The following are minutes of the August 4, 2008 City Council Meeting.

I. CALL TO ORDER – On Monday, August 04, 2008, at 7:00 p.m. a City Council Meeting was held in the City Hall Auditorium.

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

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

III. PLEDGE OF ALLEGIANCE

IV. GENERAL

V. APPROVAL OF MINUTES:

VI. AGENDA ITEMS:

A. Report from the Assessor on the Tax Rate

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July 31, 2008

Report to Council: Tax Rate

To: Ronald Michaud, Mayor and Saco City Council

From: Daniel H. Sanborn, Assessor City of Saco
B. Simpson Road Bridge – Rehab Proposal

At the request of the City, CLD Engineering has prepared a proposal for final design engineering for the restoration of the Stackpole Creek Bridge. CLD’s proposal will include coordination and consultation with the engineer from Mott MacDonald, John Addison. CDL has extensive knowledge of the bridge going back to 2001 and Mr. Addison, working with deGruchy Masonry, has recently investigated the restoration of the bridge. Mr. Addison brings to the project extensive knowledge of stone work restoration from Scotland.

CDL’s proposal for restoration design proposal will accomplish the following tasks:

- Re-Apply for the Transportation Enhancement (TE) Funding (done)
- Develop plans and specifications
- Coordinate historical requirements
- Submit Environmental permitting
- Identify Right of Way requirements
- Coordinate utility activities
- Advertise the project

The cost for the design phase of the project will be $54,000. The first item, preparing the TE application has been completed and submitted to the Maine Department of Transportation (MDOT) on June 6, 2008. Under the requirements of the TE funding the engineering work would not be eligible for funding prior to the grant approval. The earliest date for TE grant approval would be March of 2009.

As you may all recall the tax rate estimate was $13.78 for this tax year? This estimate was based on the assumption that real property values in Saco would remain unchanged or might have fallen. In fact, we did have added growth this year and the median sale price was almost flat for the last two years. The cities values are based on sales for the past two years, 2006 and 2007. Looking forward to the first quarter of 2008 there was a small decline but not enough to make any long term estimates where our values will be a year from now.

Therefore, based on actual net taxable city wide valuation of $2,051,483,000 and net assessment for commitment the tax rate for this year is $13.42 per thousand of valuation.

Please understand that we are committed to maintain our valuation base at full value each year. I cannot say for sure if our valuations will hold as we work thru the dynamic real estate market the exists today. I am happy to say, at least for this year we are holding up far better than the national trends we read about each day in the national press.

One final word. All the figures used to come up with our tax rate of $13.42 are based on summary totals from our computer systems. I will sign the actual Certificate of Assessment on August 5th and begin the actual production of the valuation books for Certification to our Tax Collector. If during this process we find anything that would vary this tax rate the Mayor and Council will be so informed.

Daniel H. Sanborn, Assessor
City of Saco
Councilor Mills moved, Councilor Bastille seconded that it be Ordered that the City Council authorize the City Administrator to sign a contract with CLD Engineering for the design of restoration work to the Stackpole Creek Bridge for $54,000.00. Further move to approve the Order. The motion passed with five (5) yeas and two (2) nays. Councilors Morton and Tardif voted in the negative.

C. (Public Hearing) CMP Request for Certificate of Public Convenience and Necessity to Build a 115 kV Transmission Line between Saco and Old Orchard Beach

Central Maine Power (CMP) since the summer of 2006 has been seeking permission from the Public Utility Commission (PUC) for a transmission line reconstruction in Saco, replacing a 34.5 kv line with double 115 kv lines. The plan, as originally presented would affect several neighborhoods, including Rotary Drive, Jenkins Road-Chelsea Circle, the Middle School, and the end of Goosefare Lane. The impacts at Chelsea Circle and the Middle School have drawn the most concern in the two years of consideration.

An alternative route has been developed and a stipulation agreement indicating the city’s agreement with the proposed route has been prepared.

The City and neighbors have taken a very active role in the hearings, with the City retaining utility attorney Alan Stone, of the Lewiston firm Skelton-Taintor, to assist. Mayor Michaud and several councilors participated in a January 16, 2008 PUC public witness hearing related to the issue, and Mayor Michaud and the legislative delegation assisted recently in enlisting the Maine Turnpike Authority in a potential solution to the issue.

After consultation with the ward councilors and the Mayor, recent discussions with the Turnpike Authority have gone well and a new route that would avoid the Middle School, Rotary Drive and Chelsea Circle has been developed. CMP has optioned most of the land in this corridor and the PUC staff has encouraged the progress. (see map.)

The new route is near the Maine Turnpike between Bradley Street and Buxton Road, and north of Buxton Road to the Turnpike crossing. Residents of Pine Street and Hill View Avenue were notified of the Council meeting on July 21, 2008 and are aware of the Public Hearing scheduled August 4, 2008. Additionally, Hillview residents have formed a neighborhood association that opposes this location. At a neighborhood meeting on Sunday July 27, 2008, the association indicated that their position is not to seek mitigation of impacts, but simply to oppose the project.

At the Council workshop on July 21, 2008, concerns were raised about noise from the Turnpike, loss of a buffer, and herbicide use. The staff is attempting to add mitigation measures for these issues to the proposed stipulation. These include planting in the right of way; planting trees at the edge of the right of way, and no spray agreements. Reverse phasing to reduce the Electro Magnetic Field (EMF) is also a proposed mitigation measure.

At Mayor Michaud’s request the Council will hold a Workshop on August 11, 2008 to continue discussions on this issue.
Later, Council action would take the form of authorizing the City Administrator to sign the stipulation agreement to submit to the PUC, indicating that the City prefers the proposed route adjacent to the Turnpike. (On the enclosed map, the route in red would replace the proposed yellow route above it.)

Councilor Smith moved, Councilor Mills seconded, to open the Public Hearing on the CMP Request for Certificate of Public Convenience and Necessity to Build a 115kV Transmission Line between Saco and Old Orchard Beach. The motion passed with seven (7) yeas.

Rep. Linda Valentino addressed the Mayor, Council and general public attending the public hearing. Ms. Valentino spoke of the ongoing negotiations with CMP regarding this matter. Linda encouraged those attending the meeting to make their concerns know to the local and state officials.

The members of the public attending this evenings meeting were from two (2) different neighborhoods that were potentially going to be affected by the CMP issue. Those who spoke may have come from two (2) areas of town by all agreed that CMP should run underground wiring in order to avoid the power lines poles and wires.

Those who spoke were:

Ed Gomes, 44 Hillview Ave. Brandon Greaton, 36 Jenkins Rd.
Roger Chisholm, 46 Jenkins Rd. Roy Morrison, 22 Rotary Dr.
Nancy Phillips 2 Chantelle Way Cynthia Chadwick-Granger, Shawn Dr.
Tim Greaton, 36 Jenkins Rd. Mark Gross,
Chris O’Neil, 31 Sheila Circle Randy Pulsifer, 6 Waycott Way
Tracy Kelley, 61 Hillview Ave. Jane Walsh, 59 Hillview Ave.
Arlene Scott, 46 Hillview Ave. Maureen Leary, 6 Waycott Way
Jeff Scott, 46 Hillview Ave. Bobby Wilcox 14, Sheila Circle
Leroy A. Wilcox, 14 Sheila Circle Sue Cote, 4 Hillview Ave. Ext.
Scott Noble, 1 Waycott Way Robert Guillory, 14 Hillview Ave.
District 5 State Senator Barry Hobbins

Councilor Smith moved, Councilor Bastille seconded, to close the Public Hearing. The motion passed with seven (7) yeas.

Councilor Smith moved, Councilor Mills seconded, to table the matter. The motion passed with seven (7) yeas.

**DESCRIPTION OF PROPOSED CORRIDOR**

Louden Substation is located on Route 5 (New County Road) approximately 1.8 miles north of the Maine Turnpike Authority (MTA) property (I-95) in Saco. Beginning from Louden Substation, the proposed Section 239/240 corridor proceeds 1.8 miles south to the northwesterly boundary of the MTA. This
portion of the new Section will be on a 155-foot wide easement on which Section 174 already exists. The easement will be cleared to its full width. The current cleared width varies from 110 feet to 140 feet.

At said northwesterly boundary of the MTA property, Section 239/240 makes a 90-degree turn northeasterly along the MTA property and follows said boundary for 0.9 +/- miles. Along this route, the Section crosses State Route 5 (New County Road) and State Route 112 (Buxton Road). This portion will be partly owned in fee simple interest by CMP and partly easement over property owned by the MTA and the City of Saco. Along the 0.9 +/- distance, the Section will be cleared at 100 feet and for much of the distance there will be a 25-foot buffer strip between the southeastern boundary of the corridor and the northwestern boundary of the MTA.

At a point located about 1,200 feet northeasterly from Route 112 where the existing Section 159 crosses I-95, the new Section proceeds southeasterly approximately 0.25 miles to the proposed Goosefare Substation. This portion of the corridor will be a 100-foot wide fully cleared easement. The Goosefare Substation will be constructed on Industrial Park Road approximately 0.4 miles west of I-195 in Saco on land adjacent to the existing Saco Industrial Park Substation.

South of the Goosefare Substation, the corridor continues generally east-southeasterly for 2.6 miles to an intersecting corridor at a point close to the Saco / Old Orchard Beach town line, approximately 0.5 miles southwest of the proposed Ross Road Substation. This portion of the corridor varies in width between 100 and 150 feet and will be cleared to full width.

