

STATE OF MAINE

COUNTY OF YORK

CITY OF SACO

The following a minutes of the August 17, 2009 Council Meeting.

I. CALL TO ORDER - On Monday, August 17, 2009, 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 Councilors present constituted a quorum. Councilors present: Margaret Mills, Leslie Smith Jr., Ronald E. Morton, Arthur Tardif, Sandra Bastille, Eric Cote and Marston Lovell. Mr. Richard R. Michaud, City Administrator and Lucette S. Pellerin, City Clerk were also present this evening.

III. PLEDGE OF ALLEGIANCE

IV. GENERAL: Employee Recognition – Sgt Raynald Demers – 25th year anniversary

Sgt. Raynald Demers was hired by the Saco Police Department as a reserve officer working in Camp Ellis the summer of 1983. He joined the department full time in August of 1984 and has been with us ever since. He was promoted to Sergeant in 1987 and currently supervises the day shift. Sgt. Demers is a professional; known for always being available, whether working or not, he has achieved a reputation for reliability that is difficult to surpass. The city is lucky to have him as an employee. Congratulations.

V. APPROVAL OF MINUTES: *July 20, 2009; August 3, 2009*

Minutes were approved as printed.

VI. AGENDA ITEMS:

A. Acceptance of Bid for Map 125, Lot 9 – 202 McKenney Road

The City owns a parcel of land identified on Tax Map 125, as Lot 9; this parcel is a 28+/- acre lot located at 212 McKenney Road and is accessible by a 60' right of way. This lot was one of 14 the city determined 'surplus' in May of 2006.

The parcel has been bid several times and at the June 15, 2009 Council meeting, the Council requested that the bid process begin again with the stipulation that there be a minimum bid of \$35,100 and that only 1 dwelling be built on the property. The parcel was advertised again for sealed bid by notification to all abutters and property owners in the general vicinity.

Two bids were received and opened on July 27, 2009. A copy of the bids results are attached for review.

Councilor Mills moved, Councilor Bastille seconded, that it be Ordered that the City Council award the bid for the parcel located at 212 McKenney Road, identified on tax Map 125, as Lot 9, to Noell and Dawn Redman of 4 Fides Drive for a bid price of \$48,500; and that the land be transferred by Quitclaim Deed. Further move to approve the order. The motion passed with seven (7) yeas

Bid Opening for Map 125 Lot 9 – Dated July 29, 2009

Saco City Hall Conference Room - 3:30 pm

Present: Kate Kern, Executive Assistant; Lucette Pellerin, City Clerk.

1. Noell & Dawn Redman
4 Fides Drive
Saco, Maine 04072 \$48,500.00

2. Donald R. Bragdon
218 McKenney Road
Saco, Maine 04072 \$40,500.00

B. Acceptance of Harvest Circle

The Mellina Meadows subdivision off Rte. 112 is complete, and developer Viewpoint Group has requested that Harvest Circle be considered for acceptance by the City. The subdivision was approved by the Planning Board January 2, 2007. The street provides access and frontage to 3 house lots, two of which have been developed.

The warranty deed has been submitted, and reviewed by the City Attorney. Record drawings have been prepared, reviewed and found acceptable. On July 21, 2009 the Planning Board considered this request, and recommends acceptance as requested.

Councilor Mills moved, Councilor Smith seconded, that it Ordered that the City Council accept, pursuant to 23 MRSA Section 3025, the dedication made by the Viewpoint Group of title in fee simple of the Harvest Circle right of way, a parcel of land bounded, described and titled in a the document titled, **‘Warranty Deed by and between The Viewpoint Group, Inc., and the City of Saco, dated July 20, 2009’**, and more particularly described in the plan titled, **“Final Plan Mellina Meadows, Rout 112 Saco, Maine”** and recorded in the York County Registry of Deeds Plan Book 317, Page 50. Further move to approve the Order. The motion passed with seven (7) yeas.

WARRANTY DEED

THE VIEWPOINT GROUP, INC., a corporation organized and existing under the laws of the State of Maine, with its principal place of business at Biddeford, County of York and State of Maine, ("Grantor") for consideration paid, grants to THE CITY OF SACO, a body politic and corporate located at Saco, County of York and State of Maine, ("Grantee"), with Warranty Covenants, the following described real estate and interests in real estate:

That certain real estate located in Saco, York County, Maine and being a strip of land shown and depicted as "Harvest Circle" as it extends in a general Southwesterly direction from the Southwesterly sideline of Route #112, all as shown and depicted on plan entitled "Final Plan Mellina Meadows, Route 112 Saco, Maine" for Wayne Madore, Ken Huot and Yvon Goulet dated September 2006 as revised through December 26, 2006, recorded in the York County Registry of Deeds in Plan Book 317, Page 50, by BH2M, all as more particularly bounded and described in Exhibit A attached hereto and made a part hereof.

