because I want to formalize and deepen that commitment to civic service. My work on the Public Art Commission in particular has shown me how meaningful it is to help shape decisions that affect the everyday life of our city, and I'm ready to bring that same care and attention to representing Ward 4 on the Council.

Please describe any experience, skills, or background that would help you serve effectively on the City Council. I currently run my own business as a consultant, and have 20 years of experience working in a variety of roles in nonprofit organizations including board member, executive director, and program manager. I currently volunteer with the Biddeford Food Pantry and have contributed to volunteer teams for events like the Biddeford Community Gardens' Pollinator Festival. I also have experience serving on advisory boards and committees for nonprofits.

I lived in Somerville, MA for ten years prior to moving to Biddeford in 2021. There I worked as the Membership and Outreach Director for Artisan's Asylum, a 40,000 sq ft makerspace with 400 members. The bylaws of that organization meant that membership had voting power in certain staff decisions, so I gained a lot of experience drafting and presenting solutions to challenges the organization was facing through a process of soliciting and facilitating member input through surveys and interactive public meetings, much like commissions and Councilors host workshops with residents today. I also worked closely with City of Somerville officials and staff on revised Zoning ordinances as part of a task force, which led to the addition of Fabrication districts and Arts and Creative Enterprise uses, with the goal of meeting both economic and cultural development needs for the City. In coordination with a group of local community organizations, I also led an advocacy effort to ensure that future uses for a city owned parcel balanced needs for space for waste water treatment, the Police Department, and still made space for the Arts Council's Art Farm project, which had years of public input and community buy-in behind it. I regularly participated in Ward and City Council meetings, as well as listening sessions, workshops, and other opportunities to participate in the shaping of policies and ordinances that are key to shaping the community life and economic opportunity of all residents.

I have also served as a grant reviewer for the City of Somerville, Maine Arts Commission, Northeast SARE, and several other nonprofit organizations. As a reviewer, I had to carefully evaluate proposals against criteria, and work with a panel to come to consensus on how to award limited public funding. That experience will be helpful to Council in evaluating budget requests, especially as they consider changes to the Municipal Services request and evaluation process for the next budget cycle.

As a consultant much of my work is focused on strategy, capacity, fundraising and fiscal health, and I can bring those skills to bear on the council. I work collaboratively and seek

out opinions of others and community input to make decisions and weigh carefully potential impacts for the organizations I have worked for, and expect to bring that approach to City Council.

Please describe any previous service on public boards, commissions, committees, nonprofit boards, or other leadership organizations.

I currently chair the Biddeford Public Art Commission, and served on the Historic Preservation Commission in 2022. I am currently the Acting Chair for the Governing Body of the Cultural Alliance of Maine, a 501c3 nonprofit working to strengthen and amplify cultural organizations and communities through collective action, research, and advocacy. I am also the treasurer for Farm Hack, a national nonprofit focused on tech sovereignty and maintaining open-source knowledge commons for farmers. Serving on the leadership team of these boards, I am focused on improving governance practices and the long term strategy and fiscal health of these organizations. I have served as a grant reviewer on panels for several publicly funded programs with the Somerville Arts Commission and Maine Arts Commission, and served on a Creative Space Task Force for the City of Somerville in 2020.

How have you previously engaged with the Biddeford City Council or City government?

I collaborated with City Staff and the Policy Committee to draft the ordinance that established the Public Art Commission. Before the PAC was formed, I supported the Downtown Development Commissions work developing an RFP and selecting an artist for the Five Points Project. As director of Engine and Chair of the PAC, I have given City Council presentations and updates. I have attended other City Council meetings to make public comment in person, and regularly watch council meetings on Teams to stay informed.

What do you believe are the three most important priorities facing Ward 4 today, and how would you work to address them as a City Councilor?

1) Future uses of JFK School and the JR Martin Community Center - these are both valuable properties in Ward 4 that have a lot of potential uses for the city which include community space, programming space, housing, and also real estate value. I would focus on making sure there are adequate and accessible opportunities for Ward 4 and all city residents to give feedback and weigh the needs alongside the city's comprehensive plan goals and development needs.

2) Many Ward 4 residents are renters and affordable housing is a concern. The council's role in addressing this issue, which is not entirely local, may be limited. I would explore options to support and inform residents about existing programs and services available including general assistance funds, Biddeford Housing Authority and other affordable

housing projects, and look at the balance of housing needs at all price points in the city in terms of tax burden as well as impacts on infrastructure, also connecting residents to the Twin Cities Tenants Alliance and other groups working on this issue

3) Traffic safety and pedestrian walkways are a priority, particularly as the city continues recent work improving bicycle transit, evaluating opportunities for more crosswalks and bike lanes, and creating a multimodal transportation corridor from the schools into downtown so residents feel safe using alternatives to cars. I'd also want to address car safety, parking needs, congestion on some roads, and other traffic concerns raised by residents. I would work with staff and the Traffic Commission to connect these needs with projects already in the pipeline, and contribute ideas for going above and beyond on existing projects, particularly those with grant or other funding attached. I'd also look to examples from other cities and explore integrating public art with low-cost interventions like painted bump outs and other tactical urbanism strategies.

How would you engage with Ward 4 residents and ensure their voices are represented on the City Council?

I would stay responsive to residents by email, making sure I'm listening carefully to their concerns as they come up. I'd also work to get to know more residents living in the Ward by attending community events and meeting new people through neighbors I already know. I'd aim to host an annual Ward meeting as a regular touchpoint for residents to raise issues directly, and I'd make sure residents know how to stay informed, in addition to attending City Council meetings and having access to recordings and minutes, subscribing to the Biddeford Beat, following City channels on social media, or other ways of keeping up with what's happening.

I would also take advantage of the range of public engagement tools available, using surveys or quick polls to check my assumptions against what Ward 4 residents are actually concerned about, and holding space for idea walls or ward mapping exercises to surface input in different formats. Making sure there are multiple ways for residents to engage, not just traditional public comment, matters to me because it helps ensure the issues that directly affect them and the city at large are heard from a broader range of voices.

The City Council frequently works by consensus. How would you approach working with councilors who have different perspectives than your own?

This is something I navigate regularly in my work. Consensus decision making is a stated value of many boards I have served on, and is a skill I've developed working with volunteers, membership bodies, and cross functionally on teams. Consensus-building is

also a value I've learned in organizing and activist spaces, where bringing people with different priorities toward shared action is essential.

I approach this by focusing on building positive working relationships. I'd make it a point to listen closely and stay open to different perspectives in order to work through disagreements together. In nonprofit board work, that often means doing the work of building consensus before a meeting; communicating with board members to understand where disagreement might arise, and asking clarifying questions of staff. I've done this as an Executive Director managing up to a board, and as a current Acting Board Chair helping a diverse Governing Body move toward decisions together. I'd bring that same collaborative and open approach to working with fellow councilors.

If appointed to the City Council, which Council committees would you be most interested in serving on, and why?

Public Art Commission - I am currently the chair, and would like to continue to support the work I have been involved in since supporting the formation of the commission. Most of my career and background in nonprofits is with arts and culture organizations, most recently I served as the interim executive director for TEMPOart, a public art based organization in Portland. I know what it takes for projects to be successful - safe, maintainable, and rooted in community needs - for the artist, residents, and the city staff. I am also a practicing artist and educator, teaching metalsmithing at various community organizations in Southern Maine.

Downtown Development Commission - Through my work at Engine and in collaboration with Heart of Biddeford and now Art of Biddeford, I feel that I have the most background and knowledge about Biddeford's downtown. I have a background in arts and culture as a driver for economic development, and that often happens in a built environment that supports community vitality, like the downtown. I worked with downtown business owners to plan and coordinate Art Walk and Fringe Fest when I worked for Engine 2021-2022. I have participated in some of the DDC's meetings over the years, and most recently have been collaborating more closely on the Five Points Sign project as part of the PAC.

Traffic Commission - I have an interest in Biddeford being safer for everyone when it comes to roadways, and the PAC has been discussing tactical urbanism as a strategy to deploy public art in a way that also serves to calm traffic, and beautify our public infrastructure.

Personnel Committee - Though I am not a lawyer or HR professional, I have experience evaluating employee compensation and benefits packages in small nonprofits as an executive director, board member, and consultant. Some of my consulting work has included advising on employment disputes in coordination with legal counsel. Early in my

professional career, I worked for Wayfair's Learning and Development team in the HR Department. There I administered the company's 360 review process, designed and led employee orientation, and taught a basic business acumen training series which gave me some experience with large scale performance management and development programs. I am currently working in partnership with the Maine Association of Nonprofits to develop a new service for their members that would offer an administered 360 review process, by testing and implementing a new performance review policy and framework for the Cultural Alliance of Maine as acting board chair.

City Council service requires preparation outside of meetings, including reviewing agendas, responding to residents, attending meetings, and serving on committees. Are you able to make this time commitment? Yes.

Is there anything else you would like the Mayor to consider as part of your application?

Thank you so much for your consideration of my application.

Letter of Interest Jessica Muise - Letter of Interest - Ward 4 City Council.pdf

Mayor LaFountain
Biddeford City Hall
205 Main Street
Biddeford, ME 04005

August 14, 2026

Dear Mayor LaFountain,

I am writing to express my interest in an appointment to the vacant Ward 4 seat on the Biddeford City Council. I have made my home in Ward 4, and Biddeford is where I have chosen to build my career and my community life. I have lived and worked in Biddeford for almost 6 years, serving on city commissions and volunteering for local organizations, and I want to bring my commitment to civic service to the council level.

I have worked across the nonprofit arts and culture sector for the last two decades in a range of roles: as a board member, executive director, and program manager. I now run my own consulting practice supporting nonprofits on strategy, capacity, governance, and fiscal health. I recently joined the Governing Body of the Cultural Alliance of Maine because I wanted to have an impact on the State of Maine's creative economy at the policy level.

My service on Biddeford's Public Art Commission, which I currently chair, has been especially formative to my interest in this appointment. Collaborating with City staff and the Policy Committee to help draft the ordinance that established the Commission showed me how city government works on a practical level. Through my work on the Public Art Commission, including advising the City regarding an appropriate framework for temporary and permanent memorials on City property, I recognize how important it is for our local government to listen carefully, communicate clearly, and act with integrity. I am focused on how to be transparent and community-centered to craft a way forward. My volunteer work with the Biddeford Food Pantry has kept me close to the everyday needs of my neighbors, and I would aim to maintain an open dialogue with residents to be able to regularly bring their experiences into the Council Chambers for consideration. I hope to bring the sensitive and thoughtful approach I have in my current roles to representing Ward 4.

I recognize that an appointment carries a real and immediate responsibility, especially given the timeline in the City Charter, and I am ready. Conversations with current and former councilors have made it clear there will be an effort to support me as a new councilor growing into service.

Thank you for considering my application, and I welcome the opportunity to speak with you further about this important role for the City of Biddeford.

Sincerely,



Jessica Muise
4 Wilson Street, Biddeford, ME 04005
617-967-7135 | jess.muise@gmail.com

City of Biddeford



2026.126 IN BOARD OF CITY COUNCIL... , SEPTEMBER 1, 2026
BE IT ORDERED, that I Liam LaFountain, Mayor of Biddeford, do hereby appoint
Louise

Louise Merriman
Ward 1
to the Historic Preservation Commission as a voting member
For a term to expire August 31, 2029

Attest by: _____
City Clerk

Committee, Board, and Commission Application Form

Application

Name Louise Merriman

Pronouns She/her

Ward 1

Need to find your Ward?

[Click here to find your Ward on a map or a list of streets.](#)

(Section Break)

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

If other, please list below. Field not completed.

Why are you interested in serving the City of Biddeford? I am interested in preserving historic houses and buildings in our community.

Please list any experience that may be pertinent to the Board or Committee in which you are requesting to serve. I have served five years on the Biddeford Historical Society and have rejoined the board this year. I have a degree in history from Bowdoin College.

