The following are minutes of the February 19, 2008 Council Meeting.

I. CALL TO ORDER – On Tuesday, February 19, 2008 at 5:00 p.m. the Saco City Council held a joint meeting/workshop with the Board of Education at SARGE’S TAILGATE GRILLE, 63 Storer Street, Saco, Maine.

Mr. Richard Michaud, City Administrator, was also in attendance this evening.

II AGENDA ITEMS:

A. Regional School Unit Presentation & School Facilities Agreement Discussion

The above entitled matters were discussed during a dinner meeting.

III. RECESS THE WORKSHOP – 6:15 PM

VII. CALL TO ORDER – Mayor Michaud called the meeting to order at 10:10 p.m. Councilor present: Margaret E. Mills, Leslie Smith, Jr., Ronald E. Morton, Sandra L. Bastille, Arthur J. Tardif, Eric B. Cote and Marston Lovell.

Mr. Richard R. Michaud, City Administrator, was also present this evening.

a. Public Works Facility Bond Order

In November of 2006, the Saco voters did not approve a proposed bond referendum for the renovations to the City Public Works Facility on North Street. At that time, the proposed bond was for 5.4 million in renovations. Since the need for the renovations remain and are more acute today, staff is proposing a revised renovation plan for consideration by the voters on the June election ballot.

The major difference in the revised plan would be the elimination of the 19,000 square foot vehicular storage facility. This would reduce the cost of the facility from $5,485,475 to $4,996,475: a reduction of $489,000. While the staff feels that this is an important part of the proposed plan, it can be added at a later date in a future phase.

Councilor Cote moved, Councilor Smith seconded, that the City of Saco hereby approves the First Reading of the following: ‘Order Authorizing City of Saco to Borrow an Amount not to
ORDER AUTHORIZING
CITY OF SACO TO BORROW AN AMOUNT NOT TO EXCEED $4,996,475 FOR PUBLIC WORKS FACILITY IMPROVEMENTS

BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF SACO, MAINE IN CITY COUNCIL ASSEMBLED:

1) That under and pursuant to 30-A M.R.S.A. §5772 and Sections 6.14 and 6.15 of the Charter of the City of Saco, the Treasurer and the Mayor of the City of Saco are authorized to issue general or limited general obligation securities in the name of the City of Saco in an aggregate principal amount not to exceed Four Million Nine Hundred Ninety-Six Thousand Four Hundred Seventy-Five Dollars ($4,996,475), and notes in anticipation thereof, to pay for costs to design, construct and equip additions and renovations to the City's Public Works Facility at 351 North Street and to acquire any real estate or interests in real estate related thereto (the “Project”);
2) That the proceeds of the said securities and said notes in anticipation thereof (hereinafter collectively, “Bonds”), together with any investment earnings thereon, are appropriated to be used for the Project and for related costs of issuance, credit enhancement and accrued interest, if any;
3) That the estimated period of utility of the Project is determined to be in excess of thirty (30) years;
4) That pursuant to Section 6.15 of the Charter of the City of Saco, taxes shall be levied on the taxable estates of the City of Saco for each year that the Bonds remain outstanding in the amount necessary to meet the payment of the annual installments of principal and interest on the Bonds;
5) That to the extent not inconsistent with this Order, the Treasurer is authorized to select such date(s), maturity(ies), denomination(s), interest rate(s), place(s) of payment, form(s) and other details of the Bonds, as the Treasurer determines to be in the interest of the City;
6) That any of the Bonds may be made callable, with or without premium, prior to their maturity;
7) That the Bonds shall be executed in the name of the City by the Treasurer and Mayor, under the official seal of the City attested by the City Clerk, and that any signature thereon may be by facsimile to the extent permitted by law;
8) That the Treasurer is authorized to provide for the sale of the Bonds at such times and in such manner, as the Treasurer determines to be in the interest of the City, and to select a purchaser or purchasers of the Bonds and to execute and deliver such contracts or agreements as may be necessary in connection therewith;
9) That in connection with the sale of any of the Bonds, the Treasurer may select such financial advisors, bond counsel, underwriters, rating agencies, bond insurance companies, registrars, paying agents, transfer agents and other service providers for such of the Bonds as the Treasurer determines to be in the interest of the City, and to execute
and deliver such contracts and agreements as may be necessary or appropriate to secure their services;