Also conveying herewith all those drainage and utility easements, pipes and appurtenances, all as shown and depicted on said Plan. Notwithstanding Note 23 on the recorded Plan, and in conformance with the requirements of its Planning Board approval, Grantor intentionally and specifically conveys to the City of Saco all right, title and interest in the "Future R.O.W." marked on the plan, an area of approximately 9,835 square feet, more or less.

The above described premises are hereby conveyed: (1) subject to such utility service easements or other easements or rights-of-way on, over, under or across said property as may now have any legal existence, including, but not limited to easements given to Central Maine Power Company and Verizon New England, Inc. dated June 8, 2007 and recorded in said Registry of Deeds in Book 15207, Page 891; (2) together with the benefit of any appurtenant utility service easements or other easements or rights-of-

way; and (3) subject to all federal, state and local land use statutes, ordinances and regulations.

By the acceptance and recording hereof, the within Grantee agrees to accept and maintain the above areas depicted as roadways as public streets and to maintain the drainage easements, and appurtenances and utility easements shown on the above referenced plans or conveyed herein.

IN WITNESS WHEREOF, the said Viewpoint Group, Inc. has caused this instrument to be sealed with its corporate seal and to be signed in its corporate name by Kenneth P. Heust, its President, hereunto duly authorized this 20 day of July, 2009.

THE VIEWPOINT GROUP, INC.

17 2
Witness

By: Kenneth P. Heust
Its: President

STATE OF MAINE
YORK, SS.

July 20, 2009

Personally appeared the above named Kenneth P. Heust, President of The Viewpoint Group, Inc. and acknowledged the foregoing instrument to be his/her free act and deed and free act and deed of said corporation.

Before me,

Thomas Danyluk
Notary Public / Attorney at Law

Printed Name: Thomas Danyluk

OFFER OF CESSION
HARVEST CIRCLE
SACO, MAINE

EXHIBIT A

December 10, 2008

A certain strip or parcel of land located on the southwesterly sideline of Route 112, so-called, in the City of Saco, County of York and State of Maine and shown as Harvest Circle on the plan titled "Final Plan Mellina Meadows, Route 112 Saco, Maine" for Wayne Madore, Ken Huot & Yvon Goulet dated September 2006 as revised through 12/26/06 by Berry Huff McDonald Milligan, Inc. and recorded in the York County Registry of Deeds Plan Book 317, Page 50, said Harvest Circle being more particularly described as follows:

Beginning at a granite monument set on the southwesterly sideline of Route #112 at the northerly corner of Lot #1 as shown on aforesaid plan;

thence in a general westerly direction along said Lot #1 and along a circular curve to the left, circumscribed by a radius of 25.00 feet, an arc length of 40.69 feet to a granite monument set; said granite monument set being S 82°-21'-54"W a tie distance of 36.35 feet from said previous granite monument set;

thence S 35°-44'-10"W along said Lot #1 a distance of 430.59 feet to a granite monument set;

thence in a general southerly direction along said Lot #1 and along a circular curve to the left, circumscribed by a radius of 125.00 feet, an arc length of 112.87 feet to a granite monument set; said granite monument set being S 09°-52'-06"W a tie distance of 109.08 feet from said previous granite monument set;

thence in a general southeasterly direction along said Lot #1 and along a circular curve to the left, circumscribed by a radius of 30.00 feet, an arc length of 43.12 feet to a granite monument set; said granite monument set being S 57°-10'-49"E a tie distance of 39.51 feet from said previous granite monument set;

thence in a general circular direction along said Lot #1 and Lot #3 and along a circular curve to the right, circumscribed by a radius of 75.00 feet, an arc length of 384.15 feet to a granite monument set; said granite monument set being S 48°-22'-35"W a tie distance of 82.27 feet from said previous granite monument set;

thence in a general northerly direction along said Lot #3 and along a circular curve to the left, circumscribed by a radius of 30.00 feet, an arc length of 23.65 feet to a granite monument set and Lot #2 as shown on aforesaid plan; said granite monument set being N 07°-28'-30"W a tie distance of 23.05 feet from said previous granite monument set;

thence in a general northerly direction along said Lot #2 and along a circular curve to the right, circumscribed by a radius of 175.00 feet, an arc length of 200.97 feet to a granite monument set; said granite monument set being N 02°-50'-11"E a tie distance of 190.11 feet from said previous granite monument set;

thence N 35°-44'-10"E along said Lot #2 and Parcel "B" a distance of 436.29 feet to a granite monument set;

thence in a general northerly direction along Lot "B" and along a circular curve to the left, circumscribed by a radius of 25.00 feet, an arc length of 37.85 feet to a granite monument set and the southwesterly sideline of said Route 112; said granite monument set being N 07°-38'-06"W a tie distance of 34.34 feet from said previous granite monument set;

thence S 51°-00'-22"E along the southwesterly sideline of said Route 112 a distance of 100.16 feet to the point of beginning.