Please list any prior experience serving on any public Boards, Commissions or Committees (and approximate dates). Chair, Friends of the Historic Biddeford Mill Clock Tower, 2018 to 2022

Board Member, Disability Rights Maine, 2021 to 2022

Vice President, Biddeford Historical Society, 2015-2020

Board Member, Biddeford Historical Society, 2026 - Present

Board Member, Hope Rising 2017-2018

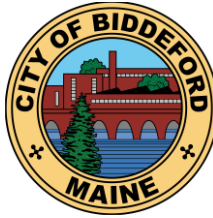
Board Member, Project Canopy, 2012-2018

Vice Chair, Biddeford Environmental Board, 2004-2010

Board Member, St. Louis Child Development Board, 2003-2005

Vice Chair, Maine Developmental Disabilities Council, 2003-2004

Member, Daughters of the American Revolution (DAR), soon to be a member



OFFICE OF THE MAYOR

Memorandum

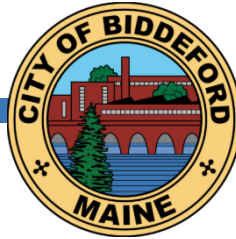
To: Biddeford City Council
From: Mayor Liam LaFountain
Re: Mayoral Appointments to Committees - Residents
Date: September 1, 2026

Appointment Information:

Nominee	Louise Merriman
Ward	Ward 1
Commission	Historic Preservation Commission
Membership	Voting Member
Term	3 Years
Proposed Appointment Date	September 1, 2026

Recommendation:

I recommend Louise Merriman for appointment to the Historic Preservation Commission as a *Voting Member*. Louise has a degree in history from Bowdoin College and several years of experience with the Biddeford Historical Society and other local boards. After speaking with her about her qualifications and attending a presentation she gave, I believe her knowledge of Biddeford's history, relevant experience, and interest in historic preservation will enable her to contribute to the Commission and its mission to protect the City's historic and architectural heritage while supporting compatible construction and rehabilitation.



City of Biddeford

Opioid Settlement Fund Annual Report

Fiscal Year 2027

Presented to the Biddeford City Council
September 2026

I. Executive Summary

The City of Biddeford established the Opioid Settlement Fund (OSF) Tracking and Reporting Ordinance (Section 2-376-382) to ensure that opioid settlement proceeds received by the City are maintained and used for purposes consistent with the City's response to the opioid crisis and the terms governing settlement funds.

Pursuant to Section 2-379 of the Biddeford City Code, the Finance Director or appropriate fiscal officer is required to provide an annual report to the City Council by the first City Council meeting of September. This report summarizes revenues received, expenditures made from the Fund, the current Fund balance, and other information relevant to the City's use of opioid settlement resources.

Since FY23, the City of Biddeford has received \$830,184.72 in opioid settlement revenue from distributors. Revenue received has generally been consistent with State estimates and expectations regarding the timing and amount of settlement distributions.

Through the current reporting period, the City has committed \$206,659.70 toward opioid-related initiatives, including recovery and treatment activities and the City Council-approved purchase of narcotics safes for the Biddeford Fire Department. This represents approximately 24% of total settlement revenues received to date.

Currently, the Opioid Settlement Fund balance is \$623,525.02.

City Staff continue to maintain settlement resources for future opioid prevention, treatment, recovery, harm reduction, and response initiatives. The City's current approach is intended to allow settlement resources to address current needs while preserving sufficient funding for future community priorities.

II. Opioid Settlement Revenue

The City has received opioid settlement distributions from the participating distributors beginning in FY23. Annual receipts have varied from year to year, but the overall flow of settlement revenue has been consistent with State estimates.

Fiscal Year	Settlement Revenue Received
FY23	\$195,520.84
FY24	\$19,689.96
FY25	\$378,039.06
FY26	\$142,432.00
FY27 to date	\$94,502.86
Total	\$830,184.72

III. Expenditures

The City has utilized opioid settlement resources primarily for opioid recovery and treatment activities, with an additional Council-approved investment in public safety infrastructure through the purchase of safes for the Biddeford Fire Department.

Recovery and Treatment Expenditures

Fiscal Year	Recovery and Treatment Expenditures
FY25	\$76,314.50
FY26	\$86,950.65
FY27 to date	\$13,495.00

Over FY25, FY26, and FY27 to date, the City has spent **\$176,760.15** on opioid recovery and treatment activities.

These expenditures represent the City's primary investment of settlement resources to date and reflect the City's effort to direct settlement dollars toward services intended to improve access to treatment, recovery support, and other opioid-related interventions.

Fire Department Safes

During FY27, the City Council approved the purchase of narcotics safes for the Biddeford Fire Department at a cost of \$29,899.55.

The purchase has been approved and the expense has been incurred; however, the expenditure has not yet been charged to the Opioid Settlement Fund account as of the date of this report.

Cumulative Expenditures and Commitments

Opioid Recovery and Treatment Expenses	\$176,760.15
Council-Approved Fire Department Safes	\$29,899.55
Total Expenditures/Commitments	\$206,659.70

The City has therefore spent or committed a total of \$206,659.70 in opioid settlement resources over the last two and one-quarter fiscal years.

This represents approximately 24% of the \$830,184.72 in cumulative settlement revenue received by the City.

IV. Fund Stewardship

The Opioid Settlement Fund represents a finite resource intended to address the long-term effects of the opioid epidemic. Accordingly, the City has sought to balance immediate community needs with the importance of preserving resources for future needs.

As of this report:

- **\$830,184.72** in settlement revenue has been received;
- **\$206,659.70** has been spent or committed toward opioid-related initiatives;
- **\$623,525.02** remains in the Fund.

The City will continue to monitor settlement receipts, community needs, program effectiveness, and opportunities for strategic investment to ensure that settlement resources provide meaningful and sustained benefit to Biddeford residents.

V. Conclusion

City Staff remain committed to using opioid settlement funds responsibly, strategically, and in a manner that produces measurable benefit for the community.

Settlement revenues have provided the City with an important opportunity to strengthen opioid treatment and recovery services while also investing in the City's broader response capacity. The substantial remaining Fund balance provides the City Council with continued flexibility to make targeted investments as opioid-related needs evolve.

This report is respectfully submitted to the Biddeford City Council in accordance with Section 2-379 of the Biddeford City Code.

City of Biddeford
City Council Minutes
Tuesday, August 18, 2026 – 6:00 PM
Council Chambers & Zoom

1. Roll Call

All Present:

Council President Beaupre
Councilor Boston
Councilor Woods
[Ward 4 vacant]
Councilor Kurtz
Councilor Pierson
Councilor Cote
Councilor Vadnais
Councilor Lessard

2. Pledge of Allegiance

3. Adjustment(s) to Agenda

None.

4. Appointments

- 4.a 2026.117 Approval- Mayoral Appointment to a Committee- Citizen
Mayor's Appointments to the Veteran's Committee: Paul Therrien, Frederick Oliver,
and Eric Gates.

Motion to approve by Council President Beaupre.

Second: Councilor Lessard.

Vote: Unanimous in favor.

Motion passed.

- 4.b 2026.118 Approval - Mayoral Appointment to a Committee- Councilor
Mayor's appointments: Councilor Patricia Boston, Ward 1, Finance Committee;
Councilor Jacob Pierson, Ward 6, to the Capital Projects & Operations Committee;

Council President Roger Beaupre, Ward 3, as a non-voting member of the Veterans Committee.

Motion to approve by Council President Beaupre. Second: Councilor Lessard.

Vote: Unanimous in favor.

Motion passed.

5. Presentation

None.

6. Public Addressing the Council

(3 minute limit per speaker for up to a total of 15 minutes)

A citizen from Ward 7 thanked the Mayor for his grace in the aftermath of the death of Johan Guerrero.

Multiple citizens from Ward 5 spoke against Flock and other license plate reading cameras, protestors in Mechanics Park, and the Council's response to proposed memorials for Johan Guerrero.

7. Consideration of Minutes

7.a City Council Minutes August 4, 2026

Motion to approve by Council President Beaupre.

Second: Councilor Lessard.

Vote: Unanimous in favor.

Motion passed.

8. Second Reading

8.a 2026.98 Approval- Amendment to Council Rules Executive Session- Second Reading

Motion to approve by Council President Beaupre.

Second: Councilor Lessard.

Vote: Unanimous in favor.

Motion passed.

9. Orders of the Day

9.a 2026.116 Approval- Special Event Fee Waiver -Recovery Revival

Motion to approve by Council President Beaupre.

Second: Councilor Woods.

Vote: Unanimous in favor.

Motion passed.

10. Public Addressing the Council

(5 minute limit per speaker)

A citizen from Ward 6 spoke about the investigation into and aftermath of the death of Johan Guerrero.

A citizen from Ward 1 spoke about the city's response to protestors in Mechanics Park.

A citizen from Ward 4 spoke about protestors in Mechanics Park and thanked Councilors and the Mayor for their participation in the Congressional Hearing with Senator Pingree.

A citizen from Ward 5 spoke in support of protestors in Mechanics Park.

11. City Manager Report

Interim City Manager Cornell Knight spoke about efforts to preserve the materials from the memorial to Johan Guerrero at MacArthur Library; summer camp programs; beach lifeguard schedules; and concluded with an update on outstanding financial audits and the City Theater Ramp Project.

12. Committee Updates by Council

Councilor Kurtz provided updates from the Citizens' Advisory Committee.

Councilor Woods provided updates from the Public Arts Commission.

13. Other Business

Councilor Boston talked about the Congressional Hearing with Senator Pingree.

Councilor Kurtz thanked Heart of Biddeford for their work on Fringe Fest and River Jam,

congratulated Port Property on the opening of The Lofts North, and thanked Maine

Immigrant's Rights Council for reaching out to him with action items in the wake of the death of Johan Guerrero.

Councilor Woods thanked Mayor LaFountain for speaking at the Congressional Hearing with Senator Pingree and discussed her experiences there. She also spoke about the time and money expended by the city and its residents to support one another since the death of Johan Guerrero.

14. Council President Addressing the Council

Council President Beaupre spoke about his tenure as Police Chief, attending the Congressional Hearing with Senator Pingree, and also applauded Mayor LaFountain's participation there. He enumerated some of the costs incurred by the city in the wake of the death of Johan Guerrero and proposed having the City Manager present Senator Collins' office with a bill to reimburse the city for these costs. Council President Beaupre also spoke about Flock cameras and reiterated they are not in use in Biddeford. The Council President also discussed meeting with the Chair of the Public Art Commission to facilitate public art installations.

15. Mayor Addressing the Council

Mayor LaFountain spoke about the Congressional Hearing in Biddeford, thanked all involved for their participation, detailed his meeting with Maine Human Rights Coalition and emphasized a desire to work on mutually beneficial outcomes for all involved parties. Mayor LaFountain asked the City Solicitor to prepare a memorandum on Council's options to respond to ICE. The Mayor echoed Council President Beaupre's statement that Flock cameras are not in use in Biddeford, that state law regulates the cameras and their usage, and discussed investigating legal and policy options to respond. Mayor LaFountain provided updates on the Lester B. Orcutt Boulevard project, as well as the search for a new City Manager. The Mayor thanked Heart of Biddeford and Art of Biddeford for their work on Fringe Fest and River Jam. Mayor LaFountain invited all to attend Biddeford High School Football's community event at Waterhouse Field, as well as the Vacationland Film Festival at City Theater.

16. Executive Session

16.a MRS 405(6) A - Personnel Matter

Mayor LaFountain stated that no further business or votes would be taken after the Executive Session.

Motion to Enter Executive Session per MRS 405(6) A - Personnel Matters by Council President Beaupre.

Second by Councilor Lessard.
Vote: Unanimous in favor.
Motion passed.
Council entered Executive Session at 7:08 PM.

Motion to Exit Executive Session by Council President Beaupre.
Second by Councilor Lessard.
Vote: Unanimous in favor.
Motion passed.
Council exited Executive Session at 7:56 PM.

17. Adjourn

Motion to Adjourn by Council President Beaupre.
Second by Councilor Lessard.
Vote: Unanimous in favor.
Motion passed.

Adjournment: 7:56 PM.



City Council

Meeting Date: September 1, 2026

Meeting Time: 6:00 PM

Agenda Item No: 8.a

Item Description: 2026.121 Approval - CY27-28 Opioid Settlement Funds Strategic Use Plan

Submitted By: Jake Hammer, General Assistance Supervisor

Key Terms:

Opioid Settlement Funds

Funds received by the City of Biddeford through opioid settlement agreements. The funds must be used for eligible opioid abatement activities consistent with applicable settlement requirements, law, and City ordinance.

Opioid Abatement

Activities intended to reduce the effects and harms associated with opioid use, including prevention, overdose reduction, treatment, recovery, and other eligible responses to the opioid crisis.