10) That the Treasurer is authorized to prepare, or cause to be prepared, Notices of Sale, Preliminary Official Statements and Official Statements and Placement Memoranda for use in the offering and sale of any of the Bonds, in such form and containing such information as may be approved by the Treasurer, and that the distribution thereof in the name of and on behalf of the City in connection with offering any of the Bonds is approved;

11) That the Treasurer is authorized to undertake all acts necessary to provide for the issuance and transfer of such of the Bonds as the Treasurer deems advisable in book-entry form pursuant to the Depository Trust Company Book-Entry Only System, as an alternative to physical transfer of bonds, and the Treasurer is authorized and empowered to enter into a Letter of Representation or any other contract, agreement or understanding necessary or, in the Treasurer’s opinion, appropriate in order to qualify such Bonds for and to participate in the Depository Trust Company Book-Entry Only System;

12) That the Treasurer is authorized and directed to covenant and certify on behalf of the City that no part of the proceeds of the Bonds shall be used directly or indirectly to acquire any securities or obligations, the acquisition of which would cause such Bonds to be “arbitrage bonds” within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended;

13) That the Treasurer is authorized to covenant on behalf of the City to file any information report and pay any rebate due to the United States in connection with the issuance of the Bonds, to take all other lawful actions necessary to insure that interest on the Bonds will be excluded from the gross income on the owners thereof for purposes of federal income taxation, and to refrain from taking any action which would cause interest on the Bonds to become includable in the gross income of the owners thereof;

14) That the Treasurer is authorized to covenant, certify and agree, on behalf of the City, for the benefit of the holders of Bonds, that the City will file any required reports, make any annual financial or material event disclosure, and take any other action that may be necessary to insure that the disclosure requirements imposed by Rule 15c2-12 of the Securities and Exchange Commission, if applicable, are met;

15) That the Treasurer is authorized to designate any of the Bonds as qualified tax exempt obligations for purposes of Section 265(b) of the Internal Revenue Code of 1986;

16) That the Treasurer is authorized to execute and deliver such tax certificates, arbitrage and use of proceeds certificates and other documents and certificates as may, in the Treasurer’s opinion, be necessary or convenient to effect the transactions hereinbefore authorized, to be in such form not inconsistent with this Order as the Treasurer, with the advice of the City’s bond counsel, may approve;

17) That the Treasurer and other proper officials of the City are authorized and empowered in its name and on its behalf to do or cause to be done all such other acts and things as may be necessary or desirable in order to effect the issuance, sale and delivery of the Bonds in accordance herewith and any such prior action by them is hereby ratified and confirmed;

18) That if the Treasurer, Mayor, Clerk or any other City officer or official is for any reason unavailable to approve, execute or attest the Bonds or any related financing documents, the person or persons acting in any such capacity, whether as an assistant, a deputy, or otherwise, is authorized to act for such official with the same force and effect as if such official had herself/himself performed such act;
19) That if any of the officers or officials of the City who have signed or sealed the Bonds shall cease to be such officers or officials before the Bonds so signed and sealed shall have been actually authenticated or delivered by the City, such Bonds nevertheless may be authenticated, issued, and delivered with the same force and effect as though the person or persons who signed or sealed such Bonds had not ceased to be such officer or official; and also any such Bonds may be signed and sealed on behalf of the City by those persons who, at the actual date of the execution of such Bonds, shall be the proper officers and officials of the City, although at the nominal date of such Bonds any such person shall not have been such officer or official;
20) That the Treasurer prepares a signed financial statement to accompany this and any other referendum question to be submitted on the same date to the voters of the City for ratification of bond issues;
21) That a copy of this Order be filed with the City Clerk; and
22) That pursuant to Section 6.15 of the Charter of the City of Saco, Maine the following question shall be submitted to the voters of the City of Saco at a referendum vote to be held on June 10, 2008:

Shall the Order of the City Council of the City of Saco entitled “Order Authorizing City of Saco to Borrow an Amount Not to Exceed $4,996,475 For Public Works Facility Improvements” be ratified and approved?

b. Simpson Road Bridge Peer Review

The City received the report from deGruchy Masonry on January 8, 2008 regarding its analysis and recommendations for the rehabilitation of the Simpson Road Bridge.

