STATE OF MAINE
COUNTY OF YORK
CITY OF SACO

I. CALL TO ORDER – On Monday, December 17, 2007, at 7:00 p.m., a Council Meeting was held in the City Hall Auditorium.

II. ROLL CALL OF MEMBERS – Mayor Roland L. Michaud conducted a roll call of the members and determined that the Councilors present constituted a quorum. Councilors present: Margaret Mills, Leslie Smith, Jr., Ronald Morton, Sandra Bastille, Arthur Tardif, Eric Cote and Marston Lovell.

Mr. Roland R. Michaud, City Administrator and Lucette S. Pellerin, City Clerk were also in attendance this evening.

III. PLEDGE OF ALLEGIANCE

IV. APPROVAL OF MINUTES: November 19, 2007; November 26, 2007; December 3, 2007

Minutes for the above entitled dates were approved as written.

V. GENERAL: Master of Municipal Clerk Awarded to City Clerk Lucette Pellerin

Master of Municipal Clerk Awarded to City Clerk Lucette Pellerin

Lucette S. Pellerin, MMC, City Clerk/Registrar of Voters of Saco, ME has received the Master Municipal Clerk designation through the IIMC Academy Program. She is the second Clerk in the State of Maine to achieve the MMC designation. To date, approximately 15% of the International Institute of Municipal Clerks’ 10,300 members have qualified for the Academy status.

Lucette has been employed with the City of Saco since May 1994, as City Clerk and Registrar. Previously she was employed by the City of Biddeford, having served as Deputy City Clerk. She achieved IIMC’s Certified Municipal Clerk status in November 29, 1999, entered the Master Municipal Clerk Academy Program in March of 2000, and has continued to fulfill the educational service requirements through each of the Three Levels of Membership in the Academy.
Active in professional affiliations Lucette served as President of the New England Association of City and Town Clerks, President of the York County Clerks Association and presently on the Executive Board of the Maine Town and City Clerks Association.

VI. AGENDA ITEMS:

A. Public Opinion Survey

Pam Atlantic SMS Group, a full-service market research and consulting firm located in Portland, Maine, was commissioned by the City of Saco to conduct a qualitative research project with random sample of Saco residents to benchmark two citizen satisfaction surveys previously conducted in November, 2004 and November, 2005.

Saco requested the development and implementation of a government performance measurement survey and report as a next step toward improving its accountability to the residents of Saco and overall achievement of its strategic plan. In an effort to continually improve levels of service and the satisfaction of residents, the City of Saco decided to conduct this research project so that these results could be benchmarked against the 2004 and 2005 data.

The report showed improvement in almost all areas.

B. Resolution Supporting Maine National Guard and Reserve

CITY OF SACO

STATEMENT OF SUPPORT

FOR THE NATIONAL GUARD AND RESERVE

WHEREAS: We recognize the National Guard and Reserve are essential to the strength of our nation and the well-being of our communities; and

WHEREAS: In the highest American tradition, the patriotic men and women of the Guard and Reserve serve voluntarily in an honorable and vital profession. They train to respond to their community and their country in time of need. They deserve the support of every segment of our society; and

WHEREAS: If these volunteer forces are to continue to serve our nation, increased public understanding is required of the essential role of the Guard and Reserve in preserving our national security;

THEREFORE, the City of Saco joins other employers in pledging that:

   Employment will not be denied because of service in the Guard or Reserve;
Employee job and career opportunities will not be limited or reduced because of service in the Guard and Reserve;

Employees will be granted leaves of absence for military service in the Guard and Reserve, consistent with existing laws; and

This agreement and its resultant policies will be made known throughout our organization.

NOW THEREFORE, I, Roland Michaud, Mayor of the City of Saco, on behalf of the City of Saco as an employer – proclaim a statement of support for the National Guard and Reserve, this 17th Day of December 2007.

Signed in support this 17th day of December, 2007

/s/ Margaret Mills    /s/ Leslie Smith, Jr.
/s/ Ronald Morton    /s/ Sandra Bastille
/s/ Arthur Tardif    /s/ Eric Cote
/s/ Marston Lovell
/s/ Roland L. Michaud
Mayor Roland Michaud and the SACO CITY COUNCIL

C. Election of Deputy Mayor

Article II, Section 2.05 – Election and Term, Subsection C of the Charter states:

“The City Council shall elect from its membership a Deputy Mayor who shall exercise all powers of the Mayor during temporary absence or disability of the Mayor. In the event of a vacancy in the office of Mayor, the Deputy Mayor shall assume the office of Mayor with all the duties and obligations of that office in accordance with the provisions of Section 2.06(c)(1).”