Opioid Use Disorder (OUD)

A substance use disorder involving the problematic use of opioids that can result in significant health, social, and functional impacts. In the Strategic Action Plan, OUD is a primary focus of treatment, recovery, prevention, and harm-reduction investments.

Direct Service Funding

Settlement funds used to directly support an individual's treatment or recovery-related needs.

Executive Summary:

The City of Biddeford's Opioid Settlement Funds Strategic Action Plan for Calendar Years 2027–2028 establishes a framework for using opioid settlement funds to address opioid-related harm, expand access to treatment and recovery services, and strengthen Biddeford's long-term substance use disorder response system.

The proposed plan focuses on five priorities: expanding recovery support services; reducing opioid-related harm; promoting long-term recovery; strengthening local treatment and recovery infrastructure; and using settlement funds as a catalyst for sustainable recovery community investment. The plan places particular emphasis on individuals who are unable to access needed services due to financial constraints.

Under the plan, the City would make up to \$100,000 annually available for direct service costs related to opioid recovery and treatment. Eligible assistance may include treatment-bed scholarships, recovery residence assistance, and other costs associated with long-term recovery. The goal is to assist at least 50 unique community members annually through this funding.

The plan also establishes a competitive one-time/capital funding opportunity of up to \$100,000 in the form of an RFP. This funding is intended for projects that improve Biddeford's infrastructure and capacity to provide substance use disorder treatment, recovery, and prevention services. Because the intent is to use settlement funds as a catalyst for long-term community capacity, applicants seeking capital or one-time funding will be required to identify anticipated ongoing costs and demonstrate how those costs will be supported after the City's investment. This approach is intended to prevent settlement funds from becoming the sole source of ongoing operating support for funded projects.

Overall, the Strategic Action Plan is designed to balance immediate individual assistance with longer-term investment in Biddeford's substance use disorder infrastructure. It provides a mechanism to respond to current treatment and recovery needs while also leveraging settlement dollars to develop sustainable community capacity and address identified gaps in the local response system.

Detailed Review:

The City of Biddeford's Opioid Settlement Funds Strategic Action Plan for Calendar Years 2027–2028 establishes a framework for the continued use of opioid settlement revenues to address the impacts of opioid use disorder and strengthen the community's response to substance use disorder. The plan is intended to balance immediate assistance for individuals affected by opioid use disorder with longer-term investments that improve Biddeford's capacity to provide treatment, recovery, prevention, and harm-reduction services. Particular emphasis is placed on individuals who are unable to access needed services due to financial constraints.

The proposed funding strategy allocates up to \$100,000 annually for direct service costs related to opioid recovery and treatment. These funds may support treatment-bed scholarships, recovery residence assistance, and other costs associated with long-term recovery, with an objective of assisting at least 50 unique community members annually. Under the proposed plan, no individual would generally be eligible to receive more than \$4,000 in direct assistance during a calendar year unless otherwise authorized through an amendment to the applicable program guidelines. Applications for the funds will be housed at the City of Biddeford's General Assistance Office and administration/ reporting of the funds will be managed by the General Assistance Office. Applications may be submitted by an individual or a connected service provider and would be reviewed by the General Assistance Supervisor before being processed through the City's Finance Department.

The plan also introduces a new competitive funding opportunity of up to \$100,000 for eligible capital or one-time projects. This component is intended to allow the City to make strategic investments that improve Biddeford's local substance use disorder treatment, recovery, prevention, or harm-reduction infrastructure. The purpose of this funding is to increase the community's long-term capacity to respond to opioid-related needs rather than simply provide another source of ongoing operating support. A central feature of the competitive funding component is the requirement that applicants demonstrate how their project will remain sustainable following the City's one-time investment. Applicants will be required to identify the community need being addressed, explain how the proposed project will reduce opioid-related harm or improve treatment, recovery, prevention, or harm-reduction capacity, provide a project budget and implementation timeline, identify anticipated ongoing operating costs, and demonstrate how those costs will be supported after the settlement-funded investment. This requirement is intended to ensure that settlement funds serve as a catalyst for long-term community capacity and do not create an expectation that the City will provide ongoing funding for projects initiated through the RFP.

The competitive RFP would establish the eligibility requirements, application process, evaluation criteria, documentation requirements, and applicable funding restrictions for prospective applicants. Applications would be reviewed using established criteria and may

include input from appropriate City staff, with final awards subject to applicable City approval and procurement requirements.

The plan establishes performance measures intended to allow the City to evaluate the use and impact of settlement funds. These measures include the number of individuals directly served, treatment or recovery placements supported, recovery residence placements supported, and the number and type of capital or one-time projects funded. Where appropriate and available, the City may also consider relevant opioid and substance-use trends, including public safety and overdose data. The plan is intended to be reviewed at least annually by City staff, allowing funding priorities, allocation amounts, performance measures, and implementation strategies to be adjusted in response to available settlement revenues, emerging community needs, program performance, changes in settlement requirements, and other relevant considerations.

All expenditures under the Strategic Action Plan remain subject to applicable opioid settlement agreements, approved opioid abatement uses, local ordinance and City financial and procurement requirements. The plan also allows uncommitted settlement funds to be retained for future eligible opioid abatement activities rather than requiring the City to spend funds solely because they have been made available. This provides the City with flexibility to respond to future needs and changing settlement revenues while maintaining compliance with applicable funding requirements.

Overall, the proposed Strategic Action Plan represents a balanced approach to the use of Biddeford's opioid settlement funds. It preserves the City's ability to provide direct assistance to individuals who face barriers to treatment and recovery while establishing a new mechanism for making strategic, one-time investments in the community's substance use disorder infrastructure. The addition of the competitive capital and one-time funding opportunity provides an opportunity to use settlement revenues to address identified gaps in local capacity, leverage additional resources, and support projects that can produce benefits beyond the period in which settlement funds are available. The requirement for applicants to demonstrate a plan for sustainability is intended to ensure that these investments strengthen long-term community capacity without creating unnecessary or unanticipated ongoing financial obligations for the City.

Funding Source:

All funds currently requested from 32670-40558

Current Balance- \$623,525.02

Requests

FY27 treatment & recovery grants- \$100,000

FY28 treatment & recovery grants- \$100,000

Recovery Infrastructure RFP- \$100,000

Staff Recommendation:

Staff recommends adoption of the proposed Opioid Settlement Funds Strategic Action Plan for Calendar Years 2027–2028 as a framework for the continued strategic use of the City’s opioid settlement revenues. The proposed plan maintains the City’s ability to respond to immediate treatment and recovery needs while creating an opportunity to make targeted investments that strengthen the community’s long-term capacity to address opioid use disorder and other substance use disorder needs.

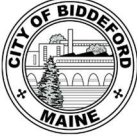
Next Steps:

Review/ Approve the Strategic Action Plan for Opioid Settlement Funds as presented.

Attachments:

1. 2026.121 Approval - CY27-28 Opioid Settlement Funds Strategic Use Plan-ORDER
2. OSF SAP CY27-28

City of Biddeford

The seal of the City of Biddeford, Maine, is circular. It features a central illustration of a lighthouse on a rocky shore with waves. The words "CITY OF BIDDEFORD" are inscribed around the top inner edge, and "MAINE" is at the bottom. There are small stars on either side of the word "MAINE".

2026.121 IN BOARD OF CITY COUNCIL... September 1st, 2026

BE IT ORDERED, That the City Council of the City of Biddeford hereby approves the City of Biddeford Opioid Settlement Funds Strategic Action Plan for Calendar Years 2027–2028, as presented by City staff.

Attest by: _____

City of Biddeford

Opioid Settlement Funds Strategic Action Plan

Calendar Years 2027–2028

1. Specific Goals and Objectives Related to the Use of Funds

Goals:

- **Enhance Recovery Support Services:**
Provide comprehensive and accessible services to individuals affected by opioid use disorder and other substance use disorders, with particular emphasis on individuals who are uninsured, underinsured, or otherwise unable to access needed services.
- **Reduce Opioid-Related Harm:**
Support initiatives that prevent overdose, expand access to harm-reduction resources, and connect individuals who use opioids to treatment, healthcare, and recovery services.
- **Promote Long-Term Recovery:**
Establish and strengthen programs that support sustained recovery, recovery housing, employment, community reintegration, and other services that help individuals maintain recovery.
- **Strengthen Local Treatment and Recovery Infrastructure:**
Invest in one-time or capital projects that expand, improve, or establish the physical, technological, or organizational infrastructure necessary to provide effective substance-use-disorder treatment, recovery, prevention, or harm-reduction services in Biddeford.
- **Promote Sustainable Community Investment:**
Use opioid settlement funds as a catalyst for projects and services that leverage other public, private, philanthropic, or reimbursement-based funding and reduce reliance on opioid settlement funds over time.

Objectives

1. Allocate up to \$100,000 annually for direct service costs related to opioid recovery and treatment, including treatment-bed scholarships, recovery residence

assistance, and other costs associated with long-term recovery. This objective is intended to assist at least 50 unique community members.

2. Establish a competitive one-time RFP of up to \$100,000 for eligible capital or one-time projects that improve Biddeford's substance-use-disorder treatment, recovery, prevention, or harm-reduction infrastructure and prioritize projects that expand local capacity, improve access to services, create measurable community benefit, leverage outside funding, or address identified gaps in Biddeford's substance-use-disorder response system.
3. Maintain a community-based stakeholder/advisory process to inform the continual use of Opioid Settlement Funds.

2. Budget Projection

Category	COSTS
Direct Service Costs CY27	\$100,000
Direct Service Costs CY28	\$100,000
Competitive Capital RFP	\$100,000

Total Annual Allocation \$300,000

Actual annual expenditures shall be dependent upon available settlement revenues, eligible applications, awarded projects, and City approval requirements. Uncommitted funds may be retained for future eligible opioid abatement activities consistent with applicable settlement requirements and City policy.

3. Competitive Capital and One-Time Project RFP

Based on feedback from Community members and service providers within the Recovery system, The City of Biddeford will establish a competitive funding opportunity for organizations seeking one-time or capital investments that improve the community's capacity to prevent opioid misuse, reduce overdose deaths, provide treatment, support recovery, or otherwise address the opioid crisis.

Potential projects may include, but are not limited to:

- Acquisition or improvement of equipment necessary to provide treatment or recovery services.
- Renovation or improvement of existing space used for eligible treatment, recovery, prevention, or harm-reduction services.
- One-time technology or data-system investments that improve access, coordination, referral, or treatment.
- Mobile or community-based service infrastructure.
- Equipment or infrastructure necessary to expand treatment capacity.
- One-time investments that improve coordination between healthcare, behavioral health, public safety, housing, and recovery systems with an emphasis on Opioid Use Disorder.
- Other capital or one-time projects that are determined to constitute an approved opioid abatement use.

Projects must demonstrate a clear and direct connection to opioid abatement and must comply with all applicable settlement requirements. Additionally, because the purpose of this RFP is to use settlement funds as a catalyst for long-term community capacity, applicants must demonstrate how the project will be sustained following the City's one-time investment.

4. Performance Metrics

- Number of individuals directly served through settlement-funded services.
- Number of treatment or recovery placements supported.
- Number of recovery residence placements supported.
- Number and type of capital or one-time projects funded.
- Relevant opioid and substance-use trends, including public safety and overdose data, where appropriate and available.

5. Strategies for Community Engagement and Input

Engagement Strategies

- **Community Forum and Stakeholder Advisory Group:** Maintain an advisory group that includes individuals with lived experience, healthcare and behavioral-health providers, recovery organizations, public safety representatives, housing providers, municipal staff, and other community stakeholders.
- **Competitive RFP Input:** Seek input from stakeholders regarding unmet treatment, recovery, prevention, and harm-reduction infrastructure needs prior to issuing the annual competitive RFP.
- **Public Awareness:** Support appropriate community education regarding opioid use disorder, overdose prevention, treatment, recovery, and available resources.
- **Feedback Mechanisms:** Maintain mechanisms through which service recipients, providers, and community members can provide feedback regarding funded programs and identify emerging needs.