From this intersection, the corridor continues generally northeasterly on new corridor to the proposed Vallee Lane (formerly known as Ross Road) Substation. Section 192 will be relocated to this new corridor and Section 193, which occupies the existing 100-foot wide corridor, will be removed and the easement released. The new corridor is 150 feet wide and will be cleared to full width.

From the Vallee Lane Substation, the new corridor continues northeasterly 0.25 miles to the intersection of the existing Section 193 corridor. The new corridor is 150 feet wide and will be cleared to its full width. This corridor contains Sections 193, 105 and 106. Sections 105 and 106 head easterly from Section 193 at the northerly end of the new corridor. The Vallee Lane Substation will be constructed westerly of the Smithwheel Road and Vallee Lane. The substation is accessed by a private drive from the north end of Vallee Lane.

D. (Public Hearing) Volunteers of America Northern New England: Modification of Impact Fees Request – Open Space and Recreational Facilities

The Volunteers of America Northern New England (VOANNE) are proposing an 11-unit veterans housing facility in the west wing of the Kimball Health Center. Ordinarily the creation of new dwelling units is subject to recreational facilities and open space impact fees, as outlined in Article 16 of the Zoning Ordinance. The VOANNE has requested that the fees be waived. Sec. 1601-7 of the Zoning Ordinance allows the City Council, after a public hearing, to reduce or eliminate the Impact Fee if a project involves “…the construction of affordable housing as defined by the U.S. Department of Housing and Urban Development of the Maine State Housing Authority.”

Based on the proposed 11-units, the impact fees in question to be waived total $7,009.20. The calculation is as follows: 1.2 x $531.00 = $637.20 per unit x 11 units = $7,009.20.
Councilor Tardif moved, Councilor Bastille seconded, to open the Public Hearing to consider the reduction or elimination of the Open Space and Recreational Facilities Impact Fees for the Volunteers of America Northern New England veteran’s housing project. The motion passed with seven (7) yeas.

Bill Kany, Esq., Blackberry Lane spoke against the project stating safety concerns for his family and neighbors.

Councilor Smith moved, Councilor Mills seconded, to close the Public Hearing and Be it Ordered that the City Council waive the Open Space and Recreational Facilities Impact Fees for the Volunteers of America Northern New England veteran’s housing project in the amount of $7,009.20. Further move to approve the Order. The motion passed with five (5) yeas and two (2) nays. Councilors voting in the negative were Councilors Tardif and Bastille.

City of Saco City Council
300 Main Street
Saco, Maine 04072

July 10, 2008

Dear Sirs,

Volunteers of America Northern New England are seeking a waiver for the open space and recreational facility fees associated with the construction of the Veterans Housing project at 333 Lincoln Street in Saco.

We are in the process of purchasing the west wing of the Kimball Health Center and constructing 100 units of affordable, transitional housing for homeless veterans. The project is being funded through grants received from the Veterans Administration Grant and Per Diem Program, Maine Housing Authority and HUD Continuum. This project is designed to provide transitional housing for veterans who have experienced homelessness as well as mental health and/or substance abuse issues. It is an 18-month program that will help these individuals stabilize their home environments and work towards being self-supporting and contributing members of their community.

We expect that many of these veterans will come to the program needing assistance in securing employment and community services in addition to life skills training. Once they become employed, they will be required to pay up to 30% of their adjusted income as a service fee for the program. The Veterans Administration will pay a per diem rate of up to $33.01 per day to support programming.

Our total budget for this project is $1,151,114. The VA is contributing $400,000. Maine Housing and HUD Continuum are both contributing $375,557. Given the limited construction budget and the minimal income to support the operations, we are requesting that a waiver for the city fees be considered.

Thank you for your time and we are available for answering any questions at your convenience.

Sincerely,
Article 16
Impact Fees
(Amend 9/17/02)

Section 1601. General Provisions for Impact Fees

1601-1. PURPOSE
The purpose of these impact fee provisions is to ensure that new development in Saco will be accomplished in a safe and healthful manner and that such development will bear a proportional or reasonably related share of the cost of new, expanded or modified infrastructure necessary to service the development through: 1) the payment of impact fees that shall be dedicated to paying for the needed improvements, or 2) the construction of appropriate improvements as provided for herein.

1601-2. AUTHORITY
These impact fee provisions are adopted by the City under the authority of 30A M.R.S.A. § 4354 and its statutory and constitutional home rule provisions.

1601-3. PAYMENT OF IMPACT FEES
The impact fees provided for under this article shall be paid to the City of Saco in care of the Code Enforcement Department.

1601-4. IMPACT FEE ACCOUNTS
All impact fees collected under the provisions of this article shall be segregated and accounted for in separate impact fee accounts designated for the particular improvements in question. The impact fee accounts are as follows.

1. Recreational Facilities Impact Fee Account
2. Open Space Facilities Impact Fee Account

1601-5. USE OF IMPACT FEES
Impact fees collected under the provisions of this article shall be used only to pay for the capital cost of the infrastructure improvements specifically associated with the fee as identified below. No portion of the fee shall be used for routine maintenance or operational activities.

The following costs may be included in the capital cost of the infrastructure improvement:

1. acquisition of land or easements including conservation easements,
2. engineering, surveying and environmental assessment services directly related to the design, construction and oversight of the construction of the improvement,
3. the actual construction of the improvement including, without limitation, demolition costs, clearing and grading of the land, and necessary capital equipment,
4. mitigation costs,
5. legal and administrative costs associated with construction of the improvement including any borrowing necessary to finance the project,
6. debt service costs including interest if the City borrows for the construction of the improvement,
7. relocation costs, and
8. similar costs that are directly related to the project.

1601-6. REFUND OF IMPACT FEES
Impact fees shall be refunded in the following cases:

1. If a building permit is surrendered or if a subdivision or site plan approval lapses without
   commencement of construction, the permit holder or developer shall be entitled to a refund, without
   interest, of any impact fee paid in conjunction with that project. A request for a refund shall be made
   in writing to the City Planner and shall occur within ninety (90) days of the lapse of the approval or
   the expiration of the permit.

2. Any fees collected that are not spent or obligated by contract for the specified improvements by
   the end of the calendar quarter immediately following ten (10) years from the date the fee was
   paid shall be returned to the current owner of the property for which the fee was paid together
   with interest calculated at three (3) percent per year from the date of the payment of the fee.

1601-7. MODIFICATION OF IMPACT FEES
The City Council may, by formal vote following a public hearing, reduce or eliminate the payment
of a required impact fee if it finds that:

1. The developer or property owner who would otherwise be responsible for the payment of the
   impact fee voluntarily agrees to construct the improvement for which the impact fee would be
   collected or an equivalent improvement approved by the City Council, or

2. The developer or property owner is required, as part of a development approval by the City or a
   state or federal agency, to make or to pay for infrastructure improvements that are of the same
   nature as the improvement to be funded by the impact fee, or

3. The project subject to the impact fee involves the construction of affordable housing as
   defined by the U.S. Department of Housing and Urban Development or the Maine State
   Housing Authority. If only part of the project is affordable housing, the Council may waive
   only the portion of the fee attributable to the affordable units, or

4. The project involves the construction of elderly congregate housing assisted living, or other
   eldercare facilities.

1601-8. REVIEW AND REVISION
The City Council shall periodically review each impact fee established under this chapter. If
the Council finds that the anticipated cost of the improvement has changed or that the
identification of developments subject to the fee is no longer appropriate, the Council may adopt
changes in the impact fee.

Section 1602. Recreational Facilities and Open Space Impact Fee

1602-1. DESCRIPTION OF THE IMPROVEMENTS
This project involves the acquisition of land for and the development of new community-wide recreational facilities and the acquisition of land or conservation easements for use as substantially undeveloped open space and the related development of these parcels to facilitate their role and use as open space. The recreational facilities portion of this impact fee may be used for the following improvements.

1. The development of the City’s former landfill on the Foss Road into a multi-purpose community recreational complex.

2. The development of a skating area at Pepperell Park or another location.

3. **The construction of a baseball field at the Middle School Recreational Area.**

4. The construction of pedestrian and bicycle trails including the City’s share of the cost of the development of the Eastern Trail.

5. The acquisition of land for the future development of community recreation facilities, and/or

6. The development of other community recreational facilities that expand the City’s supply of recreational areas or facilities.

The open space facilities portion of this impact fee may be used for the following improvements:

1. The acquisition of land or conservation easements for use as substantially undeveloped open space and the related development of these parcels to facilitate their role and use as open space.

1602-2. **NEED FOR THE IMPROVEMENTS**

The need for community recreation facilities and open space is a function of the size of the community’s population. As the community grows, it needs more recreation land, fields, playgrounds, natural areas, and open spaces. The City’s adopted Comprehensive Plan identifies the need to expand the supply of recreational facilities and open space to serve a growing population. The need for the specific improvements is set out in the City of Saco’s Recreational Facilities and Open Space Impact Fee Methodology.

1602-3. **ACTIVITIES SUBJECT TO THE FEE**

Any construction or development that involves the creation of a new dwelling unit as defined by the zoning ordinance including single family homes, apartment units, manufactured housing units, and mobile homes shall be subject to the payment of an impact fee for this project except as provided below:

1. No impact fee shall be paid if the dwelling unit is located in a subdivision that was approved by the Saco Planning Board prior to the date of adoption of this Article.

2. No impact fee shall be paid if the dwelling unit is located in a subdivision which is a complete application under review by the Saco Planning Board prior to the date of adoption of this Article.