Councilor Cote moved, Councilor Smith seconded, that it be Ordered that the City Council move to elect Councilor Ronald E. Morton as Deputy Mayor of the City of Saco for the term of two years commencing December 17, 2007. I further move to approve the Order. The motion passed with seven (7) yeas.

D. Confirmation of Appointments

It is the practice of the City Council to have council members serve as a liaison with city boards and commissions.

The Mayor has made a number of appointments and reappointments to these bodies and is seeking City Council confirmation of the following appointments:

Personnel Committee – Reappoint Councilor Morton and appoint Councilor Lovell to replace former Councilor Michaud;
Councilor Mills moved, Councilor Smith seconded, that it be Ordered that the City Council approve the Mayor’s appointments as listed on the document titled, “Mayoral Appointments and Reappointments to Boards and Commission, dated December 17, 2007”. Further move to approve the Order. The motion passed with seven (7) yeas.

Mayoral Appointments and Reappointments to Boards and Commissions, dated December 17, 2007

Personnel Committee – Reappoint Councilor Morton and appoint Councilor appoint Councilor Lovell to replace former Councilor Michaud;
Traffic Safety Committee – Reappoint Councilor Cote and appoint Councilor Lovell to replace former Councilor Tripp;
Economic Development Commission – Reappoint Councilor Morton;
Saco Museum/Dyer Library Board – Appoint Councilor Mills to replace Councilor Morton;
Coastal Water Commission – Appoint Councilor Bastille to replace former Councilor Michaud;
Shoreline Commission – Appoint Councilor Morton to replace former Councilor Michaud;
Saco River Corridor Commission – Reappoint Mark Johnston, and appoint Councilor Mills to replace former Councilor Tripp;
Transit Committee – Appoint Councilor Bastille to replace former Councilor Tripp, appoint Bob Hamblen to replace City Administrator Michaud;
Saco – Biddeford Area Economic Development Commission (SBAEDC) – Reappoint Councilor Morton;
Solid Waste Management & Recycling Team (SMART) – Reappoint Councilor Cote;
Saco Energy Committee – Reappoint Councilor Cote;
Board of Education, ex officio Chair – Appoint Mayor Michaud to replace former Mayor Johnston;
School Capital Improvement Committee – Appoint Councilor Tardif, and Reappoint Councilor Morton;
Land for Saco’s Future – Reappoint Councilor Smith
Fair Hearing Authority (FHA) for General Assistance – Appoint City Administrator Richard Michaud, Councilors Arthur Tardif and Sandra Bastille;
Regional Planning Commission – Councilor Ronald Morton
Shoreline Commission – Appoint Councilor Morton to replace former Councilor Michaud;  
Saco River Corridor Commission – Reappoint Mark Johnston, and appoint Councilor Mills to replace former Councilor Tripp;  
Transit Committee – Appoint Councilor Bastille to replace former Councilor Tripp, appoint Bob Hamblen to replace City Administrator Michaud;  
Saco – Biddeford Area Economic Development Commission (SBAEDC) – Reappoint Councilor Morton;  
Solid Waste Management & Recycling Team (SMART) – Reappoint Councilor Cote;  
Saco Energy Committee – Reappoint Councilor Cote;  
Board of Education, ex officio Chair – Appoint Mayor Michaud to replace former Mayor Johnston;  
School Capital Improvement Committee – Appoint Councilor Tardif, and Reappoint Councilor Morton;  
Land for Saco’s Future – Reappoint Councilor Smith  
*Fair Hearing Authority (FHA) for General Assistance – Appoint City Administrator Richard Michaud, Councilors Arthur Tardif and Sandra Bastille;  
Regional Planning Commission – Councilor Ronald Morton

*Fair Hearing Authority (FHA) for General Assistance – is an authority created by City Code Chapter 112, General Assistance Program §112-37, whose purpose is to determine, based on all evidence presented at the fair hearing, whether the claimant(s) were eligible to receive assistance at the time they applied for general assistance. The FHA is charged with the responsibility of ensuring that general assistance is administered in accordance with the state law and local ordinance. Municipal officers will appoint the FHA, and operates on an ‘as needed’ basis.