6. Application Process and Plan

Direct Service Funding

1. The client or connected service provider will complete the City of Biddeford's Opioid Settlement Fund Application in its entirety to request direct service funding as established.
2. No individual will be eligible for more than \$4,000 in direct assistance during a calendar year, unless otherwise authorized by the City through an amendment to the applicable program guidelines.
3. The application and supporting documentation will be submitted to the City of Biddeford General Assistance Supervisor for review and approval.
4. The General Assistance Supervisor will prepare and submit the appropriate documentation to the Finance Department for payment and financial recordkeeping.
5. Application and expenditure information will be maintained securely and in accordance with applicable confidentiality and record-retention requirements.

Competitive RFP

1. The City will issue a competitive RFP for up to \$100,000, subject to City Council approval.
2. The RFP will identify eligible opioid abatement activities, application requirements, evaluation criteria, required documentation, and applicable funding restrictions.

3. Applicants will be required to identify the specific community need addressed by the project and explain how the project will reduce opioid-related harm or improve treatment, recovery, prevention, or harm-reduction capacity.
4. Applicants requesting capital or one-time project funding must provide a project budget and implementation timeline.
5. Applicants must identify any anticipated ongoing operating costs and provide a sustainability plan demonstrating how those costs will be supported after the City's one-time investment.
6. Applications will be reviewed using established evaluation criteria and may be reviewed with input from appropriate City staff.
7. Final awards will be subject to applicable City approval and procurement requirements.
8. Award recipients will be required to execute an agreement establishing the approved use of funds, reporting requirements, project timeline, and outcome measures.
9. Award recipients will provide a final report documenting expenditures, project completion, outcomes, and the ongoing sustainability of the investment.

7. Plan Review

This Strategic Action Plan shall be reviewed at least annually by City staff. The City may recommend amendments to funding priorities, allocation amounts, performance measures, or implementation strategies based on available settlement revenues, emerging community needs, program performance, changes in applicable settlement requirements, and other relevant considerations. All expenditures remain subject to the applicable opioid settlement agreements, approved opioid abatement uses, applicable law, and City financial and procurement requirements.



City Council

Meeting Date: September 1, 2026

Meeting Time: 6:00 PM

Agenda Item No: 8.b

Item Description: 2026.123 Approval — Reclassification of Administrative Assistant 1 position — Police Department

Submitted By:

Key Terms:

N/A

Executive Summary:

This is a reclassification of a single position within the Biddeford Police Department for an increase in hours.

Detailed Review:

In April of 2025 Chief Fisk was authorized by the City Manager to hire a part-time non-union Administrative Assistant 1, to assist with departmental clerical work. This position was advertised through the HR department. Following interviews a candidate was selected and position was filled on May 15, 2025. Following the directive of the city's Human Resources department this position was assigned as an Administrative Assistant 1

working 24 to 28 hours per week.

This order if approved would reclassify this position to a thirty-six (36) hour per week nonunion position. This position will remain at the Administrative Assistant 1 pay scale which is \$28.09 per hour after one year. Organizationally, the department has gone through significant changes to include a decrease in staffing over the last three years. This decrease in staffing has affected not only the department's Executive Assistant's ability to meet all demands placed on her, but our CALEA program Manager also. The department's CALEA program has gone from what was a four (4) person staff to a single manager. This request went before the Personnel Committee on August 25, 2026 and it was unanimously supported. The Committee voted to send the matter to the City Council for final approval.

The role and responsibilities for this position are defined below:

Payroll as needed

Financial applications as needed

Maintenance of personnel records

Maintenance of training records

Maintenance cataloging for CALEA purposes

Assist with FOAA requests

Accounts payable, invoicing for outside assignments

Update PACE scheduling training

Funding Source:

Position is within the Department's budget

Staff Recommendation:

Next Steps:

Attachments:

1. 2025.123 Approval - Reclassification Administrative Assistant 1 -Police Department-

ORDER

City of Biddeford



2026.123 IN BOARD OF CITY COUNCIL... AUGUST 26, 2026

BE IT ORDERED, that the City Council of the City of Biddeford does hereby approve the Police Department reclassification of the part-time non-union Administrative Assistant 1 position for 24-28 hours per week to a thirty-six (36) hour per week non-union Administrative Assistant 1 position.

Attest by: _____
City Clerk



City Council

Meeting Date: September 1, 2026

Meeting Time: 6:00 PM

Agenda Item No: 8.c

Item Description: 2026.108 Approval- City of Biddeford-York County Emergency Management Agency - MOU/ Commitment Letter

Submitted By: Roby Fecteau

Key Terms:

NA

Executive Summary:

York County Emergency Management was awarded an FY26 (CDS) Congressionally Directed Spending Coastal Sand Dune Engineering and Design Grant. The scope of the grant is to allow municipalities in York County to achieve FEMA-approved dune and beach plans, through engineering services procured by the county. Communities who have FEMA-approved dunes or beaches are qualified to apply for disaster reimbursements after a Presidential Declaration.

In order for municipalities to qualify for grant money, FEMA and Maine Emergency Management are requiring municipalities to enter into a match commitment letter, as well as a MOU that allows York County to be a grant administrator.

Detailed Review:

Biddeford Emergency Management has identified two public beaches with a dune system that sustained significant damage from the January 2024 storms. Locations are Gil Boucher Park and Middle Beach. Working with York County, we have identified these two locations as viable projects where grant money could be used.

York County, through their procurement policy, has already onboarded an Engineering Company that will help Biddeford review and design sustainable handicapped accessible dune systems. Another partner assisting Biddeford is the University of New England. UNE has an academic program that involves beaches and dune systems. Prior to the January storms, UNE was already studying this coastline through NOAA websites and drone imagery.

The collaboration between the university and the city is twofold; It benefits the university with future funding opportunities and allows Biddeford the ability to capture a portion of the match requirement through past work performed by the university and future work.

The twenty-five percent match can be a combination of cash value and in-kind work previously performed and future work. For example, the Director of Emergency Management, the City staff attached working on this project, any committee work performed by volunteers and the University of New England.

Funding Source:

Match Requirement: \$73,920.00

Grant Matching Fund:	\$ 13,000
Staff and Committee time thus far:	\$ 2,500
UNE In Kind:	\$ 29,663.34

Delta for the remaining match: \$28,756.66

Funding Option: FY27 Contingency

Staff Recommendation:

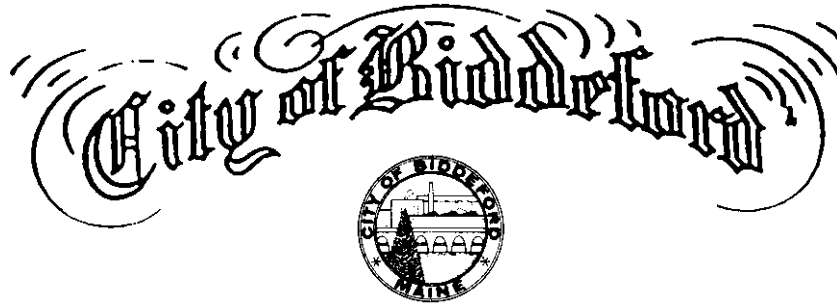
Staff supports the project

Next Steps:

Sign the MOU and Commitment letter

Attachments:

1. 2026.108 Approval- City of Biddeford-York County Emergency Management Agency - MOU/ Commitment Letter-ORDER
2. York_County_Coastal_MOU_Biddeford_Updated
3. Biddeford_Local_Match_Commitment_Letter
4. 08.28.2026 - Letter to City of Biddeford - Grant Match Request



IN BOARD OF CITY COUNCIL...

2026.108 BE IT ORDERED, that the City Council of the City of Biddeford does hereby grant approval for the Interim City Manager Cornell Knight to enter into a Memorandum of Understanding for engineering services to be utilized at Gil Boucher Park and Middle Beach dune systems and handicapped accessibility.

BE FURTHER ORDERED, that the City Council authorize the Interim City Manager to execute the match commitment letter required by the grant.

BE FURTHER ORDERED, the City Council authorizes any remaining match funds to be paid from the FY27 Contingency fund. Funds shall not be more than \$31,420.

Attest by: _____

Interim City Clerk



City of
Biddeford

*York County Emergency Management Agency
149 Jordan Springs Road
Alfred, Maine 04002
(207) 324-1578
(207) 324-4997 Fax*



Thursday June 18 2026

Memorandum of Understanding

This Memorandum of Understanding ("MOU") is made this **18th** day of June 2026, between York County, hereinafter referred to as "County," and the City of Biddeford, represented by its respective City Manager, hereinafter referred to as the "City"

WHEREAS, on January 13th, 2024, the County recorded its highest tide in history, which effectively destroyed most dunes and beaches throughout the County's coastline; and

WHEREAS, the County's coastal regions are of immense environmental, economic, and cultural importance; and

WHEREAS, the County's coastal sand dunes provide protection to improved infrastructure, and its coastal wetland and sand dune areas support dune grass vegetation that provides natural habitat; and

WHEREAS, the County's natural features and recreational areas are a critical economic driver for Southern Maine, supporting over \$1.6B in annual tourism spending and over 27,000 jobs; and

WHEREAS, to meet the challenges faced by the County and the Town, a collaborative approach involving an MOU is proper and necessary; and

WHEREAS, the County and Town desire to coordinate efforts, pool resources, and leverage collective expertise for the greater good; and

WHEREAS, the City recognizes that pooling resources is most fiscally responsible, as it will improve overall services and reduce the duplication of efforts and manpower in achieving the stated objectives;

NOW, THEREFORE, the City hereby agrees as follows:

1. PURPOSE

The purpose of this MOU is to establish a cooperative framework between the City and the County. This includes sharing resources, personnel, and technical expertise necessary to complete the goals and objectives related to coastal resilience at Gil Boucher Park and Middle Beach.

Under this MOU, the County will serve as the designated fiscal, administrative, and operational entity.

2. SCOPE OF WORK

The initial scope is intended to cover an interim period, building on the partnerships developed in the aftermath of the January 2024 storms, which drew attention to the urgent need for stronger fortification of sand dune structures to provide better protection of improved infrastructure behind the dunes at Gil Boucher Park and Middle Beach in Biddeford. In the longer term, the City, in coordination with the County, will determine the necessary strategies for continued coastal resiliency and permanent beach management at these locations. This Collaborative Effort will focus on restoring and engineering the dunes at Gil Boucher Park and Middle Beach to a higher level of protection, thereby making the dunes eligible for future FEMA Category G public assistance during Federally Declared Disasters.

On behalf of the City, the County will take a lead role in project management and coordination, implementation of dune/beach restoration at Gil Boucher Park and Middle Beach, securing necessary permits, identifying funding sources, and outlining future monitoring and maintenance responsibilities for improved dunes/beaches at these locations. The City will assist in these efforts when applicable.

3. FUNDING

The County, on behalf of the City, will seek grants and other resources to help in funding this MOU and other implementation costs. Funding is expected to be acquired through grants given by Federal, State, and local entities.

The City understands and agrees to a 25% cost share for any federal grants, which can be offset by ‘in-kind’ when applicable.

Under this MOU, the City authorizes the County to apply on their behalf when seeking grant opportunities, and to accept these grants with express permission from the City. Additionally, the County will serve as the administrative agent for procurement, coordination, and financial management of funds.

4. TERM AND TERMINATION

This MOU shall commence on January 1, 2026, and shall continue for a period of three years unless terminated earlier by mutual written consent of the City.

Any Party may withdraw from this MOU by providing 30 days written notice to the other Party. In the event of withdrawal, the withdrawing City shall remain liable for its proportionate share of any outstanding costs incurred prior to the withdrawal date.

5. INDEMNIFICATION

Both parties agree to indemnify, defend, and hold harmless the other party from any and all claims, damages, losses, or expenses arising out of or related to this MOU, except for damages caused by the gross negligence or willful misconduct of the indemnifying Party.

In witness whereof, the parties hereto have executed this Memorandum of Understanding as of the date first above written.

For York County:

Greg Zinser, County Manager

For the City of Biddeford:

Cornell Knight, City Manager

[DATE]

Arthur W. Cleaves, Director
York County Emergency Management Agency

RE: Letter of Commitment - FY26 Congressionally Directed Spending (CDS) Coastal Sand Dune Engineering and Design Grant

Dear Director Cleaves,

On behalf of the City of Biddeford, this letter confirms the City's commitment to participate in the FY26 Congressionally Directed Spending (CDS) Coastal Sand Dune Engineering and Design Grant administered by York County Emergency Management Agency.