The report details the methodologies for the analysis and critical questions to be considered in the restoration work. Also presented in the report is a budget estimate for the proposed work associated with the restoration project. deGruchy estimated a budget for the project at $593,000. The City Council discussed this item at Workshop on February 4, 2008.

Because of the complexity and extent of specialized restoration work, staff recommends conducting a peer review of the deGruchy report. A peer review would present the city with an independent analysis and recommendations based on their review of the deGruchy report. Staff would recommend that CLD Consulting Engineers be retained to provide that review. CLD has been consulting the City on the bridge restoration since 2001 and have the expertise and firsthand knowledge of the bridge to conduct a cost effective peer review.

Councilor Mills moved, Councilor Lovell seconded, that it bet Ordered that the City Council authorize the City Administrator sign a contract with CLD Consulting Engineers for $850.00 to conduct a peer review of the deGruchy proposal titled, ‘Report for the Simpson Road Bridge over Stackpole Creek, dated January 8, 2008’. Further move to approve the Order.

The motion passed with seven (7) yeas.
January 31, 2008

Michael Bolduc, P.E.
Public Works Director
City of Saco
300 Main Street
Saco, ME 04072

Re: Stackpole Creek Bridge
Stone Arch Structural Evaluation
CLD Reference No. 06-0346

Dear Mike:

This letter is in reference to the City's request for peer review of the structural evaluation report provided by DeGruchy Masonry Restoration dated January 8, 2007 [date should have been 2008] for the above-referenced project. CLD has received the report and completed a cursory overview of the materials included.

Per your request, CLD can provide a written evaluation of the report with regard to the adequacy, information, concept and details embodied in the proposal. It is our understanding that our evaluation, in conjunction with the report from DeGruchy Masonry Restoration will be reviewed with the City Council to determine how the City will proceed from this point. Our peer review services would also include a review of information prepared by CLD and our subconsultants during previous phases of the project to assist in evaluating the report findings.

Our fee to complete this work is $850. Upon receipt of City approval of our fee and scope, we can complete the evaluation and submit the report to the City within 7 business days. Attending or presenting at a city council workshop or preparing presentation materials for display has not been included here; however, CLD can provide these services if requested by the City, for an additional negotiated fee.

We hope this provides the information that you need at this time. We look forward to continuing to work with the City on this project. Please contact me if you need any additional information.

Very truly yours,

JoAnn L. Fryer, P.E.
Branch Manager/Senior Associate

JLF:sl
Mr. Michael Bolduc  
Director of Saco Department of Public Works  
City of Saco  
300 Main Street  
Saco, ME  04072

REPORT FOR THE SIMPSON ROAD BRIDGE OVER STACKPOLE CREEK

I. Introduction

The Simpson Road Bridge over Stackpole creek was built ca 1848 as a dry-stacked “Snecked Rubble” stone bridge repaired ca 1918 using concrete reinforcements on the downstream side with no serious damage during the ca 1936 major flood record. The 2001 flood, which was a 100-year event produced at least a sinkhole on the downstream side of the bridge. A steel reinforcement was subsequently designed and installed to encourage the stabilization of the arch opening which displayed inward bulging. In April 2007 photography and videography of a flooding event raised more concern to the stability of the bridge by concerned citizens and city officials.

deGruchy Masonry, Inc. of Quakertown, PA was hired by the city of Saco, ME to perform an initial site visit on June 4th, 2007. The purpose of the visit was to determine what additional remedy could be explored to save the ailing structure. The city of Saco, ME then hired and allowed deGruchy Masonry, Inc. to conduct a longer investigation of the current conditions of the bridge of which this report proposes a remedy for the city of Saco, ME to consider.