Exhibit - CHAPTER 112, GENERAL ASSISTANCE PROGRAM

§ 112-37. Fair Hearing Authority. A. The municipal officers will appoint a Fair Hearing Authority (FHA) that will determine, based on all the evidence presented at the fair hearing, whether the claimant(s) were eligible to receive assistance at the time they applied for general assistance. The FHA is charged with the responsibility of ensuring that general assistance is administered in accordance with the state law and local ordinance.  
B. The Fair Hearing Authority may consist of the municipal officers, one or more persons appointed by the municipal officers to act as the FHA, or, if designated, the Board of Appeals created under 30-A M.R.S.A. § 2691 (22 M.R.S.A. § 4322). In determining the organization of the Fair Hearing Authority, the municipal officers will use the following criteria. The person(s) serving as FHA must: (1) Not have participated in the decision which is the subject of the appeal; (2) Be impartial; (3) Be sufficiently skilled in interviewing techniques to be able to obtain evidence and the facts necessary to make a fair determination; and (4) Be capable of evaluating all evidence fairly and realistically, explaining to the claimant the laws and regulations under which the Administrator operated, and interpreting to the Administrator any evidence of unsound, unclear, or inadequate policies, practices or actions.
VII. CONSENT AGENDA:

A. Application for a License to Operate Game of Chance, Daily Pool – Saco Eagles
B. Application for a License to Operate Game of Chance, Card Party – Saco Eagles

Items A and B were moved to the January 7, 2008 meeting.

C. Discontinuance Old Cascade Road

Elliot Chamberlain has requested that the portion of Old Cascade Road that lies within Saco be discontinued, and that the land revert to the two abutters: the Townsend Family Revocable Trust and a parcel owned by Mr. Chamberlain.

The segment of road in question is roughly 800 feet long, and lies between the current Cascade Road and Milliken Mills Road. The current Cascade Road was built about 1948; use of the Old Cascade Road has been limited to local traffic since that time. The two abutters are the only parties that would be directly affected by discontinuance.

On November 6, 2007, the Planning Board reviewed this request, and made a positive recommendation for the discontinuance as requested.

Be it ordered that the City Council approve giving notice by mail to all abutting property owners prior to abandonment and discontinuance of the Old Cascade Road as shown being the northeasterly half of the Old Cascade Road right of way and the southwesterly half of the Old Cascade Road right of way, in the City of Saco, County of York, and State of Maine as shown on the Boundary Survey of Park North Triangle Property prepared for Park North Development, LLC, dated September 21, 2007, last revised November 27, 2007, by Sebago Technics, Inc. with reference to Projects 05082 and 06134, more formally described in ‘Exhibit A Northeasterly Portion of Old Cascade Road Park North Development, Saco Maine’ and ‘Exhibit A Southwesterly Portion of Old Cascade Road Park North Development, Saco Maine’ as contemplated by 23 M.R.S.A. §3026(1).

Notice of Proposed Abandonment and Discontinuance of the Old Cascade Road

To: Abutters
Planning Board

From: The City Council of the City of Saco, Maine.

Dear Property Owner:

Our records show that you own property abutting the Old Cascade Road.

This is to notify you that on January 7, 2008 at 7:00 p.m., the City Council will hold a Public Hearing in the City Hall Auditorium at 300 Main Street, Saco, Maine, to determine whether they
will issue an order for the abandonment and discontinuance of the Old Cascade Road as shown being the northeasterly half of the Old Cascade Road right of way and the southwesterly half of the Old Cascade Road right of way, in the City of Saco, County of York, and State of Maine as shown on the Boundary Survey of Park North Triangle Property prepared for Park North Development, LLC, dated September 21, 2007, last revised November 27, 2007, by Sebago Technics, Inc. with reference to Projects 05082 and 06134, more formally described in ‘Exhibit A Northeasternly Portion of Old Cascade Road Park North Development, Saco Maine’ and ‘Exhibit A Southwesterly Portion of Old Cascade Road Park North Development, Saco Maine.