By signing this letter, the City commits up to **\$73,920.00**, representing the required 25 percent local match based on the current estimated project cost of **\$295,680.00**. The local match will be provided from non-federal municipal funds. Should the final project cost exceed the current estimate, any additional local funding commitment will be subject to further City authorization.

The engineering and design effort will support evaluation and development of coastal sand dune resilience improvements within Biddeford as part of the regional initiative. The work will help identify appropriate measures to address changing coastal conditions, erosion, and storm-related impacts.

The City appreciates York County EMA's leadership in securing and administering this regional funding opportunity and looks forward to continuing our partnership on this important coastal resilience initiative.

Sincerely,

Name: _____

Title: _____

City of Biddeford

Biddeford Campus
11 Hills Beach Road
Biddeford, ME 04005
U.S.A.
(207) 283-0171

Portland Campus
716 Stevens Avenue
Portland, ME 04103
U.S.A.
(207) 797-7261

Tangier Campus
Rue Abi Chouaib Doukkali
Tangier 90000
Morocco
+212 05 38 80 24 00

www.une.edu

August 28, 2026

Roby Fecteau
Director of Code Enforcement & Emergency Management
City of Biddeford
205 Main Street, Suite 104
Biddeford, ME 04005

Dear Mr. Fecteau:

On behalf of the University of New England, I am pleased to confirm UNE's partnership with the City of Biddeford in support of the FY26 Congressionally Directed Spending (CDS) Coastal Sand Dune Engineering and Design Grant. The goals of this project align closely with UNE's commitment to advancing coastal research, resilience planning, and the long-term stewardship of Maine's shoreline resources.

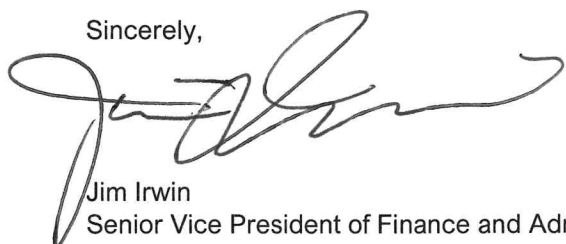
UNE has conducted extensive coastal monitoring and research activities in and around Biddeford's beaches and dune systems, including the collection of high-resolution drone mapping data and the deployment of coastal instrumentation to better understand shoreline processes. In support of the City's efforts to achieve a FEMA-approved dune system for Biddeford Pool Beach and Middle Beach, UNE is pleased to provide the following in-kind contributions as matching support for the project:

- Drone mapping datasets collected since 2024
- Wave and current monitoring instrumentation deployed near Boucher Park
- Salary support for Dr. Will Kochtitzky in support of project-related research and technical activities

These contributions represent a total UNE match commitment of \$29,663.34.

UNE values its collaborative relationship with the City of Biddeford and recognizes the importance of science-based coastal management efforts that enhance community resilience, public safety, and the long-term sustainability of the region's coastal resources. We look forward to continuing our partnership in support of this important initiative.

Sincerely,



Jim Irwin
Senior Vice President of Finance and Administration



City Council

Meeting Date: September 1, 2026
Meeting Time: 6:00 PM
Agenda Item No: 8.d
Item Description: 2026.122 Approval- Oktoberfest Special Event Permit
Submitted By: Roby Fecteau

Key Terms:

NA

Executive Summary:

Heart of Biddeford's Annual Oktoberfest 2026

Detailed Review:

Heart of Biddeford is applying for a special event and alcohol waiver to sell beer on Lincoln Street (September 26, 2026). The location map is included in the packet.

Funding Source:

NA

Staff Recommendation:

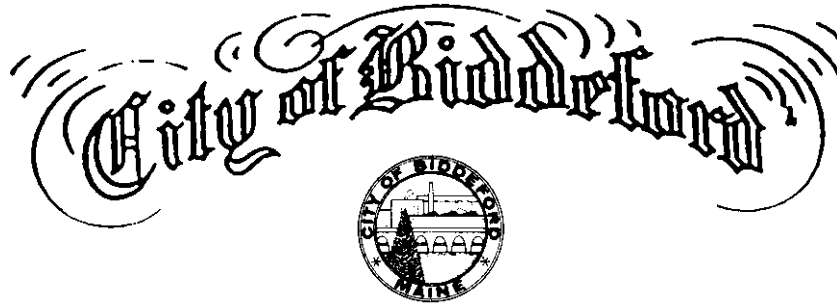
NA

Next Steps:

NA

Attachments:

1. 2026.122 Approval- Oktoberfest Special Event Permit-ORDER
2. Application Copy Oktoberfest
3. Alcohol Permit Diagram Oktoberfest
4. Biddeford Oktoberfest 9-26-2026



IN BOARD OF CITY COUNCIL...

2026.122 BE IT ORDERED, that the City Council of the City of Biddeford does hereby grant approval of a Special Event Permit for Oktoberfest to have their special Event on Lincoln Street, September 26, 2026 and

BE IT FURTHER ORDERED, that in accordance with the provisions set forth under Ch.6, Amusements, Article V — Sales, Possession and Consumption of liquor at and during Special Events on City Public Property, that the City Council approves beer to be sold and served within clearly defined restricted areas that have been approved by the State of Maine Bureau of Alcoholic Beverages and providing that Ch. 6, Section 6-178 et seq.

Attest by: _____

Interim City Clerk



Application Copy

File Number: 149929

Job Type: New Application

LICENSE TYPE / EVENT TYPE Incorporated Civic Organization Special Event	APPLICATION DATE RECEIVED 2026-07-22
LICENSEE LEGAL NAME Heart of Biddeford	LICENSEE TYPE Non-Profit Organization
DOING BUSINESS AS	CORPORATE NUMBER 20040608ND
INCORPORATION DATE 2004-05-17	
CORRESPONDENCE ADDRESS 205 Main St Suite 103 BIDDEFORD ME 04005	
MAILING ADDRESS	
PHYSICAL ADDRESS	
CONTACT NAME Delilah Poupore	PREFERRED CONTACT METHOD Email
CONTACT PHONE (207) 284-8520	ALTERNATE PHONE
FAX	EMAIL director@heartofbiddeford.org
CORPORATE STRUCTURE None selected	

ADDITIONAL INFORMATION

MANAGED BY AGENT

No

LOCATION

Lincoln Street, Biddeford

EVENT DATE(S)

September 26, 2026

NUMBER OF EVENT DAYS

1

EVENT HOURS OF OPERATION

12:00-6:00PM

EVENT CONTACT INFORMATION

Delilah Poupore
Executive Director
Heart of Biddeford
director@heartofbiddeford.org
207-251-5695

EVENT ADDRESS

Lincoln Street From Main Street to Stone Street BIDDEFORD ME 04005

Municipality

Biddeford

County

York

QUESTIONS

Incorporated Civic Organization

1. What is the type of building and the area in the building to be licensed.
The event will take place on Lincoln Street (and sidewalk) in downtown Biddeford. We will be closing the road from Main St to Stone St and barricading all entrances/exits.
2. What is the purpose of the event?
To celebrate Oktoberfest/beer festival and bring community together while celebrating local craft brews and raise funds through ticket sales.

3. Is the event open to the public?

Yes

4. Will the event be outdoors?

Yes

(document uploaded)

5. How many people are expected at the event?

1500-1800

6. Provide the name and title of the officer of the incorporated civic organization submitting this application.

Leinani Farnsworth

Assistant Director

Heart of Biddeford

asstdir@heartofbiddeford.org

207-352-8347

7. Is everyone serving alcohol at this event employed by a licensed manufacturer/supplier or wholesaler?

Yes

8. Will food be served at the event by someone other than the licensee?

Yes

Food will be sold by food trucks including:

9. How many staff/volunteers will be working the event? Serving?
Security?

50-60

10 How will you keep alcohol contained to the event area?

Lincoln street will be barricaded and gated off from the public with the only access through the entrance/exit. All entrances/exits will have paid security checking ID's and tickets of all participants.

11 How will you obtain alcohol for the event?

Local breweries will be selling beer only to 21+ wrist banded participants, and Nibblesford will be selling wine/cider.

12 You must complete this application as a non-profit organization.

Select "Yes" if you have the organization's corporate structure information that will be required in the next step.

Select "No" if you need to gather the information and come back later to complete the application.

Note: If you want to see what information is required for the corporate structure, select "Yes" and review the forms in the Licensee section.

Yes

DOCUMENTS

TYPE	FILE NAME	DESCRIPTION
Event Area Description and Diagram	Alcohol Permit.png	Biddeford Oktoberfest Lincoln St Alcohol Map

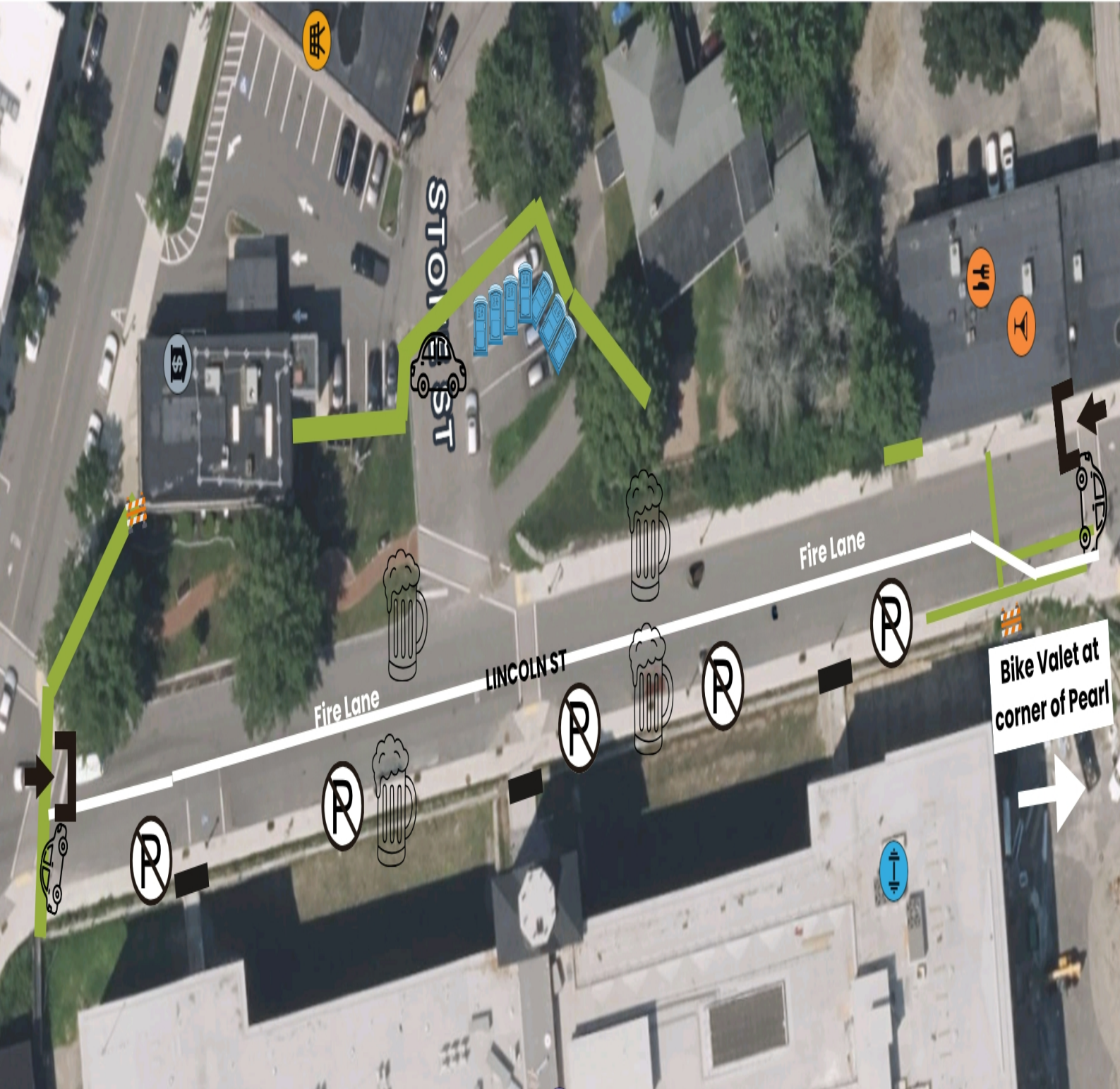
APPLICANT

Laura Lyman

DECLARATION

- ☒ I certify that I am the applicant as described in this application, or that I am duly authorized to submit this application on the applicant's behalf.

