

**STATE OF MAINE**

**COUNTY OF YORK**

**CITY OF SACO**

**The following are minutes of the August 2, 2010 Council Meeting.**

**I. CALL TO ORDER** - On Monday, August 2, 2010, at 7:02 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 Councilor Marston Lovell. Also in attendance, this evening, were City Administrator Richard R. Michaud and Lucette S. Pellerin, City Clerk.

**III. PLEDGE OF ALLEGIANCE**

**IV. GENERAL: Sixth Annual Performance Report Association of Government Accounting Gold Award**

For the sixth consecutive year the city of Saco has received the Annual Performance Report Association of Government Accounting Gold Award. Ms. Stephanie Weaver was presented the award which recognizes the continued efforts of the Finance Department to strive for excellence.

**V. APPROVAL OF MINUTES:**

**IV. AGENDA:**

**A. EZ Pay**

The Council is being asked to consider the test implementation of a tax payment plan option in FY2011: EZ Pay Tax.

A Payment Plan would add a service convenience to Saco citizens: it would allow taxpayers to pay Real Estate taxes in eight installments, starting in Sept and ending in April, with no interest. Requests for such an option have been made by the Council, as well as by tax payers to Customer Service representatives.

Citizens who agree to participate will receive a packet around Aug 15<sup>th</sup> including: 8 copies of their regular tax bills that are specially printed on colored stock, mailing labels that direct payments to the PO Box, and a schedule of 8 payment amounts and dates due for their Real Estate taxes. Upon receipt of these payments, Lockbox will process these payments as their own batch and Finance will import accordingly to "excuse" interest.

A fully detailed cost estimate is attached but test costs are estimated at \$552 and include a guesstimate of \$200 in programming fees for TD Bank to set up a second Lockbox entity for the city. Ongoing annual direct costs would be for additional postage only.

If EZ Pay is instituted, the FY11 Budget property tax due dates passed by Council on May 17, 2010 will need to be amended to change when interest will be charged.

Councilor Lovell moved, Councilor Doucette seconded, that it be ordered that the City Council adopt the EZ Pay Plan dated August 2, 2010 that interest be abated on all members of EZ Pay Tax making regular payments in accordance with the rules and regulations governing said plan and that a fee of \$10 to cover administrative costs be added to the current fee schedule and paid by all members upon enrollment. Further move to approve the order. The motion passed with seven (7) yeas.

AMENDMENT TO MAIN MOTION: Councilor Smith moved, Councilor Lovell seconded, to delete the \$10.00 administrative fee. The motion failed with two(2) yeas and five (5) nays. Councilors voting in the negative were: Councilor Mills, Doucette, Christenbury, Tardif and Cote.

### **B. Maine Department of Transportation (MDOT) Small Harbor Improvement Program Grant Match**

In June, Public Works submitted a grant application to the Maine Department of Transportation Small Harbor Improvement Program (SHIP). The proposed project would improve the Camp Ellis pier and parking lot area through the addition of a utility building. This utility building would house two Americans with Disabilities Act (ADA) compliant restrooms, a mechanical room, and a boat pump-out facility room. The existing services that could be replaced by this project include two portable toilets, a portable boat waste pump-out tank and hand pump, and outdoor utility cabinets located along the center of the pier and mounted on the existing fuel building wall. Each of the existing services has had ongoing maintenance and use issues that could be dramatically improved. On July 8, 2010, Public Works received word that the grant was awarded by MDOT for the full \$77,380 that was requested in the application.

Councilor Christenbury moved, Councilor Lovell seconded, that it be t Ordered that the City Council authorize the City Administrator to authorize and execute the Local Project Agreement for the Camp Ellis Public Restroom Project from Account 20210, Camp Ellis Special Projects for Fourteen Thousand dollars (\$14,000). Further move to approve the Order. The motion passed with seven (7) yeas.

### **C. Assessor's Report on the Tax Rate – 2011**

The Assessor has completed his work on the tax rate for Fiscal Year July 2010-Jne 2011. The tax rate is \$13.82 per thousand of assessed value.