3. The recreational facilities portion of the impact fee shall not be paid if the unit is located in a residential subdivision or other residential development that has provided recreational facilities in accordance with the requirements of the City’s Subdivision Regulations.
4. The open space portion of the impact fee shall not be paid if the unit is located in a residential subdivision or other residential development that has provided open space in accordance with the requirements of the City’s Subdivision Regulations.

5. No impact fee shall be paid if the new dwelling unit is to be constructed on a lot where a dwelling unit has been demolished or permanently removed from use within the last twelve months. The fee shall be charged for any unit beyond the number demolished or permanently removed from use.

6. No impact fee shall be paid if the dwelling unit is moved from one lot within the city to another lot within the city.

7. **Downsizing Provisions for Elderly Homeowners** (Amended 7/2/02)

   Persons building new single-family dwelling units which meet the requirements of subparagraphs A through D of this subsection are not required to pay the recreation and open space impact fee.

   However the transfer of the property by any means during the five years following the issuance of a building permit shall require that the impact fee be paid. Likewise the property shall not be leased or rented during the five years after the issuance of a building permit unless the impact fee is paid. An agreement outlining the limitations on the waiver shall be recorded at the York County Registry. Evidence of the recording shall be presented to the code enforcement officer before the building permit is issued.

   A. The person or persons proposing to build the new single-family dwelling unit have previously owned and occupied an existing permanent residence in Saco and paid property taxes on it continuously for at least 20 years.
   B. The owner(s) is/are selling or transferring their existing permanent residence in Saco and are planning to make the new house their permanent residence.
   C. At least one owner of the proposed house is 62 years old or older.
   D. The proposed house is a single-family dwelling unit with one or two bedrooms.

1602-4. **CALCULATION OF THE FEE**

   The recreational facilities and open space impact fee is a per capita fee and is based upon the City’s Impact Fee Calculation Methodology. The per capita fee consists of a recreational facilities component and an open space component. The amount of the fee paid by a development project shall be determined by multiplying the per capita fee by the number of people expected to reside in the project. The following occupancy ratios shall be used in determining the fee unless the applicant provides verifiable written documentation from an independent, objective source demonstrating other occupancy levels:

<table>
<thead>
<tr>
<th>Type of Dwelling</th>
<th>Occupancy Ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single family dwellings and mobile homes</td>
<td>3.2 people/unit</td>
</tr>
<tr>
<td>Dwelling unit in a two-family or multi-family dwelling with:</td>
<td></td>
</tr>
<tr>
<td>a. one bedroom</td>
<td>1.2 people/unit</td>
</tr>
<tr>
<td>b. two bedrooms</td>
<td>2.0 people/unit</td>
</tr>
<tr>
<td>c. three or more bedrooms</td>
<td>3.0 people/unit</td>
</tr>
</tbody>
</table>

Cm_2008_08_04  Wednesday, August 13, 2008  Page | 10
Dwelling unit in elderly housing, assisted living facility, or other eldercare facility limited to occupancy by households sixty-five years of age or older

1.2 people/unit

1602-5. IMPACT FEE
Fees shall be determined by Council after a public hearing.

1602-6. COLLECTION OF THE FEE
The Code Enforcement Officer shall collect the impact fee prior to the issuance of any building, plumbing or other permit for residential construction that is subject to the fee. The amount of the fee shall be based upon the procedure set out in subsection 1602-4 above. The City Administrator may approve the payment of impact fees over time in accordance with an approved payment schedule provided that appropriate arrangements are in place to guarantee collection of the fees.

1602-7. EFFECTIVE DATES
This impact fee shall be applicable to activities subject to the impact fee 30 (thirty) days after the date of adoption of this Article.

Appendix, Impact Fees

<table>
<thead>
<tr>
<th>Section of Code</th>
<th>Fee Name</th>
<th>Description</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zoning Ordinance, Article 16, §1602-5</td>
<td>Impact Fees</td>
<td>Per Capita Impact Fee</td>
<td>$531.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Recreational Facilities Per Capita</td>
<td>$375.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Open Space Component Per Capita</td>
<td>$156.00</td>
</tr>
</tbody>
</table>
Volunteers of America is a national, nonprofit, spiritually-based organization providing local human service programs. Individual and community involvement are essential to our success. In Northern New England, our mission includes providing affordable low-income housing for seniors and individuals diagnosed with mental illness as well as a variety of services for youth, veterans, adults and families.

Our agency is interested in developing ten efficiency apartments for homeless veterans diagnosed with mental illness with one apartment for an on-site manager in the Saco area. We have received $400,000 from the Department of Veterans Affairs, $375,557 from The Department of Housing and Urban Development and a matching grant of $375,557 from Maine State Housing to fund this project.

We have an option on the west wing of the Kimball Health Center; have completed much preliminary capacity work and the building is ideal for this program. The use we are proposing is only acceptable with a conditional use approval from the Planning Board. We are submitting this application with the hope that the board is able to hear our case on July 15. The option that is included in this application will expire July 1 but we will have an extension signed by June 30 and will forward a copy of the valid extension once it is completed.

The Kimball Health Center is a great match for this much needed program. It is our hope that you will consider working with us to meet the need of this under-served veteran population.

If you should have any questions, please feel free to contact me at your convenience. I appreciate your consideration.

Sincerely,

[Signature]
Julia Wilcock
Vice President of New Business Development
Saco VOANNE Veteran’s Transitional Housing Project

Purpose:
To provide veterans who have been determined to be homeless and diagnosed with mental illness access to a stable home environment and services to assist them in becoming contributing members of the community.

How:
We are currently developing 10-efficiency, independent-living apartments at the Kimball health Center at 333 Lincoln Street in Saco, Maine. The facility will also house a live-in site manager and a service coordinator that will provide case management as well as assist the residents in accessing support services in the community. While the project is geared toward independent living, the residents will have access to staff that will provide support and encouragement each step of the way. The wing is about 9000 square feet and will provide plenty of space for the apartments, the site manager’s apartment as well as community areas.

Staff:
There will be approximately 1.5 F.T.E.’s working with the veterans through Volunteers of America Northern New England. There will be Veteran Administrative staff visiting the program on a regular basis. The veterans will be going into the community for specialized services using a Volunteers of America van that will be part of the program to transport veterans to services.

Funding:
We have $1,151,114 in funds available for this project at this time. The funding sources include the Veteran’s Administration, HUD Continuum of Care and Maine Housing. We plan on applying for an addition $215,000 in an Affordable Housing Program grant from the Federal Home Loan Bank of Boston.

When:
With continued progress, we expect to have the facility occupied and operational by Spring 2009.
VII. CONSENT Agenda

a. (Second & Final Reading) Code Amendment Chapter 87 Electrical Code

The City of Saco adopts and enforces model construction codes that regulate all phases of building, plumbing, electrical and fire safety installations. These codes are written and revised by membership organizations such as the International Code Council and the National Fire Protection Association (NFPA). Every 3 years, a new edition of these codes is published that include newly adopted provisions that recognize changes in safety and design.

The City has adopted and enforced, under the authority of Title 30-A, M.R.S.A., § 4171, the provisions of NFPA 70, The National Electric Code for many years. NFPA has published the 2008 edition of the National Electric Code.

On May 14, 2008, the Building Code office held an informational meeting and invited over 100 local electricians, any electrician who took out a permit in the previous 6 month period, to talk with staff about the National Electric Code; several changes were suggested, and summarized on the attached memorandum.

The City of Saco hereby Ordains and Approves the Second and Final Reading of the document titled, ‘City of Saco Code Amendments to Chapter 87 - Electrical Standards, dated June 16, 2008’.

City of Saco Code Amendments to Chapter 87 - Electrical Standards, dated June 16, 2008

(Please note that underline represents language to be added while strikethrough represents new language.)

§ 87-1. Title.
This chapter shall be known and may be cited as the "Electrical Code."

§ 87-1.1. Definitions. [Added 1-6-2003]
As used in this chapter, the following terms shall have the meanings indicated:

ELECTRIC FENCE -- Any fencing or barrier capable of delivering an electric shock to any person or animal coming into contact therewith, but does not include fences erected for enclosing pastures, crops or livestock and does not include underground invisible fencing which controls animals by use of a receiver collar worn by animals.

§ 87-2. Adoption of standards by reference. [Amended 11-18-1999; 3-4-2002; 2-6-06]

A. Reference is herewith made to the 2005 2008 Edition of the National Electrical Code, NFPA 70, as published by the National Fire Protection Association, as amended, to become effective April 1, 2006 September 1, 2008, and said code is hereby adopted and made a part hereof as if fully set out in this chapter, with the additions, insertions, deletions and changes as found herein. Statutory authority to adopt this code is granted by Title 30-A, M.R.S.A., § 4171 and shall cover original installations, alterations and additions, both residential and commercial.
and shall be in effect for the entire City of Saco. At least seven days prior to the public hearing, the purpose of which is to consider changes to this chapter, notice shall be given by regular mail, electronic mail or facsimile to all electricians who have obtained an electrical permit within the six month period preceding the public hearing date.

B. Additions, insertions and changes. The following are hereby revised as follows:

(1) Illumination. All locations containing electrical panels and switchgear shall have a lighting outlet provided at or near such equipment. Where the main occupancy of the building in which the equipment is located is required by the building code to provide emergency lighting, all locations containing electrical panels, and switch gear shall also be provided with emergency lighting.

(2) Adoption of utility requirements. The Authority having jurisdiction may, at the request of the electrical utility company, enforce the requirements as found in the Handbook of Standard Requirements for Electric Service and Meter Installations published by Central Maine Power, effective August 15, 2002 April 25, 2006, and as amended.