All information provided in this application is accurate and correct. I understand that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to \$2,000 or by both.



- TICKETING/ENTRANCE BOOTHS ON EACH END OF LINCOLN ST
- ALL ATTENDEES MUST RECIEVE AN OFFICIAL WRISTBAND TO ENTER EVENT
- ALL MILL ENTRANCES/EXITS WILL BE BLOCKED
- PAID, HIRED SECURITY WILL BE ON-SITE TO ID AND MONITOR FOR DURATION OF EVENT
- EVENT SPACE WILL BE FENCED, PARITCANTS CAN ONLY ENTER/EXIT AT TICKET BOOTHS
- FOOD TRUCKS AND VENDORS WILL BE SET UP ALONG EACH SIDE OF LINCOLN ST, WITH CENTER OPEN FOR EMERGENCY VEHICLES
- BEER/WINE VENDORS WILL BE SPACED OUT ON LINCLON ST

Submitted 7/22/26

APPLICATION NUMBER: 27-07-04

EFFECTIVE 7-18-2024 THE FOLLOWING
FEES WILL APPLY:

B050 Administrative Fee	\$100.00
B051 Tier One	\$100.00
B052 Tier Two	\$200.00
B053 Tier Three	\$500.00

Any person, firm, corporation, business or organization seeking a permit to hold a special event within the City of Biddeford must file an application with the permitting authority at least 30 days prior to the beginning of the event; or in cases related to activities protected by the First Amendment to the United States or Maine Constitution, other than commercial speech, two business days prior to the beginning of the event. Permit applications are available on the City's website or at the City Clerk's Office.

All vendors must obtain proper licenses/permits from the City Clerk's office (207-284-9307).
Indemnification agreement/insurance certificate must be attached to this application at the time of submission.
Site Plan Sketch may be accompanied by a separate map, if necessary

CITY OF BIDDEFORD

SPECIAL EVENT APPLICATION

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

Name of Event Biddeford Oktoberfest Location of Event Lincoln St
Date of Event September 26, 202 Start Time 8am set-up Finish Time 7pm break down

Organization (Applicant) Information

Name of Organization or Name of Applicant if NOT an Organization

Heart of Biddeford

Physical Address 205 Main Street Suite 103 Biddeford, ME 04005

Mailing Address same as above

Business Telephone 207-284-8520 Fax _____ E-mail office@heartofbiddeford.org

Income Tax Exempt: Yes ☒ No ☐ Tax Exempt Number 1201-3255

Contact Person/Event Coordinator

Name & Address

Delilah Poupore, 205 Main Street Suite 103, Biddeford, ME 04005

Telephone 207-284-8520 Cellular 207-251-5695 E-Mail director@heartofbiddeford.org

Relationship Organization Executive Director

Revised 7/18/2024

APPLICATION NUMBER: _____

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

Community event on Lincoln Street including various breweries, German music, food vendors, and themed games and activities. Lincoln Street closure from Main Street to Saco Falls Way, also includes barricading Stone Street so no entrance onto Lincoln. Designed to celebrate local craft brewing, Oktoberfest culture, and drawing visitors into the downtown (from mills, throughout Biddeford, and surrounding communities). Tickets are required/charge to enter.

Estimated # of Participants 50 Estimated Attendance 1500 (1100 drinking)

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

Please explain:

Noise from live music, games outside, Lincoln Street closed from Main Street to Saco Falls Way.

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

Mailing to residents and businesses in the affected area, public notification online or in print at

Type of Event:

Special events may fall under three categories:

- ☐ **Tier 1** Special Events involve the use of Recreation Department facilities for functions involving 100 or less people. **The Recreation Director or their designee is the permitting authority**
- ☐ **Tier 2** Special Events include street closure requests, parades, road races, walks or other single-day functions involving 100 or less people. **The Police Chief and Public Works Director or their Designees are the permitting authority**
- ☒ **Tier 3** Special Events are functions that involve a street closure or the use of a City facility for a single-day function involving 100-999 people. **The Coordinating Committee is the permitting authority**

APPLICATION NUMBER: _____

PLEASE NOTE: The City Council shall be the permitting authority for events to be held in City of Biddeford parks, recreation, public buildings, grounds and streets which it could reasonably be assumed that 1,000 or more persons might gather or participate; or any event which is proposed to last longer than two consecutive days, regardless of the number of persons anticipated to gather or participate.

FURTHER: If alcohol is being sold, or otherwise available, permission must be obtained through application at the City Clerk's Office, and must be approved by the City Council. If alcohol is sold, this requires applicable State of Maine Liquor license to sell alcohol.

List contact name and address of licensee:

Heart of Biddeford, 205 Main St Suite 103

General Service Questions

Department of Public Works

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

If yes, number needed 6 wood/pl

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

What is your plan for cleanup and debris disposal for this event?
volunteer/staff clean-up

Is any other Public Works assistance anticipated?

4 trash cans, 2 recycling cans, and one dumpster if possible please

Recreation Department

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

If yes, where

Lincoln St and sidewalks (closed from Main to Pearl St), also City Squ. Park

APPLICATION NUMBER: _____

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

No stakes, only weights

Any Parks and Recreation assistance required?

No

Fire Department

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

Yes

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

Yes

Will you have First Aid or medical staff present?

No

******* If First Aid or medical staff is needed, the Biddeford Fire Department may provide for a fee. Please contact the Biddeford Fire Department at 207-282-6632 for details.*******

Police Department

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

Is crowd control necessary for this event? Yes If yes, who will provide it?

HOB will hire a professional, bonded security company (Darkhorse Security) to provide ID checking and monitor area.

APPLICATION NUMBER: _____

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

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

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

Vender Locations
Garbage Cans
Water Sources

Street Closures/Parking Information
Water/Electricity Sources
Loudspeakers

See attached map for details

Requested supplies from Public Works:

- 6 wood/plastic barriers for hanging signage
- 2 "No Entrance" signs (one for each end of road closure)
- "No Parking" signs from 8am-7pm Saturday, Sept. 26, 2026 on Lincoln Street

HOB will provide hard barriers to block off Lincoln St from both ends.

APPLICATION NUMBER: _____

INDEMNIFICATION AND RELEASE PROVISIONS
CITY OF BIDDEFORD SPECIAL EVENT PERMIT

A. In consideration for being permitted to use the facilities and/or rights-of-way of the City of Biddeford, (hereinafter "City"), Heart of Biddeford
(insert name of person/entity seeking permission to use facilities and/or right-of-way, hereinafter "Applicant") agrees to indemnify and hold harmless the City, its officers, employees, and insurers, from and against all liability, claims, and demands, which are incurred, made, or brought by any person or entity on account of damage, loss, or injury, including without limitation claims arising from property loss, or damage, bodily injury, personal injury, sickness, disease, death, or any other loss of any kind whatsoever, which arise out of or are in any manner connected with the use of the facilities and/or rights-of-way, whether any such liability, claims, and demands result from the act, omission, negligence, or other fault on the part of the City, its officers, or its employees, or from any other cause whatsoever.

B. By signing below, Applicant agrees that in the event of damage, loss or injury to the facilities or to any property or equipment therein or to the City rights-of-way, the City may deduct from any damage deposit the full amount of such damage, loss, or injury. Applicant further agrees that if such damage, loss, or injury exceeds the amount of the damage deposit, Applicant will promptly reimburse the City for all costs associated therewith upon billing by the City.

C. In addition, in consideration for being permitted or allowed to use the facilities and/or right-of-way, Applicant on behalf of itself and its officers, employees, members, and participants, hereby expressly exempts and releases the City, its officers, employees, insurers, from and against all liability, claims, and demands, on account of injury, loss, or damage, including without limitation claims arising from property loss or damage, bodily injury, personal injury, sickness, disease, or death, that Applicant may incur as a result of such use, whether any such liability claims and demands result from the act, omission, negligence, or other fault on the part of the City, its officer, or its employees, or from any other cause whatsoever.

D. In addition, Heart of Biddeford has furnished and attached two copies of certificates of insurance with the City of Biddeford named as an additional insured in the amount of \$400,000 unless a greater amount is warranted.

E. In addition, Depending upon the size and nature of the event, the City may require that City employees, including Police, Fire, Public Works, Code Enforcement and/or Parks and Recreation, are present at or assist with the event. The City shall determine the number of personnel necessary to ensure the safety of the public and participants, minimize the inconvenience to residents, and reduce public liability exposure to the event sponsor and the City. The cost associated with the use of any such personnel, including City equipment, is the responsibility of the event sponsor. A deposit of thirty percent (30*%) of the estimated personnel cost for the event will be required with the submittal of the application. The City

APPLICATION NUMBER:_____

shall provide a good faith estimate of the total personnel within 10 days after the approval of the application. The complete fee must be submitted to the City prior to the day of the event. Fees may be waived in whole or in part by the City Council prior to the special event.

	7/19/26
_____ Signature of Applicant	_____ Date
Delilah Poupore	
_____ Printed Name of Applicant	

APPLICATION NUMBER: _____

REVIEW BY SPECIAL EVENTS PERMITTING AUTHORITY:

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

☐ APPROVED WITH MODIFICATIONS AND/OR RESTRICTIONS DATE:

☐ APPROVED AS SUBMITTED DATE:

☐ DENIED DATE:

Modifications / Restrictions:

REASON(S) FOR DENIAL:

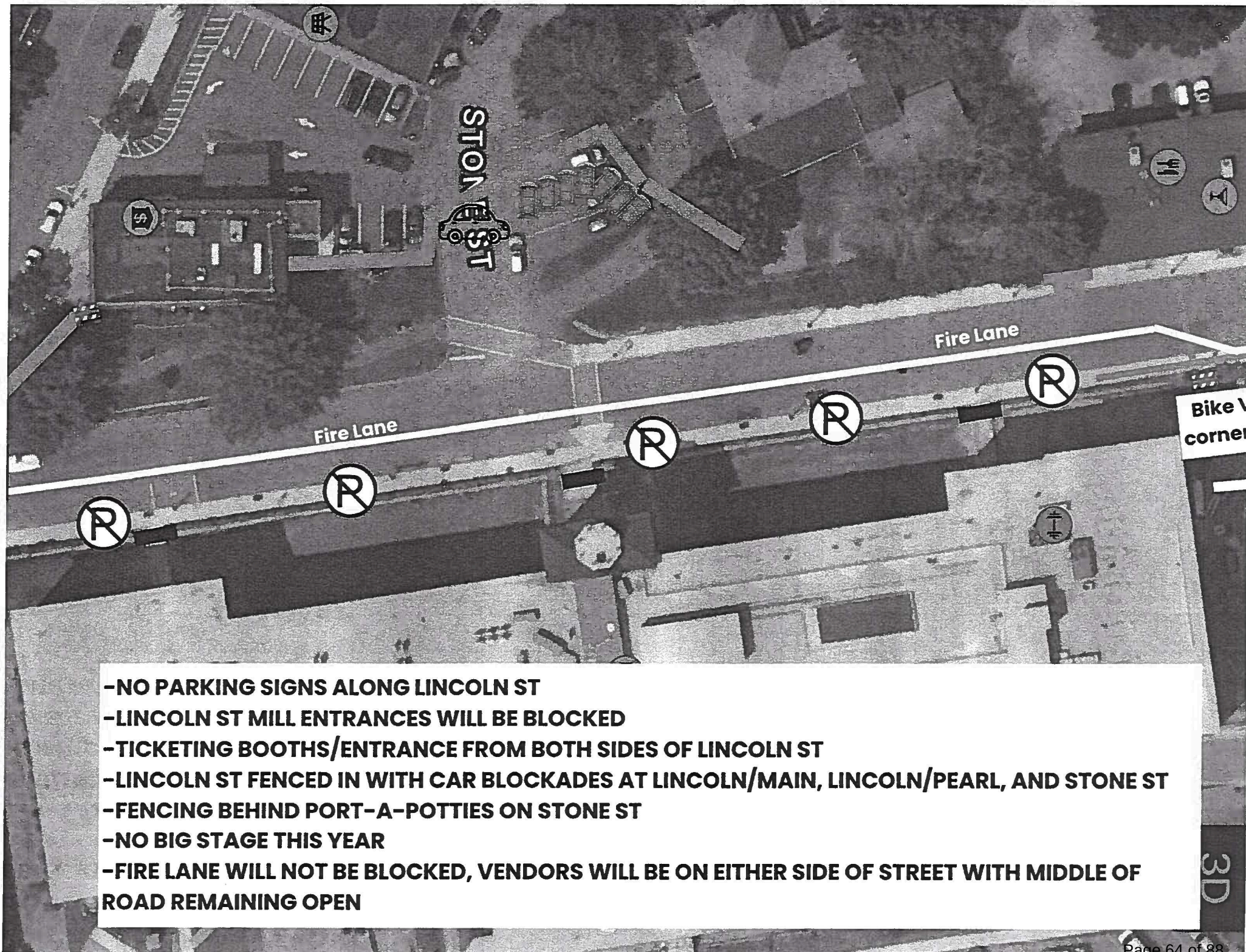
Police Chief

Fire Chief

Public Works Director

Codes Enforcement Officer

Recreation Director



- NO PARKING SIGNS ALONG LINCOLN ST
- LINCOLN ST MILL ENTRANCES WILL BE BLOCKED
- TICKETING BOOTHS/ENTRANCE FROM BOTH SIDES OF LINCOLN ST
- LINCOLN ST FENCED IN WITH CAR BLOCKADES AT LINCOLN/MAIN, LINCOLN/PEARL, AND STONE ST
- FENCING BEHIND PORT-A-POTTIES ON STONE ST
- NO BIG STAGE THIS YEAR
- FIRE LANE WILL NOT BE BLOCKED, VENDORS WILL BE ON EITHER SIDE OF STREET WITH MIDDLE OF ROAD REMAINING OPEN