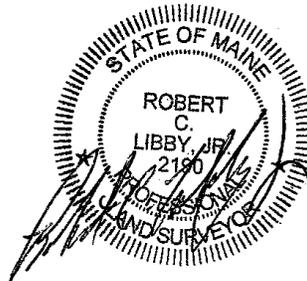
The above-described Harvest Circle encompasses 49,819 s.f.

All bearings refer to Maine State Coordinates – West Zone.

Together with a 50-foot wide drainage and utility easement located on the southwesterly sideline of the above-described Harvest Circle along the common property line of Lots #2 and #3 as shown on the aforesaid plan.

Together with a certain "Future R.O.W." shown on the recorded Subdivision Plan, said Right of Way comprising an area of approximately 9,835 square feet, more or less, said Right of Way shown on the Subdivision Plan as lying between lots 1 and 3.

ddHarvestCircle



C. Massage Therapist/Establishment License Application – Maureen Sedgwick-Glidden

Maureen Sedgwick-Glidden, whose business is located at 810 Portland Rd., has applied for a Combined Massage Therapist/Establishment License.

The applicant has paid all applicable permit fees and has provided a license issued by the State of Maine, in compliance with Chapter 138 § 138-9 Basic proficiency.

Councilor Morton moved, Councilor Smith seconded, that it be ordered that the City Council grant Maureen Sedgwick-Glidden, a Combined Massage Therapist/Establishment License, in accordance to the Codes of the City of Saco, Chapter 138. Further move to approve the Order. The motion passed with seven (7) yeas.

VII. RECESS THE MEETING AND MOVE TO WORKSHOP

Councilor Bastille moved, Councilor Mills seconded to move recess for a Council Workshop. The motion passed with seven (7) yeas. TIME: 7:12 p.m.

ADJOURN THE WORKSHOP AND RECONVENE THE MEETING:

Councilor Mills moved, Councilor Smith seconded, to move to reconvene the meeting. The motion passed with seven (7) yeas. TIME: 8:07 p.m.

D. LAND AND WATER CONSERVATION FEDERAL ASSISTANCE FUND GRANT APPLICATION

Approximately twelve (12) of recreational athletic fields have been opened at the Saco Recreational Complex with daily attendance on game days measured in the thousands. These field areas can accommodate such activities as soccer, lacrosse, field hockey and other field based sports. By bringing these new fields on line it allows the Department to take some heavily overused and underworked in town fields' offline for repair and rejuvenation as well as meeting the ever increasing demand of youth sports.

By using these first set of fields on Landfill Area One, very close to the Saco Transfer Activities, the City is realizing an emerging safety concern over proximity to transfer activities. The December 1998, Saco Municipal Landfill, Recreation and Reuse Plan developed by Richardson and Associates recommended at that time the relocation of transfer activities into the Northeasterly corridor. Additional trails, development of sliding hill and a public skating area should be consider at this time to provide other activities than just field based programs.

The Parks and Recreation Department is applying for a Land and Water Conservation Fund Grant (LWCF) for up to \$50,000 using our own in kind labor and work on this site to match. This grant would be used to improve the field areas, address some of the immediate safety

concerns and to improve the general usability and aesthetics of the Recreation Complex for both active and passive recreational uses.

Councilor Mills moved, Councilor Lovell seconded, that it be ordered that the City Council of the City of Saco authorize the City of Saco Parks and Recreation Department to apply, on behalf of the City of Saco, for federal financing assistance under the provisions of the Land and Water Conservation Fund Act, Public Law 88-578 for the Foss Road Saco Recreational Complex of Recreation Complex field and site improvements; and further authorize the Parks and Recreation Department Director to enter into the Land and Water Conservation Fund Project Agreement with the State subsequent to federal approval of the project. Further move to approve the Order. The motion passed with seven (7) yeas.

I. Executive Session

Councilor Morton moved, Councilor Mills seconded that it be Ordered that the City Council, Pursuant to [1 M.R.S.A. Chapter 18, Subchapter 1, §405 (6) (C)(D)] move to enter into Executive Session for Labor Contract Negotiations and Land Acquisition. The motion passed with seven (7) yeas. TIME: 8:09 p.m.

a. Report from Executive Session

Councilor Morton moved, Councilor Mills seconded, to move out of executive session. The motion passed with seven (7) yeas. TIME: 9:33 p.m.

Upon return from executive session Mayor Roland Michaud conducted a roll call of the members and determined that the Councilors present constituted a quorum. Councilors present: Margaret Mills, Leslie Smith Jr., Ronald E. Morton, Arthur Tardif, Sandra Bastille, Eric Cote and Marston Lovell. Also in attendance this evening was Mr. Richard R. Michaud, City Administrator.

A report was not given this evening.

II. ADJOURNMENT

Councilor Bastille moved, Councilor Smith seconded, to adjourn. The motion passed with seven (7) yeas. TIME: 9:33 p.m.

ATTEST: _____
Lucette S. Pellerin, City Clerk