(3) Mounting hardware used for grounding. Grounding of all electrical equipment shall not rely on mounting hardware to achieve proper grounding of said equipment.

(4) Exception to the arc-fault protection requirements. Arc-fault protection, as required in the body of this code, is hereby amended to apply only to receptacles. Ceiling fixtures, at the electrician's discretion, may be arc-fault protected. Smoke detectors shall not be arc-fault protected.

(4) 210.8(A)(5) addition to exception: A single receptacle supplying a sump pump shall not have to be GFCI protected provided that a GFCI protected receptacle is located within 3 feet of the non-GFCI protected outlet.

(5) Removal of old wiring required. All readily accessible cable that is not properly cappe and terminated and labeled for future use shall be removed.

(6) Protection of receptacles. Any area within a commercial occupancy designated for day care or nursery school use shall utilize spring-type guards on all outlets in that space.

(6) 702.5(B) (2) for other than single-family dwellings, where automatic transfer equipment is used, and an optional standby system shall comply with (2) (a) or (2) (b).

(7) Electric fence requirements. Any person proposing to erect an electric fence within the City of Saco shall first obtain a permit in accordance with other provisions of this code. The Electrical Inspector, prior to issuance of a permit to install an electric fence, shall notify the Police and Fire Departments of Saco of the location of the proposed installation. Acknowledgement of the notification from both the Fire and Police Departments shall be given before any permit to install electrified fences is granted. Failure to comply with any of the design standards found in the manufacturers’ installation instructions shall be a basis for denial of a permit application.

Exemption: Any electric fence used in association with an agricultural use shall be exempted from this sub-section.
(7 a) Electric fence design standards. Where an electric fence is within 100 feet of a public or private road as defined by the Saco Zoning Ordinance, it shall be posted with signs every 75 feet along the fence line facing toward the road. The signs shall state "Warning, Electric Fence, Keep Back." All warning signs shall be legible from a distance of at least 10 feet away from the electric fence. Any fence that is electrified shall not contain more than 7,000 volts and no more than nine milliamps. All fence-charging equipment shall be listed by a recognized testing agency such as Underwriters Laboratories. All persons proposing to install electric fences shall provide plans in sufficient detail to determine compliance with these standards. All electric fences shall be pulse type systems. The point of electrical supply for the fence shall comply with all applicable standards of the main body of the National Electric Code.

(8) Smoke & Heat Detectors. In addition to smoke detectors required elsewhere in this code, a smoke or heat detector shall be installed in any new attached residential garage. Installation, including wiring and power sources for all smoke and heat detectors shall be in accordance with the provisions of the NFPA Standard 72, Chapter 11.

(9) USE cable may be used where it emerges from ground and is terminated in an enclosure at a location acceptable to the Authority Having Jurisdiction.

The Electrical Inspector who must be licensed by the State of Maine as a Master Electrician is herewith designated as the City official to supervise and enforce this chapter. The Electrical Inspector will be under the direction of the Building Inspector, who will act as his/her immediate supervisor.

§ 87-4. Appeals.
A. Any person aggrieved by the decision of the Electrical Inspector with regard to the enforcement of the Electrical Code may take an appeal to the Mayor and City Council.
B. An appeal may be taken within 30 days from the date of the decision appealed by filing with the City Council, through its Clerk, a notice of appeal specifying the grounds thereof, except that in the case of a building or structure which, in the opinion of the Electrical Inspector, is unsafe, dangerous and a threat to life safety, the Electrical Inspector may, in his/her order, limit the time for such an appeal to seven days. The Electrical Inspector shall forthwith transmit to the Mayor and City Council all the papers upon which the action appealed from was taken.

§ 87-5. Violations and penalties.
The following provisions shall apply to violations of the laws and ordinances set forth in this chapter, and all monetary penalties shall be civil penalties.
A. The minimum penalty for starting construction or undertaking a land use activity without a required permit shall be $100, and the maximum penalty shall be $2,500.
B. The minimum penalty for a specific violation shall be $100, and the maximum penalty shall be $2,500.
C. The violator may be ordered to correct or abate the violations. Where the court finds that the violation was willful, the violator shall be ordered to correct or abate the violation, unless the abatement or correction will:
   1. Result in a threat or hazard to public health or safety;
   2. Result in substantial environmental damage; or
   3. Result in substantial injustice.
D. If the City of Saco is the prevailing party, it shall be awarded reasonable attorney fees, expert witness fees and costs, unless the court finds that special circumstances make
the award of these fees and costs unjust. If the defendant is the prevailing party, the
defendant may be awarded reasonable attorney fees, expert witness fees and costs, as
provided by court rule.
E. The maximum penalty may exceed $2,500 but shall not exceed $25,000 when it
can be shown that there has been a previous conviction of the same party, within the past
two years, of the same law or ordinance.
F. All proceedings arising under the provisions of locally administered laws and
ordinances shall be brought in the name of the City of Saco, and fines shall be paid to the
City of Saco.

§ 87-6. **Electrical Permits & Fee Schedule.** [Amended 4-7-1997; 12-4-2000; 2-6-06]

A. Electrical Permits shall be administered as provided for in Annex G, Section 80.19
(A) through (C) of the **2005 2008** National Electric Code. The City Council shall
determine fees

b. **(Second & Final Reading) Contract Zone Amendment – KFC,CVS, and York
County FCU**

A contract zone was approved on October 17, 2005, allowing the owners of three abutting Main Street
parcels to address mutual access, parking, signage and setback issues. The three parties, including Linron
Inc., doing business as KFC; the York County Federal Credit Union; and Shannon Realty Limited
Partnership, now request amendments to the contract zone that would allow the landscaped buffer along
Main Street to be reduced in width, a sidewalk to be built within the landscaped buffer, and off-premise
signage to be installed at the corner of Main Street and Smith Lane in order to direct southbound vehicles
to turn left at the Smith Lane signal to access the three businesses. Ordinarily, off-premise signs are not
allowed. The cooperative nature of this application allows for a shared access drive to the rear of the
three parcels, and a single driveway off Main Street providing access to the credit union and CVS.

The Planning Board reviewed this item on June 3, 2008 and the Board forwards a positive
recommendation for the amendments proposed by Shannon Realty LP.

If the contract zone amendment is approved by the Council, the project would be subject to site plan
review by the Planning Board prior to development occurring on the Shannon Realty site.

The City of Saco hereby Ordains and Approves the Second and Final Reading of the document titled,
‘**Amended Contract Zone Agreement by and Between Linron, Inc., Saco Realty Limited Partnership, York County Federal Credit Union and the City of Saco,**’ dated June 3, 2008.’”
Amended Contract Zone Agreement By and Between

LINRON, INC., SACO SHANNON REALTY LIMITED PARTNERSHIP, and YORK COUNTY FEDERAL CREDIT UNION and the CITY OF SACO

THE CITY OF SACO HEREBY ORDAINS:

That the Zoning Ordinance of the City of Saco, dated January 2, 1985, and amended through June 20, 2005 and November 19, 2007 is hereby amended by adopting this contract by and between the City of Saco and LINRON, INC. ("Linron"), SACO SHANNON REALTY LIMITED PARTNERSHIP ("SRLP") and YORK COUNTY FEDERAL CREDIT UNION ("Credit Union") (collectively "Applicants") and their successors and assigns.

1. The Applicants propose to establish a series of three (3) permitted uses located on Main Street with a single curb cut off of Main Street and a rear drive providing access for the three uses to Shannon Lane and its signalized intersection. The proposed uses include an existing eating establishment (KFC Restaurant) on the Linron, Inc. property; an existing financial institution (York County Federal Credit Union) and a proposed retail business (CVS Pharmacy) on the Saco-Shannon Realty Limited Partnership parcels.

2. Said properties are identified as Tax Map 33, Lot 6 (Linron); Tax Map 33, Lot 7 & Map 33, Lot 4-1 (SRLP) and Tax Map 33, Lot 9 (Credit Union) on City of Saco tax maps, and is in a B-2d zoning district (the "Subject Properties").

3. Part of the properties are currently improved with a KFC Restaurant (Linron parcel). The Credit Union occupies one parcel and the SRLP parcels are improved with a house and a carriage house in which a real estate agency is now located.

4. Eating Establishments, financial institutions and retail businesses are permitted uses in the B-2d zoning district.

The Applicants propose a zoning amendment in the form of a contract zone to facilitate the construction of a CVS Pharmacy, the construction of a new KFC, an addition to the Credit Union, the installation and maintenance of a single Main Street curb cut, and the establishment of a common rear drive to Shannon Lane benefiting all three (3) uses. Recognizing the public necessity and convenience which will result from this undertaking, particularly traffic safety and efficiency that shall come from a shared common access and reduced curb cuts on Route 1, and recognizing the unique location of the parcels, and the requirements of the Zoning Ordinance, the Applicants hereby make application for a Contract Zone that would permit the following modifications to the requirements in the B-2d Zone and the establishment of the following components for the subject properties, which modifications would, in part, amend the Saco Zoning Ordinance.