If an Order of Discontinuance is issued and subsequently approved by vote of the City Council of the City of Saco, Maine, the City will have no obligation to maintain, repair or plow the road but the public will still have the right to travel over it unless the public easement is extinguished as well. These matters will be discussed at the Public Hearing. As an abutter, you or your designated agent are invited to attend the public hearing and be heard on the issues of discontinuance and damages.

Dated: December 17, 2007

Richard M. Michaud
City Administrator

D. Adopt Rules of Order and Business

Article II, Section 2.08 – Procedure, Subsection b of the Charter states:

“Rules and Journal. The City Council shall determine its own rules and order of business at the first meeting of each newly elected City Council. The City Council shall provide for the keeping of a journal of its proceedings. This journal shall be a public record and shall be kept in the office of the City Clerk.”

Be it Ordered that the City Council accept the agenda format and Roberts Rules as the parliamentary procedure for the Council as outlined below.

CITY COUNCIL MEETING

(TIME AND DATE)
CITY HALL AUDITORIUM

I. CALL TO ORDER
II. ROLL CALL OF MEMBERS
III. PLEDGE OF ALLEGIANCE
IV. APPROVAL OF MINUTES
V. GENERAL
VI. ACTION ITEMS
VII. APPOINTMENTS
VIII. CONSENT AGENDA
IX. EXECUTIVE SESSION
X. REPORT AND POTENTIAL ACTION FROM EXECUTIVE SESSION
XI. ADJOURNMENT

E. Council Procedures Manual Amendment

The City of Saco adopted the Procedures Manual for Council Members on December 16, 2002. The purpose of this Manual is to assist the City Council by documenting accepted practices and clarifying expectations. Through agreement of the City Council and staff to be bound by these practices, administration of City Council affairs is greatly enhanced. While attempting not to be overly restrictive, procedures are established so that expectations and practices can be clearly articulated to guide Council members in their actions governing the City of Saco. This procedures Manual will aid Council in taking bold/responsible action, when necessary, to keep Saco on the growing edge of well run, well managed, innovative cities.

The City Council discussed this at Workshop on December 10, 2007.

Three amendments are being proposed for the Manual at this time.

The City of Saco hereby ordains and approves that the Procedures Manual for Council Members be amended as described in the document entitled “Amendments to Procedures Manual for Council Members – Dated December 17, 2007”.


Words that are shown as strikethrough are to be deleted while underline indicates new wording.

1). A Table of Contents has been added – page 2

2.) Chapter 4 – Support Provided to City Council - page 9

A. E-mail, Computers - Council members are encouraged to use e-mail. Please use the City’s e-mail system for the conduct of official business, and not for personal or political reasons.

Information technologies facilitate efficient communication by Council members. However, their use also raises important legal issues to which Council members must pay special attention. Be aware that e-mails sent by Council members probably are public records under the Right to Know Law. Even though it does not create paper, sending an e-mail is more similar to mailing a letter than placing a telephone call. The information in the e-mail is stored on the computer network until deleted, and may continue to exist on the network’s back-up systems even after being deleted. As a result, e-mails can become records of the City maintained in the course of business, and thus available for public disclosure under the Right to Know Law. Therefore, use of personal computers for email and
to conduct official city business presents a security risk. One risk to consider relates to the “Right to Know Law” which could potentially open up an employee or elected officials personal email and/or computer to investigation during any litigation or official process of inquiry.

Ideally, if the Mayor and City Council accessed their mail from ‘Outlook Web Access’, all the records would be kept on the City owned server, which reduces the risk for personal exposure.

It seems a perfect time to propose a new email/computer set up to address security concerns and provide a uniform system going forward.

The IT Department proposes that all city business and communications of the Mayor and Council Members be conducted using a city of Saco email address. The following process would be implemented as follows:

- Mayor and Councilors would be given a City email address;

- Mayor and Councilors would go to a secure website where they will have access to “Outlook Web Access”. This is a web interface of our in-house exchange server, and will provide email as well as common calendaring and sharing of tasks and email groups.

- In December following an election, the Mayor and Councilor’s would receive the following @sacomaine.org addresses.