It is the writer's opinion, after our investigation of the structure during the week of October 9-15, 2007 that the main threat to the structure is not from road traffic but the possibility of the creek getting dammed up and water levels rising such as to encourage a major erosive flow over the top and past the ends of the masonry structure where the thinner layers of infill would get stripped away first followed by the formation of swirholes and surges to strip out the soil infills. In theory, the stone structure would begin to tumble as chink stones and smaller stones become loosened by water and gravity acting on off-centre weights. There are small signs of a backwater effect in bulges in the masonry but these are not yet so serious as to make generalizations about this risk but can be regarded as indicators of what type of engineering intervention is necessary to secure the masonry. Another threat is poor surface water control which allows water to enter the structure through cracks in the tar and off the unprotected edges.

Since the Maine Historic Preservation Commission has determined the bridge eligible for the National Register of Historic Places, and local residents cherish the old mass-masonry structure, a plan of intervention is being developed to preserve the bridge, “as found” and upgrade its bearing weight potential.

Considerations for conservation have to include economic and commercial aspects, buildability, safety, stability, carrying capacity, durability, maintenance, and any eligibility for funding in special circumstances involving protected structures.

The strengths that the bridge possess are the facts that the masonry elements are considered to be very capable of preserving the core earthworks especially if given an additional degree of anchoring, bed support and protection from high waters.

The complete structure has demonstrated many times that it has an adequate mass and frictional ability to safely resist the very high flood levels which have been recorded. Over 600 tons of lateral force from water pressure can be easily calculated.

Structures such as Stackpole Bridge, as in all early structures, were built in the absence of the engineering sciences as we now have them, having evolved by trial and error through practical and economic necessity, then growing bolder with expansions of
local farming, industry and commerce.

It was not until the late 1980s that “soil mechanics” along with mechanical and structural theories, began to take a workable shape for designers to regard them as reliable for use in predicting the likely behavior of new designed structures under loading and environmental conditions assumed from the newly established National Codes and Standards.

This report is biased in favor of a sympathetic preservation approach. This is a philosophy which underpins all of what must be done in the field. However, if a treasured historic structure would be in our opinion so defective in all aspects to be beyond economic recovery, it will usually be obvious and we would have not suggested the following remedies. The Stackpole bridge, in the writer’s opinion, is worthy of and can by all means be salvaged and kept in working condition, having gathered all of the information to date about the bridge and physically studying the existing structure and concluding this during our week long exercise and the following weeks of consideration thereafter.

II. INSPECTION AND ANALYSIS

There were many questions to ask and how to address the significant issues in them:

1. How can we give this structure stability in those elements where it is suspect?

2. How can we build in further long term durability with low maintenance, and at the same time as we achieve this, can we also get the desired mechanical strengths needed for a bridge?

3. Can we find a way for it to safely function, and at the same time retain most of its materials and essential character?

4. Is there validity in seeing this structure another way - It has similarities to a small dam/harbour wall. These sorts of structures regularly get saturated and overtopped from time to time but usually remain strong enough to withstand extraordinary forces?

5. Can we root out any weaknesses relative to flood events and do something about mitigation?

6. Is it a work of rudimentary civil engineering which in reality is still very modestly loaded from traffic compared to the relatively large sideways forces impacting during high floods. Can we accept these forces as past test loadings albeit causing a little damage?

7. Are all the necessary preservation measures buildable and achievable using masonry trades?

8. Are there unknowns in the preservation equation?

These questions were considered at length as observations of the structure were made and in the carrying out of research and reading the available technical and geotechnical reports and documentation.

III. FLOOD WATER MANAGEMENT AND OTHER RELATED MEASURES

Much can be done within the structure to improve the water/small debris flow through the culvert by eliminating voids and obstructions in the waterway, removing the bulge in the masonry breastwall and smoothing off the sides with mortar work in the joints.

Stabilizing the stones with piles/Cintec anchors would allow the face to be smoothed off and generally consolidated. With the waterway friction improved and stabilized, the likelihood of flows underneath, through, over, and past the ends can be reconsidered.