23005.0001
A. A fifteen (15) foot wide integrated landscaped buffer will be established along Main Street for Linron, the Credit Union and SRLPA. Reduced integrated landscape buffer as depicted on Exhibit A attached hereto will be established along Main Street for Linron, the Credit Union and SRLPA. A five (5) foot wide vegetative buffer will be established along Shannon Lane for the Linron property. Five (5) shade trees and shrubs as described in Section 708-3.9.C of the Zoning Ordinance shall be installed along Shannon Lane, with final details to be addressed during site plan review provided said planting requirements will recognize the desire of Linron to maintain its visibility. A five (5) foot wide paved sidewalk and five (5) foot wide grassed esplanade serving all three (3) properties shall be located within the Main Street right of way to the extent possible. However, said sidewalk and esplanade may be located on the Subject Properties, and easements shall be granted by the Applicants for same, to the extent that right of way width imposes limits on the location of the sidewalk and esplanade in the landscape buffer on the Subject Properties, as shown on Exhibit A, and the Applicants shall grant easements for the same, to the extent that right of way width imposes limits on the location of the sidewalk.

B. Except as more specifically described in A. above for landscaped buffers along streets, interior landscaping requirements for each property shall be as follows:

1. Interior landscaping requirements for the Linron property are waived;

2. Notwithstanding the depicted landscaping found on Exhibit A, interior landscaping requirements for the SRLP property shall be determined, and may be modified or waived, as part of and through site plan review for the proposed use on the SRLP parcel;

3. Interior landscaping for the Credit Union property shall be as currently existing;

4. A landscaping plan prepared by a registered landscape architect shall be submitted as part of site plan review of the individual properties, with specific attention to meeting and exceeding requirements found in Section 708-3.9.C regarding the front buffers along Main Street and Shannon Lane.

C. Upon the build out of the Subject Properties, there will be only a single curb cut off Main Street, where the Credit Union’s current curb cut is located. Said curb cut will be restricted to right hand turns into and out of the property. The curb cut shall be configured to permit only right hand turns in and out. Until the Subject Parcels and proposed internal roadways and drive improvements and the improvements related to the new access drive and related Route One and Shannon Road improvements are constructed, the access drive and internal roadways serving the Credit Union property will remain in their present configuration and with their same utility to the Credit Union.

D. A common directional sign plan shall be submitted with the site plan applications for the Linron and the Same Shannon Realty Limited Partnership properties, with the goal of directing all traffic headed southbound on Main Street with the Subject Properties as
destination to turning left at the signalized intersection at Shannon Lane, thence to a rear two-
way drive that will be established and that will provide access to Shannon Lane for all three
(3) uses pursuant to an easement agreement. All vehicles exiting the Subject Properties, then
turning left (south) onto Main Street will be directed through the Shannon Lane signalized
intersection via internal signage on the Subject Properties.

(1) Notwithstanding Section 707-i(d) of the Saco Zoning Ordinance, an off-premise
direction sign for the purpose of informing southbound motorists of access to the Subject
Properties via Smith Lane. The directional sign for southbound traffic will identify all
uses on the Subject Properties and may be located off site either on private property or
City owned land if the parties hereto can negotiate such an arrangement. Nothing herein
assures Linron, SRLP or the Credit Union that the City will make land available for the
location of such signage.

E. The setback for the Linron stacking lane off of Main Street will be reduced from forty (40)
feet to twenty-five (25) feet, thereby amending Saco Zoning Ordinance Section 708-3(14).

F. This is a contract between four parties (City, Linron, SRLP and Credit Union) which
anticipates the improvement of four (4) parcels all at different times, with the parties
acknowledging that Linron is ready to undertake construction as of this date and should not
be delayed in their construction. To provide assurances to all concerned, the following
conditions are agreed to:

(1) Plan C101. Linron has presented a proposed Plan Design labeled C101, which Plan
lays out shared parking with SRLP and a common access drive and which Plan is all
parties' preferred option. Should Linron proceed with this Plan variant the required
combined parking for the Linron and SRLP lots, based on a shared parking arrangement,
by easement, (See Saco Zoning Ordinance Section 708-3) shall total ninety-three (93)
spaces instead of the required one hundred two (102) spaces, with no required five (5)
foot buffer between the Linron and SRLP lots as required by Section 708-3.2 of the
Zoning Ordinance.

(2) Plan C101/B. If Linron is, for reasons outside its control, unable within a reasonable
time period to assure itself of, and secure parking rights on SRLP property sufficient to
build out Plan C101, it may proceed with the Plan detailed as C101/B. However, the
following affirmative conditions shall be met:

a. Linron covenants to negotiate in good faith in its effort to secure shared parking
rights with SRLP and/or other parties in interest (as set forth in Section F(1)), their
successors and assigns. This covenant constitutes an ongoing obligation that
continues until construction of the rear access drive has been completed.

b. When and if the SRLP parcels are subsequently developed/improved, whether or
not such development requires site plan approval, Linron will cooperate with said
parties to create shared parking with and between Linron and SRLP parcels as
envisioned and set forth on Plan variant C101. Said shared parking spaces to be
constructed by the owner/developer of the SRLP parcels or paid for by said owner/developer of the SRLP parcels.

c. In addition, and at said future date, Linron (subject to Section (F) (2) (d) below) will grant to SRLP or its successors and assigns, and to the Credit Union or its successors and assigns, full and irrevocable permission, and an easement, to enter upon and construction across the Linron parcel the common shared access shown on Plan variant C101. Said easement will be for the benefit of the public for travel, for the benefit of SRLP, its successors and assigns, and for the benefit of Credit Union and its successors and assigns. Said construction will not unreasonably interfere with Linron's or Credit Union's use of its property.

d. SRLP and Credit Union, as they should negotiate, shall bear the costs of building out the shared access. In addition, SRLP and Credit Union, as they negotiate, shall also pay Linron a separate fee of not less than $200,000.00 or more than $275,000.00 as additional consideration for the easement across Linron's property. SRLP and the Credit Union, as they should negotiate, shall also agree upon a maintenance contract for the rear access drive.

e. Linron shall bear the burden, cost and obligation to secure a release from any and all mortgages of record encumbering Linron's property at the time of the execution of the required easement.

f. Until said shared parking is created, Linron will only be required to have 27 parking spaces for its parcel under Plan variant C101/B instead of 37.

G. The Credit Union will be permitted to place a fifteen (15) foot wide addition on the northeasterly side of its building as depicted on Exhibit "A" without the need for a variance. The height of this addition shall not exceed the height of the existing building. Construction of this addition will result in a reduction in the sideline setback to a width of five (5) feet, +/-.

The addition will be constructed consistent with the existing building's stone facade architecture to the maximum extent possible.

H. The required number of parking spaces for the Credit Union will be the presently existing eighteen (18) spaces consisting of one (1) space per 150 square feet of building footprint area based on a 2,280 square foot footprint rather than one (1) space per 150 square feet of floor area, as provided in Table 708-2. Six additional parking spaces will be added as part of the construction of the addition referred to in the preceding subparagraph, as depicted on Exhibit A.

I. The site plan application submitted to the Planning Board by Linron shall be subject to Zoning Ordinance, Section 729, Design Standards.
J. There shall be no more than a single row of parking spaces between the SRLP structure and Main Street. SRLP may configure its parking so that up to 35%, (twenty-three (23)) of the total required number of parking spaces (sixty-five (65)) for the SRLP parcel may be located between the building and Main Street, notwithstanding Zoning Ordinance Section 708-3.9.E.

K. Linron and the Credit Union will be permitted to retain their existing level of signage, including area, height, composition, configuration and style of signage, but the SRLP business, and its successors, including but not limited to CVS, will be required to comply with the existing sign ordinance provisions. Each use will be treated separately for signage purposes except that the Credit Union, to accommodate the new traffic conditions, pedestrian sidewalks and the impacts of changes in the traffic improvements on the subject Properties and adjacent Main Street, U.S. Route One, may, at its option, relocated its sign or located a similar sign in area, height, composition, configuration and style of signage at another location adjacent to or in the esplanade area on its parcel, and may as it finds necessary located internal direction signs to assist its customers to access and exit the Credit Union property. The Credit Union’s signage which is relocated shall be in place in a location acceptable to the City Planner and City Code Enforcement Officer.

L. The easement described herein above shall be reviewed by the City for approval, which shall not be unreasonably withheld. The easement shall assure perpetual public right to cross and re-cross the entire length of the shared drive.

M. City and Applicants recognize that any 'Sketch Plans' submitted for the purposes of Contract Zone consideration are limited in scope and detail. The project is subject to site plan review by the Planning Board, and to any and all permits, licenses or approvals which the project may be subject to by the Maine Department of Environmental Protection, the Maine Department of Transportation, and all other regional, state and federal agencies.

N. Failure of Linron or SRLP to submit applications for site plan review as proposed to the Planning Office for review, and approval by the Planning Board, within one (1) year of the approval of this Contract Zone shall render this Agreement null and void. In the event that permits or approvals are delayed due to circumstances beyond the control of Linron or SRLP, this deadline may be extended by six (6) months upon written request submitted by an Applicant. The York County Federal Credit Union proposal for a fifteen (15) by sixty-six (66) foot addition to the northeasterly side of its building is subject to site plan review, but shall not be required to meet either the one year or eighteen month deadline.

O. Except as addressed in this Contract Zone document, the project shall adhere to all other applicable provisions of the City of Saco Zoning Ordinance. All details shown on the plans and application materials submitted in connection with the contract zone application or in connection with Linron's or SRLP's site plan review applications, to date or in the future are hereby incorporated into this contract by reference. The site shall be developed in conformance with those plans and materials. Minor changes may be approved by the Planning Office of the City of Saco. If it is determined that the changes constitute a change in
this Contract Zone Agreement, then the developer shall be required to obtain City Council approval of the changes.