- Training on the new email system will be available and provided as schedules permit

  Mayor    mayor@sacomaine.org
  Ward 1 Councilor councilorward1@sacomaine.org
  Ward2 Councilor councilorward2@sacomaine.org
  Ward3 Councilor councilorward3@sacomaine.org
  Ward4 Councilor councilorward4@sacomaine.org
  Ward5 Councilor councilorward5@sacomaine.org
  Ward6 Councilor councilorward6@sacomaine.org
  Ward7 Councilor councilorward7@sacomaine.org

  The **group** address would be council@sacomaine.org and would consist of the Mayor, Councilors, City Administrator, executive assistant, and the Development Director.

  The following is brief description of what the process will be after receiving a username and password:


- If one chooses to bring a laptop into City Hall, they would use http://webmail from inside the City Network. Depending on the browser the member may be asked to accept a security certificate. If prompted they would need to accept the certificate to pass security to get the login site.

- Once passed through security members would be presented with a log in screen as such:
• Members would then be able to log in using their supplied username and password.

• Once inside the program – all email, contacts and shared resources such as calendars and task lists would be visible and accessible.

• A “public” folder will be created where Mayor, Councilors and the City Administrator could share documents and other resources.

3.) Chapter 6 – Communications – page 15

J. Committees and Boards:

Personnel Committee/Board – is created by the City Code and is comprised of 5 non union employees and two (2) Councilors to review facts of a personnel investigation and to recommend appropriate corrective action to the Mayor and Council and also represents the interest of the non union workforce, and is usually tasked with specific issues assigned by the Council. The Board meets during a workday at City Hall on an ‘as needed’ basis.
Traffic Safety Committee is created by the City Code – The committee consists of two members of the City Council, the Police Chief, Fire Chief, Street Superintendent, Traffic Safety Officer, and the City Administrator. The committee meets at City Hall at 7:00 p.m. approximately 10 times per year. Primarily the Committee determines the installation and proper timing and maintenance of traffic control devices, to conduct engineering analyses of accidents and to and to devise remedial measures, to conduct engineering investigation of traffic conditions and to develop ways and means to improve traffic conditions.

Economic Development Commission is created by the City Code – The Commission consists of seven (7) voting members who shall be appointed by the Mayor, with Council confirmation, for terms of 5 years. One Councilor serves as a liaison. Primarily, the Commission may; negotiate to purchase, enter into options to purchase and purchase lands lying within the City for current and prospective industrial uses, negotiate and enter into lease and rental transactions of industrial sites and improvements owned by the City; review site plans and building designs and make recommendations to the Planning Board. The Board meets during the day at City Hall on an ‘as needed’ basis.

Saco Museum/Dyer Library Board of Trustees is an outside agency with 21 members charged with the purpose of operating and maintaining a public library, which shall ever be free to the citizens of Saco, and a regional museum. The Dyer Library/Saco Museum promotes life-long learning and appreciation of culture; preservation of the past; and state-of-the-art services and resources for all. One representative of the Saco City Council and the City Administrator or his/her designee appointed by the Saco City Administrator will serve on the board. The board meets monthly at the Dyer Library.

Coastal Waters Commission is created by City Code – The Commission has 7 members and a council appointed liaison who serves with no privilege beyond a member of the public. The commission exists for the general purpose of studying and evaluating public usage of and boating access to coastal waters under the jurisdiction of the City of Saco, planning for its future use, advising the Council on policy matters and proposing regulations concerning the Saco River and coastal waters. The Commission meets monthly at City Hall.

Shoreline Commission is created by City Code and consists of nine members, appointed by the Mayor and confirmed by Council. A council appointed liaison serves on the shoreline commission with no privilege beyond a member of the public. The Commission shall study the continuing effects of erosion on Saco’s shorefront, and evaluate public usage of the beaches and other public infrastructure within a coastal zone under the jurisdiction of the City of Saco and advise the Council on policy matters relating to coastal erosion and use. The Commission meets 9 to 10 times per year, usually at Wormwoods in Camp Ellis.

Saco River Corridor Commission (SRCC) is an outside agency and Saco is represented by 2 members. The Commission administers the Saco River Corridor Act, which was established by the Legislature in 1973. Through the Act, the
Commission helps oversee land use development within 500 to 1,000 feet of the Saco, Ossipee, Little Ossipee Rivers, the Little Ossipee Flowage, and Balch Lake. The Commission is made up of representatives from twenty communities bordering these water bodies. Each of the twenty municipalities has an obligation and opportunity to be represented by one regular and one alternate member who are appointed by the Selectmen or Mayor.