City Council

Meeting Date: September 1, 2026

Meeting Time: 6:00 PM

Agenda Item No: 8.e

Item 2026.124 Approval — Industrial Pretreatment Program Fee Ordinance Update
Description:

Submitted By: Jeff Demers

Key Terms:

Executive Summary:

As per Section 71-76 of the City ordinance “The City of Biddeford, Maine may adopt reasonable fees for reimbursement of costs of establishing and operating the City’s pretreatment program...”. The cost of running the IPP is designed to be paid for entirely by the industrial users.

Detailed Review:

As per Section 71-76 of the City ordinance, “The City of Biddeford, Maine may adopt reasonable fees for reimbursement of costs of establishing and operating the City’s pretreatment program...” The cost of running the IPP is designed to be paid for entirely by the industrial users. The cost of the IPP will be broken into two separate units: Biological Oxygen Demand (BOD)and Total Suspended Solids (TSS). Each will take an even share of the IPP budget (i.e. if IPP budget is \$40,000 then BOD will comprise \$20,000 and TSS the other

\$20,000). Industrial users will pay their portion of each unit based on their respective percentage of total unit in pounds.

Example:

- User X contributes 1,000 pounds of BOD to a total industrial BOD load of 10,000 pounds.
- User X contributes 10% of total industrial BOD load
- IPP Budget for FYXX is \$40,000
- BOD unit comprises \$20,000 of IPP budget
- User X would pay 10% of \$20,000 = \$2,000
- This calculation is repeated for TSS portion

With this approach, the user with higher flows and concentration of BOD/TSS would pay a higher percentage of the IPP budget. This setup is similar to current IPP billing but replacing Flow with TSS as a unit for dividing costs.

A proposed yearly administration fee of \$1,000 is applied to all users to cover the cost of reviewing all required testing/reports/site visits for the year. This fee is not changing from previous billing structure.

In addition to covering costs of the IPP, a surcharge for excessive BOD/TSS is proposed to accurately convey cost of treating additional load from excessive BOD/TSS discharge.

Surcharge fees of greater strength than normal domestic sewage already exists within the City's ordinances but are currently not utilized for IPP billing. Fee structure from Section 70-32.d.4 is summarized below.

- \$5.50 per 100 pounds BOD and COD
- \$7.50 per 100 pounds SS
- \$0.10 per pound other pollutant(s).

No limit of "greater strength than normal domestic sewage" is currently stated within the City's ordinance. A limit of 250mg/L of both BOD/TSS is proposed. This would require an ordinance change to correctly convey this limit.

Users would be billed on a pounds basis for any concentration over the proposed limit of BOD/TSS.

Example:

- User X discharges 1,000,000 gallons of 350mg/L BOD sewage
- 100mg/L BOD exists within sewage discharge over the limit

- Calculating User X's pounds overage = 834 pounds
- User X would receive BOD surcharge fee of \$45.87

Total industrial user fee would consist of the following items:

BOD Unit Portion of IPP Budget + TSS Unit Portion of IPP Budget + BOD Surcharge + TSS Surcharge + Administrative Fee

Funding Source:

No funds are required.

Staff Recommendation:

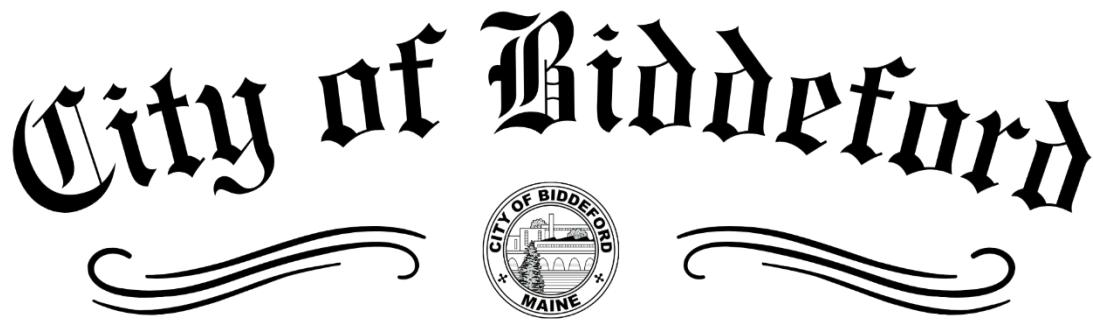
Make the billing as fair and self-funding as possible.

Next Steps:

Council approval of the ordinance change and placement of fees into APPENDIX B - Master Fee Schedule

Attachments:

1. 2026.124 Approval IPP Rate change Ordinance- ORDER
2. FINAL IPP_Billing_Structure_Memo_08242026
3. City of Biddeford Industrial Pretreatment and Surcharge Updates



2026.124 IN BOARD OF CITY COUNCIL... SEPTEMBER 1, 2026

BE IT ORDERED, that the City Council of the City of Biddeford does hereby approve changes in the following sections of the Code of Ordinances:

Chapter 70 Utilities, Article II Wastewater System, Div.1 § Sec. 70-32 User fees.

(d) Rates.

(1) Each user shall pay for the services provided by the City based on his use of the treatment works as determined by his water consumption according to methods recommended by the ~~environmental specialist~~ Director of Wastewater, or his/her designee. The cost of treating inflow and infiltration shall be shared by all users as part of the user rate

(2) For residential users, quarterly user charges will be based on actual water usage as determined by the water company's meter readings. Commercial and industrial users, who are billed by the Maine Water Company ~~Biddeford and Saco Water Company~~ on a monthly basis, will also receive sewer user charges on monthly basis. If a user discharges water into the City's collection system, which has been obtained from a source other than the water company, the user shall install and maintain a meter to measure such discharge. All such meters must be inspected and approved by the Superintendent and must be available for inspections during the year by the City. If a residential, commercial, industrial, or institutional user has a consumptive use of water, or, in some other manner, uses water which is not discharged into the collection system, the user charge for that contributor may be based on readings of wastewater meter(s) or a separate water meter(s) (sub-meter), which must be purchased through the City to ensure conformity and calibration, and installed and maintained at the user's expense.

~~(3) Each monthly or quarterly user shall pay the set rate and minimum fee based on usage that has been established by the City Council for the current fiscal year based on recommendations of the Wastewater Management Commission~~

(3). For industrial dischargers, quarterly user base charges will be based on actual water usage as determined by the water company's meter readings. In addition, the total annual cost of administering the Industrial Pretreatment Program (IPP) shall be split between the industrial dischargers only, and shall be prorated as follows:

- a. The cost of the IPP will be broken into two separate units: Biological Oxygen Demand (BOD) and Total Suspended Solids (TSS). Each will take a share of the annual approved IPP budget prorated based on their respective percentage of total unit in pounds.

- b. Each monthly or quarterly industrial discharger shall pay a minimum IPP administrative fee. The IPP administrative fee will be reviewed and adjusted by the Director of Wastewater or his/her designee and approved by the City Council on an annual basis.
- c. For those dischargers whose wastewater has a greater strength than normal domestic sewage, a load-based surcharge in addition to the normal user charge, will be collected. The surcharge for operation and maintenance including replacement shall be calculated based on the total approved wastewater collection and system treatment system annual budget and shall be applied as follows:

There shall be a limit of 250 mg/L of both BOD and TSS (domestic strength). Users discharging wastewater above these concentrations for these constituents shall be billed on a total pounds basis for any BOD and/or TSS concentration above the domestic limit. BOD and TSS surcharge costs shall be calculated annually by the Director of Wastewater, or his/her designee by dividing the total current approved annual Wastewater Collection and Treatment budget by the total combined mass load of BOD and TSS removed by the Biddeford Wastewater Treatment Facility over the course of the previous year. This calculation shall yield the total cost per dry pound mass to remove BOD and TSS. This cost per pound shall then be multiplied by the total mass load of the discharger which exceeds domestic strength.
- d. The total industrial user quarterly fee shall therefore be calculated as follows:

Water use derived sewer use base charge + prorated BOD Unit Portion of approved IPP Budget + prorated TSS Unit Portion of approved IPP Budget + BOD Load-based Surcharge + TSS Load-based Surcharge + IPP Administrative Fee

~~(4) For those users whose wastewater has a greater strength than normal domestic sewage, a surcharge in addition to the normal user charge, will be collected. The surcharge for operation and maintenance including replacement is:~~

~~\$5.50 per 100 pounds BOD and COD.~~

~~\$7.50 per 100 pounds SS.~~

~~\$0.10 per pound other pollutant(s).~~

(5) Any user who discharges any toxic pollutants which cause an increase in the cost of managing the effluent or the sludge or any user who discharges any substance which singly, or by interaction with other substances, causes identifiable increases in the cost of operation, maintenance or replacement of the treatment works, shall pay for such increased costs. The charge to each such user shall be as determined by the Director of Wastewater, or his/her designee, by the appropriate financial personnel and approved by the City Council.

(6) The user charge rates established in ~~the section~~ APPENDIX B apply to all users of the City's treatment works and shall be updated annually based upon the approved Wastewater Operations budget.

Chapter 70 Utilities, Article II Wastewater System, Div.1 § Sec. 70-32 User fees.

(h) Review of rates.

(1) During the first year after enactment of this article, the City Council shall review the user charges quarterly and revise the rates as necessary to ensure that adequate revenues are generated to pay the costs of operation and maintenance including replacement and debt retirement and that the system continues to provide for the proportional distribution of such costs among users and user classes. ~~During subsequent years, the City Council shall review and, if necessary, revise the rates at least semiannually.~~

Chapter 71, Article XV §71-76:

(6) Other fees as the City of Biddeford, Maine, may deem necessary to carry out the requirements contained herein. These fees relate solely to the matters covered by this chapter and are separate from all other fees, fines, and penalties which may be assessed by the City of Biddeford, Maine and may be found in APPENDIX B in the code of Ordinances. Fees will be reviewed and updated on an annual basis.

Attest by: _____
City Clerk

Date: **8/24/2026**

To: **Biddeford Policy Committee**

Subject: **Proposed Updates to Biddeford Industrial Pretreatment Program Billing Structure**

The purpose of this memorandum is to give an overview of the City of Biddeford's Industrial Pretreatment Program and proposed update to their current billing structure.

Industrial Pretreatment Program Overview

The National Pretreatment Program is a cooperative effort of federal, state, and local regulatory environmental agencies established to protect water quality. The program is designed to reduce the level of potentially toxic pollutants discharged by industry and other non-domestic wastewater sources before entering the municipal sewer systems, and thereby reduce the amount of pollutants released into the environment from these sources.

The U.S. Environmental Protection Agency (EPA) has assigned approval authority to the Maine Department of Environmental Protection for pretreatment programs at the local level and oversight of state-wide pretreatment activities. The City of Biddeford is such a community. The City of Biddeford (City) has authority to implement a pretreatment program, authority to issue industrial user permits, conduct inspections of industrial and commercial sources, sample industrial discharges, and enforce regulations.