P. This Contract Zone shall affect only the Subject Properties and shall bind the parties, as well as their successors and assigns.

Q. This contract and its provisions shall specifically and exclusively apply to the Contract Zone request submitted by the Applicants. Any proposed change of use for any of the subject properties shall be subject to site plan review by the Planning Board.

R. This Contract Zone, and benefits derived thereunder shall not be transferable without approval by the City Council, which approval shall not be unreasonably denied.

S. Breach of these conditions, restrictions and/or Agreement by any of the Applicants shall constitute a breach of the contract. Said breach of contract shall constitute a zoning violation, subject to enforcement action by the City of Saco.

T. Upon construction of the shared, common access drive, all delivery vehicles will be directed to enter the subject properties over Shannon Lane or by turning right from Main Street into the subject properties.

This Contract Zone, specifically and exclusively for the parcels at 477 Main Street (Credit Union), 481 Main Street (SRLP), 485 Main Street (adjoining parcel) and 491 Main Street (KFC), would allow the Applicants to develop the subject parcels with the limitations and modifications as proposed above, subject to the above conditions and restrictions.

Pursuant to authority found in 30A M.R.S.A. Section 4352 (8), and the City of Saco Zoning Ordinance, Section 1403, and after a requisite recommendation from the Saco Planning Board on _____________, and by vote of the Saco City Council on _____________, the following findings are hereby adopted:

A. City Tax Map 33, Lot 6, Map 33, Lot 7, Map 33, Lot 4-1, and Map 33, Lot 9 are parcels of an unusual nature and location, for the following reasons:

1. The four parcels are contiguous parcels bordered by Main Street and Shannon Lane. A common rear drive accessible to all four parcels can only be constructed with the mutual participation and cooperation of the owners of all four parcels. That mutual undertaking is possible only if the property owners are able to retain the ability to operate and undertake reasonable expansion of their businesses. If development is not able to proceed consistent with the proposed contract zone, reconstruction on the KFC property consistent with current zoning will eliminate the opportunity to construct a common rear access by which all four parcels can access Shannon Lane's signalized intersection.

2. The four parcels are configured in such a way to limit Main Street access for all four parcels to a single curb cut.
3. Such shared access and limited curb cuts are necessary and appropriate given the significant traffic accessing the area, and using U.S. Route 1 corridor, and will substantially aid traffic flow, reduce accidents, and thereby advance the public welfare.

B. The proposed rezoning is consistent with the Saco Comprehensive Plan, based on the following goals:

Saco Comprehensive Plan

Chapter 17, Goals and Policies

1. The Local Economy

   Local goals: To increase the number of jobs available in Saco. To maintain Saco’s role as a retail and service center for the region.

Chapter 17(B) (6) The Route 1 corridor from Thornton Academy to the I-195 spur functions as a community commercial center. The City should work to improve the visual appearance of this area. In addition, efforts should be made to upgrade traffic flow and to improve access to and from adjacent properties and neighborhoods.

Chapter 17(F)(16) The City should also designate the Route 1 corridor from Thornton Academy north to the I-195 spur as a commercial district recognizing the established pattern of commercial use in this area. The City should focus its efforts in this area on improving traffic flow and vehicular access by developing alternative roadways and on improving the visual environment by continuing to work to reduce the amount and size of signs in the corridor.

Chapter 17(G)(5) The City’s development standards should continue to limit the creation of new curb cuts to provide access to abutting property along the entire length of the Route 1 corridor. These standards should require the creation of consolidated entrances where feasible.

Chapter 17(G)(7) The City should discourage the creation of new lots fronting directly on Route 1. Where feasible the City’s development standards should require that an overall access plan be instituted when new lots are created so that access to Route 1 is limited to internal streets or to combined access ways to minimize the number of access points.

C. The proposed use is consistent with the existing uses and permitted uses within the original zone. The original zone is the B-2d zone and all of the proposed uses are permitted in that zone. Furthermore, the creation of the common rear drive and single Main Street curb cut are all consistent with the Comprehensive Plan and the City’s Main Street Access Study. This contract zone proposal is designed to accommodate existing uses while creating a vastly improved common vehicular access system.
While reviewing Chapter 69-8, it was discovered that many sections mirrored state law and others were outdated. Restrictions also prevented the managing of bicycles taken into safe keeping by the police department. The City Attorney was asked to review the city’s Chapter 69 and compare it to state law.

The result of the attorney’s comparison is illustrated in the document titled ‘Code Amendments to Chapter 69, Articles I & II, dated July 7, 2008,” which essentially removes any duplication of state law and adopts modifications to meet current needs.

The City of Saco hereby Ordains and Approves the Second and Final Reading of the document titled, ‘Code Amendments to Chapter 69, Articles I & II, Dated July 7, 2008’.

**Code Amendments to Chapter 69, Articles I & II, dated July 7, 2008**

*(Please note underline represents new language, while strikethrough represents language to be deleted.)*

**Chapter 69: BICYCLES, SKATEBOARDS AND ROLLER SKATES**

[HISTORY: Adopted by the City Council of the City of Saco as indicated in article histories. Amendments noted where applicable.]

**GENERAL REFERENCES**

Streets and sidewalks — See Ch. 186.
Vehicles and traffic — See Ch. 211.

**ARTICLE I General Provisions** [Adopted 5-1-1995 as Ch. VII, Sec. 7-14, of the 1994 Code]

§ 69-1. Use of Bikeways / Rules for operation.

Cm_2008_08_04  Wednesday, August 13, 2008  Page | 26
A. Due care. Every person operating a bicycle upon a bikeway shall:
   (1) Give an audible signal when passing a bicycle rider or a pedestrian proceeding in the same
direction.
   (2) Obey all traffic signals and signs.
   (3) Follow the rules of the road as established under Title 29-A as amended.
   (4) Hands on handlebars shall be required at all times, unless signaling.
   (5) Follow the rules and standards for operation established in M.R.S.A. Title 29-A Chapters
19 and Chapter 20 (Bicycle Safety Education Act) as amended from time to time.

B. Persons riding bicycles upon a roadway shall ride single file on all roadways.

C. Riding bicycles on sidewalks. Riding bicycles is permitted on the sidewalks, unless otherwise
prohibited by the Chief of Police. Whenever riding upon a sidewalk, every person operating a
bicycle upon a sidewalk shall yield the right-of-way to any pedestrian.

D. Business district. No person shall ride a bicycle, coaster, roller skates, skateboard, sled,
toboggan or any other toy vehicle on the sidewalk in a business district. A "business district,"
for the purposes of this article, is defined as any area containing primarily commercial-type
uses, which generate heavy pedestrian traffic during the business hours. This area will
specifically be those portions of Main and Elm Streets from their intersection south to the
Biddeford city line and any public way or sidewalk within 150 feet of this section of Main
Street. [Amended 5-16-2005; 9-19-2005]

E. Trick riding prohibited. No person shall engage in trick riding of a bicycle upon any public
way.

F. Parking. Bicycles parked on streets shall be against the curb in areas where vehicle parking is
permitted. Bicycles parked on sidewalks shall be for their support or next to buildings or at the
curb and in a manner which affords the least obstruction of pedestrian traffic and maximum
amount of support.

G. Interference with pedestrians prohibited. No person shall ride or propel a bicycle upon a public
street in such a manner as to interfere with any pedestrian thereon.

H. Municipal parking lots. No person shall ride a coaster, roller skates, skateboard, sled, toboggan
or any other toy vehicle in a municipal parking lot. Bicycles shall not be ridden on the train
platform, steps or rails in the Saco Island municipal lot. [Added 9-19-2005]

§ 69-2. Bicycle equipment.

A. Lamps. No person may operate a bicycle upon a bikeway during hours of darkness without
adequate and required lighting devices including lamps and reflectors.

B. Brakes. No person may operate a bicycle upon a bikeway without adequate and required
braking equipment.

§ 69-3. Bicycle disposal
A. The City Police Department may dispose of used, discarded and/or abandoned bicycles as permitted under Title 25 M.R.S.A. Section 3503-B, as amended from time to time.

B. As part of its disposal of bicycles, the Police Department may also provide bicycles without fees or charge to any municipal run or established “bike-share” program. The Department may also dispose of bikes by and through a bike-share program that is run, controlled or administered on the City’s behalf by a separate not for profit corporation.

§ 69-4. Violations and penalties.

The following penalties shall apply for a violation of this article:

A. Persons over 17 years. Adults. If a person is over 17 years of age an adult, he/she may be issued a citation for court by the officer. The subject Party’s bicycle or skateboard may be impounded and held until the Court enters its judgment.

B. Persons under 17 years. Minors. If the person is under 17 years of age a minor, the bicycle or skateboard shall may be impounded for five days (first offense), 10 days (second offense) or 30 days (any other offense). Any person charged with a violation of this article may request a hearing with the Chief of Police, or in his or her absence, the Deputy Chief Department Juvenile officer. Such hearing will be on the next working day.

C. Safety classes. The Chief of Police may require any person who commits any bicycle or skateboard offense, to attend a special class on bicycle or skateboard safety.

ARTICLE II In-Line Skating [Adopted 6-5-1995]

§ 69-5. Applicability of bicycle regulations.

In-line skaters shall abide by the following applicable bicycle regulations as promulgated in Article I of this chapter: §§ 69-1 A through L.


When in-line skating upon a public way, skaters shall cease all striding efforts when approaching or being approached by a moving vehicle, bicycle or pedestrian and remain as close to the edge of the way as possible to allow for safe passing.