Water going over and past the ends could be managed by building an overflow structure under the roadway, extending the masonry along the length of the bridge and making it a little higher and sealing the base of the stones into the rock. The overflow could be a pipe leading to a spillway on the other side.
IV. OVERALL SCHEME OF WORK

This is the work being proposed by deGruchy Masonry, Inc. addressing the issues raised

1. Foundation work—underpinning to remove soft materials and filling erosion holes, sealing the base, void filling.

2. Masonry consolidation rebinding, rebuilding/realigning, stitching face-stones, pointing, grouting down back of stones, wallhead protection and tying up the ends of the wingwalls etc.

3. Excavation down to the arch springing level and grouting the joints in the arch.

4. From this level, installing "Cintec type" piled support and anchors to strengthen the breastwalls and the culvert generally to allow the traffic carrying capacity to be increased.

This is the work suggested which has not been assigned a cost by deGruchy Masonry, Inc. which should be considered:

1. Flood control, overflow system and spillway.

2. Re-leveling and re-doing road surfaces and surface water control and drainage.

3. Safety rails etc.

4. Footpath upgrade.

5. Vegetation Control.

V. SUMMARY OF MAIN ISSUES

1. LINE/ALIGNMENT SURVEY PLAN

Sketch 240813/2 is attached but see Owners Documentation for detailed contouring.

2. CONSTRUCTIONAL SURVEY PLAN

Soo orcs section on a sketch 240813/6 and notec.

3. CONDITION SURVEY PLAN

The structure is dilapidated through weathering and its existence on a relatively minor road and requires major maintenance. This is the basis of the preservation approach. See notes summarising this on sketches 240813/1 and 240813/2.

4. PRESERVATION ISSUES

The structure can be preserved "as found" with the right methodology, materials and skills.

5. CONCLUSIONS

The structure has demonstrated good general and local stability in repetitive and severe flood conditions. With repairs to areas of distorted masonry, some engineered stabilisation and engineered improvements in the waterway, it is concluded that the structure can survive through being preserved more or less "as found"
SECTION ALONG WATERWAY

NOTE: (PILES ARE INDICATIVE ONLY.)
According to State Senator Barry Hobbins, the Legislature has scheduled LD 2188 – “An Act to Amend the Municipal Boundary between the Town of Old Orchard Beach and the City of Saco”, for Hearing on Monday February 25, 2008 at 1:00 pm in Augusta.

Attached is a copy of LD 2188. Additional information will be available to you at the Workshop on Tuesday.
An Act To Amend the Municipal Boundary between the Town of Old Orchard Beach and the City of Saco

Be it enacted by the People of the State of Maine as follows:

Sec. 1. P&SL 1883, c. 248, §1, as amended by P&SL 2005, c. 68, §1, is further amended to read:

Sec. 1. Boundaries changed and extended; payment of damages. All that part of the city of Saco lying within the following described lines and boundaries, namely: commencing at the easterly corner between the said city of Saco and the town of Scarborough; thence by the line between said city of Saco and said town of Scarborough northwesterly to a stone in the sea wall; thence N 42°55' W by a set line 693 rods, to a granite stone placed at a point where the line between said city of Saco and said town of Scarborough intersects with a line in the said city of Saco known as the Granger line; thence S 47°12' W 5,416 feet, more or less, to a granite stone inscribed "S" on the northwest side and "O" on the southeast side found set in the ground on the southwesterly side of the old location of the "East Old Orchard" Road; thence continuing on the same course 4,252.10 feet to a point located N 43°42'45" W 4.50 feet from a granite monument with drill hole found set in the ground; thence N 43°42'45" W 31.54 feet to a granite monument with drill hole found set in the ground; thence N 46°40'30" E 273.94 feet to the base of an old loose granite monument found set in the ground; thence N 47°11'45" W 148.88 feet to a granite monument with drill hole found set in the ground; thence S 55°19'45" W 1,451.87 feet to an iron pipe found driven into the ground; thence S 47°57'30" E 389.34 feet to a point located N 47°57'30" W 1.97 feet from a granite monument with drill hole found set in the ground; thence S 47°12'00" W 862.86 feet to a granite monument with iron rod inscribed "S" on the northwest side and "O" on the southeast side found set in the ground on the "Middle Line" so-called; thence continuing on the same course 3,850 feet, more or less, to a granite stone on the bank of Goose Fair Brook in said city of Saco; thence southeasterly by said Goose Fair Brook to the sea; thence southeasterly, on the same course 4,000 feet3 miles to a point; thence northeasterly, parallel to and 1,000 feet3 miles distant from the shore to a point 1,000 feet3 miles southeasterly from the boundary first above named; thence northwesterly 4,000 feet3 miles to the boundary first above named, or to such distance as the city of Saco may have owned or controlled prior to February 20, 1883; with all the sea shore and flats and all other interests in said land lying between the medial line of said Goose Fair Brook extended and said easterly corner of the city of Saco; and also that parcel of land described as follows: Beginning at a capped iron rod set (PLS #2190) on the northwesterly sideline of a private way known as Trotter Lane and the existing town line of Old Orchard Beach and city of Saco as of May 10, 2006 at the corner of land now or formerly of Ronald Patoine; said point of beginning being N 37° 07' 57" W a distance of 59.85 feet from a capped iron rod found (PLS #2190) in the town of Old Orchard Beach at the intersection of the southeasterly sideline of said Trotter Lane and the northwesterly sideline of the cul-de-sac of Patoine Place, so-called, at the easterly corner of land of Ronald Patoine; thence from said point of beginning S 49° 46' 25" W across the land of Ronald Patoine and along the existing Old Orchard Beach and city of Saco town line as of May 10, 2006 a distance of 210.17 feet to a point and land now or formerly of Ronald and June LaPointe; thence N 37° 07' 57" W
along the land of said LaPointe a distance of 149.81 feet to a capped iron rod found (PLS #1235) and land now or formerly of Biddeford & Saco Water Company; thence N 57° 55' 58" E along the land of Biddeford & Saco Water Company a distance of 594.18 feet to a capped iron rod to be set (PLS #2190) and land now or formerly of Richard and Ronald Patoine; thence S 41° 07' 26" E along the land of Richard and Ronald Patoine a distance of 65.27 feet to a capped iron rod found (PLS #1293) and the northwesterly sideline of said Trotter Lane and the existing town line of Old Orchard Beach and city of Saco as of May 10, 2006; thence S 49° 46' 25" W along the northwesterly sideline of said Trotter Lane and along the existing town line of Old Orchard Beach and city of Saco as of May 10, 2006 a distance of 387.11 feet to the point of beginning is hereby incorporated into a separate town by the name of Old Orchard Beach and the inhabitants thereof are hereby invested with all the powers and privileges and are made subject to all the duties and liabilities incident to other towns within this state. Provided the town of Old Orchard Beach pay to the city of Saco, as damages, such an amount as a committee, composed of the chairs of the boards of assessors of said Saco and of said Old Orchard Beach and one other disinterested person by them selected, may determine is just and equitable.

SUMMARY

This bill extends the municipal boundary between the Town of Old Orchard Beach and the City of Saco by extending the current easterly boundary of the Town of Old Orchard Beach to 3 miles seaward.
Councilor Smith moved, Councilor Morton, seconded, that it be it ordered that the City Council support LD 2188 “An Act to Amend the Municipal Boundary between the Town of Old Orchard Beach and the City of Saco. Further move to approve the Order. The motion passed with seven (7) nays.

Councilor Smith moved, Councilor Lovell seconded, that the Mayor, City Administrator and counsel attend the Public Hearing and oppose LD2188 – “An Act to Amend the Municipal Boundary between the Town of Old Orchard Beach and the City of Saco. The motion passed with seven (7) yeas.

Councilor Cote moved, Councilor Lovell seconded, that the City of Saco contact the Old Orchard Beach Council to offer an opportunity to meet with the Saco Council and developer to discuss concerns. The motion passed with six (6) yeas and one (1) nay. Councilor Tardif voted in the negative.

VIII. ADJOURNMENT

Councilor Bastille moved, Councilor Mills seconded, to adjourn. The motion passed with seven (7) yeas. TIME: 10:19 p.m.

ATTEST: ______________________
Richard R. Michaud, City Administrator