STATE OF MAINE

COUNTY OF YORK       CITY OF SACO

The following are minutes of the April 5, 2010 Council Meeting.

I. CALL TO ORDER – On Monday, April 5, 2010 at 7:00 p.m. a 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., Marie Doucette, Jeffrey Christenbury, Arthur Tardif, Eric Cote and Marston Lovell. Also in attendance, this evening, were City Administrator Rick Michaud and Lucette S. Pellerin, City Clerk.

III. PLEDGE OF ALLEGIANCE

IV. GENERAL:

V. APPROVAL OF MINUTES: March 1, 2010; March 15, 2010

Minutes were accepted as presented.

VI. AGENDA:

D. (Public Hearing) Renewal Application for Liquor License/Entertainment Permit, Deep Brook Bar & Grill

Paul Marcel Picard d/b/a Deep Brook Bar & Grill, LLC has applied for renewal of a Liquor License/Entertainment Permit for a term of one year.

The applicant has paid all applicable permit fees and the clerk has properly advertised the public hearing in accordance with M.R.S.A., Title 28-A, Subsection 653 and in accordance with Saco City Code, Chapter 93, and Entertainment sub-section 93-2.

Councilor Mills moved, Councilor Tardif seconded, to open public hearing the motion passed with seven (7) yeas.

Councilor Mills moved, Councilor Smith seconded, to close the public hearing and grant the applications submitted by Deep Brook Bar & Grill, LLC for renewal of a Liquor License and Entertainment Permit for the period of one year. Further move to approve the Order. The motion passed with seven (7) yeas.
A. Recycling Coordinator Report to Council on Composting

Ms. Sarah Bernier, Recycling Coordinator, addressed the Mayor and Council with helpful information regarding compost. Residents who make use of Earth Machines, which are compost bins, are able to generate compost which in turn may be used on their property to fertilize their soil.

The City has a supply of Earth Machines at the Transfer Station for a fee of $37.50.

B. Map 85, Lot 4-6, Tax Acquired Property

At the city administrator’s request the Land for Saco’s Future Committee has reviewed the 30.77 riverfront parcel recently acquired for non-payment of taxes. The parcel, now owned by the city, is located at 264 Boom Road, Map 85, Lot 4-6.

The Committee voted unanimously that the City should retain the parcel. A quote from Chairman Jim Molleur, “We are trying to find parcels like this to buy.” The parcel has no house or other structures on it. The land slopes gently to the river and breaks up naturally into strips of different characteristics. Closest to the river is a wooded strip approximately 75’-100’ in width consisting of primarily of hardwood trees. Behind that is a field which is leased by Curt Scamman where he is actively growing sod, and there is no reason the city could not continue to lease if the Council desires. This strip of about 5 acres is approximately 175’ wide by 1500’ long. Beyond the sod area is a large wetland area with excellent bird and wildlife habitat. The marshy area is surrounded by scrubby type of trees and hardwoods. Further up from the river is a small field that has been hayed. This is the only real upland area on the complete site. The east, downstream end of the parcel has less wetland and good river access for canoes and small boats.

An aerial photo of the land and assessor’s data is attached. The parcel is about 2300 feet west of the Maine Turnpike right of way. It has 1600 feet of Saco River frontage.

Access is deeded through a nearby lot. The Biddeford-Saco Water Company has an easement for a large 24” pipe across the parcel, and is actually placing a larger 36” one right next to the existing 24” pipe. The Water Company headwork is located just across the river, and the intake is adjacent to the west end of the parcel. Since the attached memo was written, the City Attorney has discovered that the Water Company actually owns about one acre of the upstream corner of the land.

The Committee’s view is that it would be used primarily for small boating access at some time in the future. It is equidistant from the Prentiss Parcel adjacent to Route 5 and Diamond Riverside Park access at Irving Street and would make an excellent take out point for canoes and kayaks for families putting in at the Prentiss parcel.

Councilor Smith moved, Councilor Doucette seconded, that it be Ordered that the City Council retain Tax Map 85, Lot 4-6 as recommended by the Land for Saco’s Future Committee. Further move to approve the Order. The motion passed with six (6) yeas and one (1) nay. Councilor Mills voted in the negative.
C. Elm Street Sewer Improvement Project

The Elm Street Sewer Improvement project includes improvements to the sanitary sewer main between Elm Street and Pleasant Street in order to eliminate the Combined Sewer Overflow (CSO) in Elm Street. This CSO regulator structure discharges to the Saco River above the Saco Island Dam.

The City solicited and received bids for the Elm Street Infrastructure Improvement Project on Wednesday March 17, 2010. The Engineer’s Opinion of Cost for the project is $116,190.00; two bids were received as summarized:

<table>
<thead>
<tr>
<th>Contractor</th>
<th>Bid Amount</th>
<th>% of Eng. Estimate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shaw Brothers Construction, Inc.</td>
<td>$107,500.00</td>
<td>92.5%</td>
</tr>
<tr>
<td>Dearborn Bros. Construction</td>
<td>$147,315.00</td>
<td>126.8%</td>
</tr>
</tbody>
</table>

Councilor Cote moved, Councilor Lovell seconded, that it be Ordered that the City Council award the Elm Street Sewer Improvement Project to Shaw Brothers Construction, Inc. Further move to approve the Order. The motion passed with six (6) yeas and one (1) abstention. Councilor Tardif abstained due to a member of his family being employed by the firm.

E. Nomination of Republican Election Clerks 2010-2011

The Republican Municipal Caucus Report for Nomination of Election Clerks has been submitted for Council approval.

The municipal officers must appoint election clerks by May 1, 2010, pursuant to Title 21-A, section 503. The individuals appointed by the municipal officers serve as election clerks until new appointments are made on or before May 1, 2012.
Councilor Smith moved, Councilor Christenbury seconded, to approve the Nomination of Election Clerks as presented by the Republican Political Party. Further move to approve the Order. The motion passed with seven (7) yeas.

VII. ADJOURNMENT

Councilor Mills moved, Councilor Christenbury seconded, that the meeting be adjourned. The motion passed with seven (7) yeas. TIME: 7:24 p.m.

ATTEST: ___________________
Lucette S. Pellerin, City Clerk