**Transit Committee** is an outside agency of which Saco is represented by three members of a nine member committee. The purpose of the Committee is to establish, maintain and implement a short and long-range bus transit development program, and to apply for, receive and administer Federal and State grants-in-aid for mass transit on behalf of the municipalities of Biddeford, Old Orchard Beach, and Saco to provide adequate and efficient bus mass transit for the Biddeford, Old Orchard Beach, Saco area. The Committee meets quarterly during the work day.

**Biddeford – Saco Area Economic Development Corporation Board** is an outside agency and is represented by 1 member from Saco. The Biddeford Saco Area Economic Development Corporation (BSAEDC) is a nonprofit partnership between the Cities of Biddeford and Saco and Biddeford Saco Chamber of Commerce & Industry. The purpose of the corporation shall be to foster, encourage and assist: (1) the physical location, expansion, settlement or resettlement of industrial, manufacturing, and commercial enterprises; and (2) public policy leadership; within the Cities of Biddeford and Saco. The Board meets monthly at 110 Main Street during the work day.

**Solid Waste Management and Recycling Team (SMART)** is a standing committee assembled by the City Administrator and consists of Councilor Cote and 5 city employees in place to work with neighboring communities to address Public Works and Solid Waste related issues. The Committee meets monthly and consists of members from South Portland, Scarborough, Old Orchard Beach, Biddeford, and Saco. Individual communities send representatives as they deem appropriate. Meetings are held monthly at Saco City Hall.

**Saco Energy Committee** is a standing committee assembled by the City Administrator to explore environmental conservation options and to make recommendations to the City. The Committee consists of Councilor Cote and 5 city employees. Individual communities send representatives as they deem appropriate. The committee meets on a monthly basis during the work day.

**Board of Education** – Pursuant to City Code, the Mayor is the ex officio chair of the Board of Education. The Board of Education has 7 members plus the ex officio chair. Maine School law sets the duties of the Board which involve governance, management and operation of the public schools, including the appointment of the Superintendent of Schools and furnishing a budget request for the support of the public schools to the Council, Mayor, and City Administrator. The Board meets twice per month, once at 90 Beach Street for Workshop and once at City Hall for a meeting.
**School Capital Improvement Plan Committee** – The Committee is a standing committee created by the Superintendent of Schools to evaluate school facility improvement needs and make recommendations of findings to the Board of Education and Council. The Committee consists of (2) Councilors, (2) Board of Ed members, Superintendent, Business Manager, Facilities Director, City Administrator, Finance Director and meet during the work day on an ‘as needed’ basis.

**Regional School Unit Committee** – The Committee is a state formed committee in place to plan for the formulation of a regional school unit. The Committee consists of (3) representatives from Dayton, Saco, and Old Orchard Beach. The Committee meets twice per month at Saco City Hall.

**Land for Saco’s Future** is a Committee created by Council policy out of a voter approved $1.5 million bond issue to acquire open space and park land for the City, to recommend land purchases, to preserve community character and to provide recreational opportunities to residents. In addition to purchasing land outright, the program considers gifts, partial gifts, purchase of easements or development rights, partial gifts and partial sales, and other proven methods of preserving land. The Committee has 5 members, one of which is a Councilor and meets at City Hall on an ‘as needed’ basis.

**Fair Hearing Authority (FHA) for General Assistance** – is an authority created by City Code and whose purpose is to determine, based on all the evidence presented at the fair hearing, whether the claimant(s) were eligible to receive assistance at the time they applied for general assistance. The FHA is charged with the responsibility of ensuring that general assistance is administered in accordance with the state law and local ordinance. Municipal officers will appoint the FHA. The FHA operates on an ‘as needed’ basis.

Councilor Smith moved, Councilor Morton seconded, to approve the Consent Agenda. The motion passed with seven (7) yeas.

**VIII. ADJOURNMENT**

Councilor Smith moved, Councilor Mills seconded, to adjourn. The motion passed with yeas. Time: 7:44 p.m.

**ATTEST:** __________________________

Lucette S. Pellerin, City Clerk