Motorists, when approaching in-line skaters from behind, shall, when necessary, make their presence known, by use of their audible signaling device, in such a manner as to avoid startling the skater and pass with due care.


In-line skating is prohibited on Main Street between the intersection of Beach Street and the Scarborough line. This ban shall be in effect Monday through Friday between the hours of 8:00 a.m. and 6:00 p.m. and Saturday between 8:00 a.m. and 12:00 noon. Sundays and holidays shall be excluded.
CHAPTER 1.- GENERAL PROVISIONS

§101. Definitions

9. Bicycle. "Bicycle" means a device primarily propelled by human power, operated by a person usually seated on a seat and driven on the ground on wheels by the operator. [2001, c. 148, §1 (AMD).]

CHAPTER 19. OPERATION-SUBCHAPTER 1 RULES OF THE ROAD

§2063. Bicycles, toy vehicles and scooters

1. Definitions. For the purpose of this section, "bicycle" includes a motorized bicycle, a motorized tricycle or a motorized scooter. [2007, c. 400, §2 (AMD).]

2. Riding to the right. A person operating a bicycle upon a roadway at a speed less than the normal speed of traffic moving in the same direction at that time and place shall drive on the right portion of the way as far as practicable except when it is unsafe to do so or:
   A. When overtaking and passing another bicycle or other vehicle proceeding in the same direction; [2007, c. 400, §3 (NEW).]
   B. When preparing for or making a left turn at an intersection or into a private road or driveway; [2007, c. 400, §3 (NEW).]
   C. When proceeding straight in a place where right turns are permitted; and [2007, c. 400, §3 (NEW).]
   D. When necessary to avoid hazardous conditions, including, but not limited to, fixed or moving objects, vehicles, bicycles, pedestrians, animals, broken pavement, glass, sand, puddles, ice, surface hazards or opening doors from parallel-parked vehicles, or a lane of substandard width that makes it unsafe to continue along the right portion of the way. For purposes of this paragraph, "lane of substandard width" means a lane that is too narrow for a bicycle and a vehicle to travel safely side by side in the lane. [2007, c. 400, §3 (NEW).]

   This subsection does not apply in a municipality that, by ordinance approved by the Department of Public Safety and the Department of Transportation, makes other provisions regarding the operating location of a bicycle on a roadway. [2007, c. 400, §3 (RPR).]

2-A. Bicycle riding on shoulder. Notwithstanding subsection 2, a person operating a bicycle may travel on paved shoulders. [2001, c. 667, Pt. C, §17 (RPR).]

3. Seating. A person operating a bicycle may not ride other than upon or astride a regular and permanently attached seat. [2007, c. 400, §4 (AMD).]

3-A. Number of persons. A bicycle may not be used to carry more persons than the number for which it is designed and equipped. [2003, c. 452, Pt. Q, §43 (NEW); 2003, c. 452, Pt. X, §2 (AFF).]

4. Hitching rides. A person riding on a bicycle or scooter may not attach it to a moving vehicle on a way.
5. Rights and duties. A person riding a bicycle or scooter on a way has the rights and is subject to the duties applicable to the operator of a vehicle, except as to:
   A. Special regulations; and [2001, c. 667, Pt. C, §17 (RPR).]
   B. Provisions in this Title that by their nature can have no application. [2001, c. 667, Pt. C, §17 (RPR).]

6. Speed. A motorized bicycle or motorized scooter may not be operated in excess of 20 miles per hour.

7. Penalties. A person 17 years of age or over who violates this section commits a civil violation for which a fine of not less than $25 and not more than $250 may be adjudged. A person under 17 years of age is not subject to a fine under this section.

8. Impoundment. The chief of police of a municipality, or if there is no chief of police, the chair of the local legislative body, when satisfied that a juvenile under the age of 17 years has ridden a bicycle or scooter in violation of this section, may impound the bicycle or scooter for a period not to exceed 5 days for the first offense, 10 days for a 2nd offense and 30 days for a subsequent offense.

§2060. Turning at intersections

An operator intending to turn at an intersection may do so as follows. [1993, c. 683, Pt. A, §2 (NEW); 1993, c. 683, Pt. B, §5 (AFF).]

1. Right turns. The operator shall make both the approach and a right turn as close as practicable to the right-hand curb or edge of the way.

1-A. Right turns near bicyclists. A person operating a vehicle that passes a person operating a bicycle and proceeding in the same direction may not make a right turn at any intersection or into any road or way unless the turn can be made with reasonable safety.

2. Left turns on 2-way roadways. At an intersection where traffic is permitted to move in both directions on each way entering the intersection, an approach for a left turn must be made in that portion of the right half of the way nearest the center line and by passing to the right of the center line where it enters the intersection. After entering the intersection, an operator must make the left turn so as to leave the intersection to the right of the center line of the roadway being entered.

   When practicable, the left turn must be made in that portion of the intersection to the left of the center of the intersection.

   An operator intending to turn to the left must yield the right-of-way to a vehicle approaching from the opposite direction that is so close as to constitute an immediate hazard.

3. Left turns on other than two-way roadways. At an intersection where traffic is restricted to one direction on a way, an operator intending to turn left shall approach the intersection in the extreme left-hand lane lawfully available to traffic moving in the direction of travel of that vehicle. After entering the intersection, the left turn must be made so as to leave the intersection, as nearly as practicable, in the left-hand lane lawfully available to traffic moving in that direction on the way being entered.
4. Markers, buttons or signs for different course. A municipality may cause markers, buttons or signs to be placed within or adjacent to an intersection requiring a different course to be traveled by a vehicle turning at an intersection. When markers, buttons or signs are so placed, an operator shall obey them. [2003, c. 452, Pt. Q, §40 (NEW); 2003, c. 452, Pt. X, §2 (AFF).]

§2071. Turning and signals

1. Prohibition. An operator may not turn a vehicle or move right or left on a public way unless the movement can be made with reasonable safety. [1993, c. 683, Pt. A, §2 (NEW); 1993, c. 683, Pt. B, §5 (AFF).]

2. Turn signal. An operator must give a turn signal as follows.
   A. An operator may not turn a vehicle without giving an appropriate signal if other traffic may be affected by that movement. [2003, c. 452, Pt. Q, §46 (NEW); 2003, c. 452, Pt. X, §2 (AFF).]
   B. A turn signal must be given continuously during at least the last 100 feet traveled before turning. [2003, c. 452, Pt. Q, §46 (NEW); 2003, c. 452, Pt. X, §2 (AFF).]
   [2003, c. 452, Pt. X, §2 (AFF); 2003, c. 452, Pt. Q, §46 (RPR).]

3. Stop signal. An operator may not stop or suddenly decrease a vehicle's speed without first giving an appropriate signal to the operator of a vehicle immediately to the rear. [1993, c. 683, Pt. A, §2 (NEW); 1993, c. 683, Pt. B, §5 (AFF).]

4. Types of signals. A stop or turn signal must be given by the hand and arm, a signal light or mechanical signal device.
   A. When a vehicle is constructed or loaded so that a hand and arm signal is not visible to the front and rear, then signals must be given by a light or device. [2003, c. 452, Pt. Q, §46 (NEW); 2003, c. 452, Pt. X, §2 (AFF).]
   B. A light signal must emit a white or amber light to the front and a red or amber light to the rear for turn signals and a red to the rear for stop signals. [2003, c. 452, Pt. Q, §46 (NEW); 2003, c. 452, Pt. X, §2 (AFF).]
   [2003, c. 452, Pt. X, §2 (AFF); 2003, c. 452, Pt. Q, §46 (RPR).]

5. Hand signals. Signals by hand and arm must be given by the left arm from the left side of a vehicle in the following manner:
   A. To indicate a left turn, the hand and arm must be extended horizontally; [1993, c. 683, Pt. A, §2 (NEW); 1993, c. 683, Pt. B, §5 (AFF).]
   B. To indicate a right turn, the hand and arm must be extended upward, except that a person who is operating a bicycle is not in violation of this subsection if the person signals a right turn by extending the person's right hand and arm horizontally; and [1995, c. 371, §2 (AMD).]
   C. To indicate a stop or a decrease in speed, the hand and arm must be extended downward. [1993, c. 683, Pt. A, §2 (NEW); 1993, c. 683, Pt. B, §5 (AFF).]
   A person operating a bicycle may return the hand used to signal a turn to the handlebars during the turn to maintain proper control of the bicycle. [2001, c. 148, §4 (AMD).]

6. Fire departments exempted. This section does not apply to vehicles operated by organized fire departments. [1993, c. 683, Pt. A, §2 (NEW); 1993, c. 683, Pt. B, §5 (AFF).]

§2084. Bicycles and scooters
1. **Night equipment.** A bicycle, scooter or motorized bicycle or tricycle, when in use in the nighttime, must have:
   A. Lighted a front light that emits a white light visible from a distance of at least 200 feet to the front; [2003, c. 510, Pt. A, §25 (RPR).]
   B. A red or amber light or reflector to the rear that is visible at least 200 feet to the rear; and [2003, c. 510, Pt. A, §25 (RPR).]
   C. Reflector material on the pedals, unless the bicyclist is wearing reflective material on the feet or ankles. [2003, c. 510, Pt. A, §25 (RPR).]

   A bicyclist may also use optional supplementary reflectors, lights or reflective or lighted safety equipment.
   [ 2003, c. 510, Pt. A, §25 (RPR) .]

2. **Brakes.** A bicycle, scooter or motorized bicycle or tricycle must be equipped with a brake sufficient to enable the operator to stop the vehicle or device within a reasonable distance.
   [ 2001, c. 360, §12 (AMD) .]