Current Billing Ordinance

The current billing ordinance for the City of Biddeford's Industrial Pretreatment Program (IPP) is summarized in Section 71-76 of the City's Code of Ordinances. Section 71-76 is summarized below:

"The City of Biddeford, Maine may adopt reasonable fees for reimbursement of costs of establishing and operating the City's pretreatment program, which may include:

- 1. Fees for wastewater discharge permit applications including the cost of processing such applications;*
- 2. Fees for monitoring, inspection, and surveillance procedures including the cost of collection and analyzing a user's discharge, and reviewing monitoring reports and certification statements submitted by users;*
- 3. Fees for reviewing and responding to accidental discharge procedures and construction;*
- 4. Fees for filing appeals;*
- 5. Fees to recover administrative and legal costs [not included in Section 71-76, Section (2)] associated with the enforcement activities taken by the Director of Wastewater or his/her designee to address IU noncompliance; and*
- 6. Other fees as the City of Biddeford, Maine, may deem necessary to carry out the requirements contained herein. These fees relate Solely to the matters covered by this chapter and are separate from all other fees, fines, and penalties which may be assessed by the City of Biddeford, Maine."*

Proposed Billing Structure

The proposed Industrial Pretreatment Program billing structure is intended to recover the City's costs for administering and operating the program from the industrial users (IUs) enrolled in the IPP in an equitable manner. These program expenses are reflected in budget line 35103, Sewer Industrial Pretreatment Program. The proposed

approach can be implemented under the City's existing ordinance authority and does not require amendments to the current City ordinances. The following section outlines the methodology for calculating charges for each industrial user.

Methodology

The proposed methodology for calculating annual charges for each industrial user begins with the approved budget for line 35103. The total budget amount would be divided equally between two wastewater loading parameters: biological oxygen demand (BOD) and total suspended solids (TSS). Each parameter would therefore account for 50 percent of the total 35103 budget. Industrial users would be required to provide discharge flow and chemistry data, which would be used to calculate each user's total annual pounds of BOD and TSS. Each user's share of the total BOD and TSS loading would then be applied to the corresponding budget allocation to determine the user's proportional charge. In addition to the BOD/TSS-based charge, each industrial user would be assessed an annual administrative fee of \$1,000, which would serve as the minimum annual fee. This fixed administrative fee ensures that users with relatively low discharge strength still contribute to the baseline cost of reviewing their required documentation, maintaining records, and administering the IPP. The administrative fee is consistent with the City's existing billing structure. The example below illustrates how charges would be calculated using a 35103 budget of \$10,000.

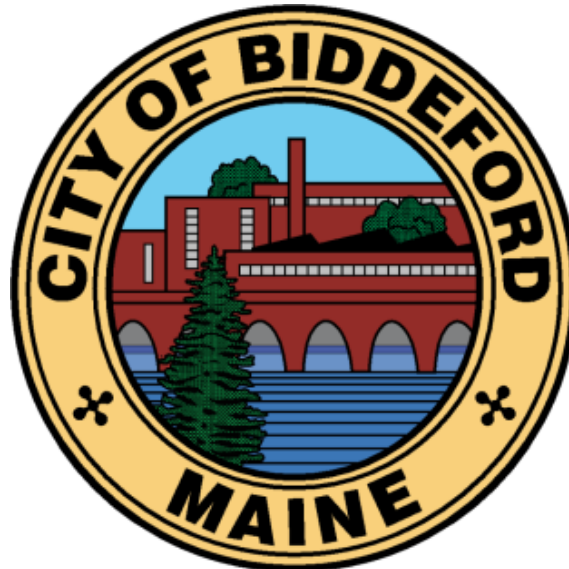
Example Billing

- 35103 Budget: \$10,000
- BOD Portion: \$5,000
- TSS Portion: \$5,000

User	BOD (lb/yr)	TSS (lb/yr)	Portion of BOD	Portion of TSS	BOD Charge	TSS Charge	Admin Fee	Total IPP Charge
X	100	50	28.57%	14.29%	\$1,428.50	\$714.50	\$1,000	\$3,143.00
Y	50	200	14.29%	57.14%	\$714.50	\$2,857.00	\$1,000	\$4,571.50
Z	200	100	57.14%	28.57%	\$2,857.00	\$1,428.50	\$1,000	\$5,285.50

City of Biddeford Industrial Pretreatment and Surcharge Updates

August 24th, 2026



Presentation Overview

Overview of City's Industrial Pretreatment Program
Proposed Industrial Pretreatment Program Billing Structure
Overview of City's Current Wastewater Surcharge Rates
Proposed Wastewater Surcharge Ordinance Changes
Questions?

Industrial Pretreatment Program (IPP) Background

- **The IPP protects the City's wastewater system and receiving waters by regulating pollutants discharged from industrial users.**
- **The City of Biddeford administers its own pretreatment program under Maine DEP oversight**
- **The IPP permits, inspects, samples, monitors, and enforces wastewater discharge requirements to protect the City's collection system, treatment facility, and the environment.**
- **Current ordinance allows the City to recover costs associated with administering and operating the IPP**

Why Update the Billing Structure?

- **Ensure industrial users pay a equitable share of program cost**
- **Improve transparency and consistency in cost allocation**
- **Align charges with the pollutant loading contributed by each industrial user**
- **No ordinance amendment is required to implement the proposed methodology**

Proposed Billing Methodology

Cost Recovery based on Pollutant Loading

- Annual IPP costs are based on Budget Line 35103 (Sewer Industrial Pretreatment Program)
- Budget is divided equally
 - 50% allocated to Biological Oxygen Demand (BOD)
 - 50% allocated to Total Suspended Solids (TSS)
- Each industrial user's BOD and TSS loading is calculated using discharge flow and sampling data
- Users are charged based on their percentage of total BOD and TSS loading
- An annual \$1,000 administrative fee will be applied to all users to act as a minimum charge



Current High-Strength Wastewater Surcharge

- Current ordinance does not establish a specific definition or threshold for what constitutes “high-strength” wastewater discharge
- As treatment costs have increased over time, the existing surcharge rates may no longer recover the City’s actual costs associated with treating elevated pollutant loadings
- This can result in users with higher-strength discharges contributing less than their proportional share of treatment costs
- Key Issue: Current Surcharge rates are not directly tied to actual wastewater treatment costs and may not provide equitable cost recovery

Basis for Proposed Surcharge Rate

Methodology Used

- Reviewed FY2026 sewer budgets associated with collection, conveyance, and treatment operations
- Evaluated Wastewater Treatment Facility (WWTF) influent and effluent data to determine average pollutant removal for:
 - Biological Oxygen Demand (BOD)
 - Total Suspended Solids (TSS)
- Calculated the City's actual cost to treat each pound of pollutant removed
- Reviewed WWTF design criteria to establish normal domestic wastewater characteristics

Proposed Definition of High- Strength Wastewater Discharge

BOD > 250 mg/L

TSS > 250 mg/L

Proposed Surcharge Strucutre



- Surcharge Rates to be reviewed annually
- Rate adjustments would be based on current wastewater collection, conveyance, and treatment costs reflected in the City's annual sewer budget
 - Annual updates ensure rates remain aligned with actual treatment costs
- Provides a transparent and equitable cost recovery mechanism for high-strength wastewater discharge
- Proposed FY26 Surcharge Rates
 - BOD Surcharge: \$2.70 per pound
 - TSS Surcharge: \$2.70 per pound
 - Applies only to pollutant loadings exceeding
 - 250mg/L BOD
 - 250mg/L TSS

Industrial Users TSS Surcharge Calculation

Table 3: Industrial Users TSS Surcharge Comparison

User	Annual Flow (MGD)	Average TSS (mg/L)	TSS over Limit (mg/L)	Pounds TSS over Limit (lb/yr)	Current BOD Surcharge	Proposed BOD Surcharge	Difference
A	13.21	240	-	-	-	-	-
B	3.29	110	-	-	-	-	-
C	1.88	480	230	3,607	\$270.57	\$9,727.37	\$9,456.80
D	0.42	250	-	-	-	-	-
E	0.38	250	-	-	-	-	-
F	0.14	250	-	-	-	-	-
G	0.06	4	-	-	-	-	-
H	0.01	250	-	-	-	-	-
Total					\$270.57	\$9,727.37	\$9,456.80

- Pounds = Flow (MG) * Concentration * 8.34

Industrial Users BOD Surcharge Calculation

Table 2: Industrial Users BOD Surcharge Comparison

User	Annual Flow (MGD)	Average BOD (mg/L)	BOD over Limit (mg/L)	Pounds BOD over Limit (lb/yr)	Current BOD Surcharge	Proposed BOD Surcharge	Difference
A	13.21	1300	1050	115,705	\$6,363.78	\$311,981.65	\$305,617.86
B	3.29	28	-	-	-	-	-
C	1.88	83	-	-	-	-	-
D	0.42	600	350	350	\$67.29	\$3,298.73	\$3,231.44
E	0.38	1286	1036	1,036	\$178.95	\$8,773.14	\$8,594.18
F	0.14	193	-	-	-	-	-
G	0.06	583	333	333	\$9.64	\$472.57	\$462.93
H	0.01	20	-	-	-	-	-
Total					\$6,619.66	\$324,526.08	\$317,906.42

- Pounds = Flow (MG) * Concentration * 8.34

Contact Information



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THANK YOU



City Council

Meeting Date: September 1, 2026

Meeting Time: 6:00 PM

Agenda Item 8.f
No:

Item 2026.120 Approval -New Cingular Wireless, LLC - Lease, Fourth Amendment
Description:

Submitted By: Stephen C. Perruzza on behalf of the Capital Projects and Operations Committee

Key Terms:

License, Lease, AT&T, MERC

Executive Summary:

Fourth Amendment to License Agreement with New Cingular Wireless PCS, LLC

Detailed Review:

This Order seeks to extend the duration of a current License Agreement between the City of Biddeford and New Cingular Wireless PCS, LLC (Operating as AT&T, and hereinafter referred to as "AT&T") with respect to cellular equipment currently installed on the former MERC Tower. The original License Agreement is dated August 31, 1998, and has been amended three times: July 7, 1999, October 15, 2008 and April 10, 2014.

This Fourth Amendment to the License Agreement extends the duration of the License

Agreement by an additional 10 years, broken down in two 5 year terms, and begins on October 31, 2028, which is the date in which the current License Agreement, as modified by subsequent amendments expires. As a result, this Fourth Amendment shall cause the License to expire on November 1, 2033, with a subsequent renewal period ending on November 1, 2038.

Noteworthy terms include the following:

1. Rent amount to \$2,500.00 per month, subject to a 10% increase on November 1, 2033. This represents a change from the current rent of \$2,799.21 per month. This reduction in rent has been explained by AT&T as a result of a shift in leasing trends, with a downward pressure on rental rates in the telecommunications sector due to increased vacancies and evolving space needs.
2. The addition of a Condemnation provision allowing for cancellation of the license by the City upon 15 days notice if the premises is condemned and such condemnation shall disrupt the operation of the site for more than 45 days.
3. The addition of an Abandonment provision allowing for cancellation of the license by the City if the City decides to abandon the premises and cease any operations occurring therein.

The terms of this License have undergone negotiations through the City Attorney's office with input from the Capital Projects and Operations Committee, which has recommended approval of the License to the City Council. This item is being discussed in executive session as a result of a certain confidentiality provision which is contained in the original License, specifically under Section 21, which requires the City to keep all terms of the original license confidential.

Funding Source:

N/A, no additional funds are required from the City with respect to this license.

Staff Recommendation:

The City Attorney's office recommends approval of this Fourth Amendment to the License Agreement.

Next Steps:

Upon approval by the City Council, the Fourth Amendment shall require DocuSign by the Interim City Manager and AT&T.

Attachments:

1. 2026.120 Approval- New Cingular Wireless, LLC Lease Amendment -ORDER



2026.120 IN BOARD OF CITY COUNCIL... SEPTEMBER 1, 2026
BE IT ORDERED that the City Council does hereby approve the Fourth Amendment to the license agreement with New Cingular Wireless PCS, LLC, FA: 10096413 | Lease ID: 62659, pursuant to the terms negotiated on behalf of the City of Biddeford and New Cingular Wireless PCS, LLC.

Attest by: _____
City Clerk