§2322. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [1999, c. 331, §1 (NEW).]

1. **Bicycle.** "Bicycle" means a vehicle primarily propelled by human power, operated by a person usually seated on a seat and driven on the ground on wheels by the operator.
   [ 1999, c. 331, §1 (NEW) .]

2. **Bicycle helmet.** "Bicycle helmet" means a piece of protective headgear intended for bicyclists that meets or exceeds the Consumer Products Safety Commission's standards.
   [ 1999, c. 331, §1 (NEW) .]

3. **Bicycle passenger.** "Bicycle passenger" means any person who is traveling on a bicycle, a bicycle trailer or a similar product but is not an operator.
   [ 1999, c. 331, §1 (NEW) .]

4. **Bicycle passenger seat.** "Bicycle passenger seat" means a seat separate from the saddle or seat for the operator of the bicycle or bicycle trailer or similar product that is securely fastened to the frame of the bicycle and is specifically designed for bicycle passenger use.
   [ 1999, c. 331, §1 (NEW) .]

5. **Bicycle taxi.** "Bicycle taxi" means a bicycle designed to carry passengers.
   [ 1999, c. 331, §1 (NEW) .]

6. **Bicycle taxi passenger.** "Bicycle taxi passenger" means a person who is traveling on a bicycle taxi but is not the operator of the bicycle taxi.
   [ 1999, c. 331, §1 (NEW) .]

7. **Bikeway.** "Bikeway" means a vehicle way, paved or unpaved, upon which bicycles, unicycles or other vehicles propelled by human power may be pedaled. The bikeway may be part of a road or highway or it may be adjacent to a road or highway. A bikeway is a right-of-way under the jurisdiction and control of the State or a local subdivision of the State for use primarily by bicyclists and pedestrians.
   [ 1999, c. 331, §1 (NEW) .]

8. **Operator.** "Operator" means a person who travels on and controls a bicycle.
   [ 1999, c. 331, §1 (NEW) .]

9. **Public roadway.** "Public roadway" means a right-of-way under the jurisdiction and control of the State or a local political subdivision of the State for the use primarily by motor vehicular traffic.
d. Authorize Saco Housing Authority PHA Application

The York Cumberland Housing Development Corporation through Avesta Housing administers the Saco Housing Authority Section 8 Federal Program. Avesta currently administers to 35 voucher recipients in Saco.

Avesta is required to submit a ‘Streamlined Annual Saco Housing Authority Plan for fiscal year 2008’ to the U.S. Department of Housing and Urban Development each year, accompanied by a Board Resolution. City Council authorization is being requested at this time.

Be it Ordered that the City Council authorize the City Administrator to execute the document titled, ‘PHA Certifications of Compliance with the PHA Plans and Related Regulations: Board Resolution to Accompany the Streamlined Annual PHA Plan’.”
Streamlined PHA Plan
PHA Certifications of Compliance

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing

PHA Certifications of Compliance with the PHA Plans and Related Regulations:
Board Resolution to Accompany the Streamlined Annual PHA Plan

Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the streamlined Annual PHA Plan for PHA fiscal year beginning January 2009, hereinafter referred to as the Streamlined Annual Plan, of which this document is a part and make the following certifications, agreements with, and assurances to the Department of Housing and Urban Development (HUD) in connection with the submission of the Streamlined Plan and implementation thereof:

1. The streamlined Annual Plan is consistent with the applicable comprehensive housing affordability strategy (or any streamlined Plan incorporating such strategy) for the jurisdiction in which the PHA is located.
2. The PHA has established a Resident Advisory Board or Boards, the membership of which represents the residents assisted by the PHA, and provided this Board or Boards an opportunity to review and comment on any program and policy changes since submission of the last Annual Plan.
3. The PHA has made the proposed streamlined Annual Plan, including policy and program revisions since submission of the last Annual Plan, and all information relevant to the public hearing available for public inspection at least 45 days before the hearing, published a notice that a hearing would be held and conducted a hearing to discuss the streamlined Plan and invited public comment.
4. The PHA will carry out the streamlined Annual Plan in conformity with Title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990.
5. The PHA will affirmatively further fair housing by examining their programs or proposed programs, identify any impediments to fair housing choice within those programs, address those impediments in a reasonable fashion in view of the resources available and work with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement and maintain records reflecting these analyses and actions.
6. For streamlined Annual Plans that include a policy or change in policy for site-based waiting lists: The PHA regularly submits required data to HUD's MTCS in an accurate, complete and timely manner (as specified in PIH Notice 99-2);
   a. The system of site-based waiting lists provides for full disclosure to each applicant in the selection of the development in which to reside, including basic information about available sites; and an estimate of the period of time the applicant would likely have to wait to be admitted to units of different sizes and types at each site;
   b. Adoption of site-based waiting list would not violate any court order or settlement agreement or be inconsistent with a pending complaint brought by HUD;
   c. The PHA shall take reasonable measures to assure that such waiting list is consistent with affirmatively furthering fair housing;
   d. The PHA provides for review of its site-based waiting list policy to determine if it is consistent with civil rights laws and certifications, as specified in 24 CFR part 903.3(b)(2).
7. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.
9. The PHA will comply with the requirements of section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low-or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.
10. The PHA has submitted with the streamlined Plan a certification with regard to a drug-free workplace required by 24 CFR Part 24, Subpart F.
11. The PHA has submitted with the streamlined Plan a certification with regard to compliance with restrictions on lobbying required by 24 CFR Part 87, together with disclosure forms if required by this Part, and with restrictions on payments to influence Federal Transactions, in accordance with the Byrd Amendment and implementing regulations at 49 CFR Part 24.
12. The PHA will comply with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.
13. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
14. The PHA will provide HUD or the responsible entity any documentation that the Department needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58.
15. With respect to public housing the PHA will comply with Davis-Bacon or HUD determined wage rate requirements under section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.
16. The PHA will keep records in accordance with 24 CFR 85.20 and facilitate an effective audit to determine compliance with program requirements.
17. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act and 24 CFR Part 35.
18. The PHA will comply with the policies, guidelines, and requirements of OMB Circular No. A-87 (Cost Principles for State, Local and Indian Tribal Governments) and 24 CFR Part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments).
19. The PHA will undertake only activities and programs covered by the streamlined Annual Plan in a manner consistent with its streamlined Annual Plan and will utilize covered grant funds only for activities that are approvable under the regulations and included in its streamlined Plan.
20. All certifications and attachments (if any) to the streamlined Plan have been and will continue to be available at all times and all locations that the PHA streamlined Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the streamlined Plan and additional requirements at the primary business office of the PHA and at all other times and locations identified by the PHA in its streamlined Annual Plan and will continue to be made available at least at the primary business office of the PHA.
21. The PHA certifies that the following policies, programs, and plan components have been revised since submission of its last Annual PHA Plan (check all policies, programs, and components that have been changed):
   - 903.7a Housing Needs
   - 903.7b Eligibility, Selection, and Admissions Policies
   - 903.7c Financial Resources
   - 903.7d Rent Determination Policies
   - 903.7e Demolition and Disposition
   - 903.7f Homeownership Programs
   - 903.7g Additional Information
     - A. Progress in meeting 5-year mission and goals
     - B. Criteria for substantial deviation and significant amendments
     - C. Other information requested by HUD
       - 1. Resident Advisory Board consultation process
       - 2. Membership of Resident Advisory Board
       - 3. Resident membership on PHA governing board

22. The PHA provides assurance as part of this certification regarding its streamlined annual PHA Plan that:
(i) The Resident Advisory Board had an opportunity to review and comment on the changes to the policies and programs before implementation by the PHA;
(ii) The changes were duly approved by the PHA board of directors (or similar governing body); and
(iii) The revised policies and programs are available for review and inspection, at the principal office of the PHA during normal business hours.

Saco Housing Authority	ME031
PHA Name	PHA Number

Streamlined Annual PHA Plan for Fiscal Year: 2008

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Page 2 of 2 form HUD-50078 (4/30/2003)
e. Confirm the Mayor’s Appointments to the Coastal Waters Commission

The Coastal Waters Commission shall be composed of seven members, to be appointed by the Mayor for a three-year term and approved by the City Council. Each Commission member shall be a resident of the city, shall be persons qualified to perform the duties of such office and shall serve without compensation.

The Mayor is recommending Robert Steeves of 165 Ferry Road to serve on the Coastal Waters Commission for a three year term.

Be it Ordered that the City Council confirm the Mayor’s appointment of Robert Steeves as a full member of the Saco Coastal Waters Commission, with a term to expire on August 5, 2011.

f. Application to Operate Game of Chance – BPOE 1597

BPOE #1597 has applied for a license to operate a Game of Chance: Pull Tickets from October 1, 2008 to December 31, 2008.

The applicant has submitted their application in accordance with the provisions of Title 17 M.R.S.A. chapter 13-A and in accordance with the Rules and Regulations promulgated by the Chief of the State Police governing the operation of Beano/Bingo or Games of Chance.

Be it Ordered that the City Council grant the application for a License to Operate a Game of Chance: Pull Tickets, from October 1, 2008 to December 31, 2008 as submitted by BPOE #1597.

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

VIII. ADJOURNMENT

Councilor Mills moved, Councilor Smith seconded, to adjourn. The motion passed with seven (7) yeas.

TIME: 10:35 p.m.

ATTEST: __________________________
Lucette S. Pellerin, City Clerk