The total net taxable valuation city wide now stands at \$2, 101,430,400. The property tax funds support as follows:

County Tax	\$ 1,079,364.
City Government	20,034,656.
TIF Financing Plans	785,200.
RSU School Assessment	16,245,200.

Councilor Doucette moved, Councilor Lovell seconded that it be Ordered that the City Council accept the Assessor's Annual Report on the Tax Rate 2011. Further move to approve the order. The motion passed with seven (7) yeas.

### **D. Saco Bay Rotary Grant Request**

The need for services from the Saco Food Pantry located at 67 Ocean Park Road has been steadily increasing. There is currently simply not enough room for the food and clothing that is collected and distributed from this site. Saco Bay Rotary is involved in a project to solicit donations and grants from a variety of organizations to build an addition on the Saco Food Pantry.

The Saco Bay Rotary is asking for:

- 1) Public Works trucks to haul away 300 cubic yards of material from basement excavation;
- 2) Haul in back fill, stone, gravel and crushed gravel for the new foundation. The total cost estimate for this material \$5,519.50; and
- 3) Would the city consider waiving the \$1200 new construction fee for the project?

The total amount of the request made by the Saco Bay Rotary is \$6,719.50.

**ORIGINAL MOTION:** Councilor Mills moved, Be it Ordered, that the City Council authorize the Public Works Department to remove 300 cubic yards of material from the site. To authorize the expenditure of @1,200 from the contingency account for the 'new' addition to the Saco Food Pantry. Further move to approve the order. The motion failed due to a lack of second.

**SECOND MOTION:** Councilor Mills moved, Councilor Lovell seconded, that it be ordered that the City Council authorize the expenditure of \$1,200 from the contingency account for the 'new construction fee' for the new addition to the Saco Food Pantry. Further move to approve the Order. The motion passed with seven (7) yeas.

**THIRD MOTION:** Councilor Christenbury moved, Councilor Tardif seconded, that it be ordered that the City Council authorize the expenditure of \$4,419.50 from the contingency account for the purchase of specific project materials, that the Public Works provide consulting service on the material purchases, and help coordinate the building project, but that the Public Works department will not provide equipment for the new addition to the Saco Food Pantry. Funds for expenditures will be paid on behalf of the Food Pantry. The motion passed with six (6) yeas and one (1) nay. Councilor Smith voted in the negative.

#### **E. Vacant**

#### **F. Award Fuel Bid**

Saco has grouped with Biddeford and Old Orchard Beach for several years now to purchase fuel oil (#2, diesel and gasoline) for all City operations. Bulk purchasing is a means for receiving better pricing on these types of commodity products. The City went through this process again recently and received the attached Fuel Bid Results.

Councilor Mills moved, Councilor Doucette seconded, that it be Order that the City Council confirm Saco's commitment to participate in the Tri-Community cooperative fuel purchase for the Fiscal Year 2010/2011. Further move to approve the order. The motion passed with seven (7) yeas.

#### **G. Asset Forfeiture**

The Office of the Attorney General requires the legislative body of the municipality involved in any asset forfeiture to publicly vote to approve the acceptance of the assets each and every time the courts make them available for disposal

The matter, Stave vs. Juan Wesley, involves the potential forfeiture of cash in an amount of up to \$976.00. The exact amount will be determined by the courts.

Councilor Tardif moved, Councilor Smith seconded, that it be Ordered that the City Council does hereby approve with reference to Superior Court Docket #CR-10-657-Criminal Forfeiture, of the transfer of the Defendant(s) in Rem, namely \$976.00, or any portion thereof, pursuant to 15 M.R.S.A. § 5824(3) AND/OR §5826(6). Further move to approve the order. The motion passed with seven (7) yeas.

#### **H. Confirmation of Mayor's appointment of Bob Barris to the Planning Board and Pat Mailman to the Land for Saco's Future Committee**

The Planning Board primarily reviews subdivisions and site plans. The Board is also authorized a5t its discretion to undertake studies and make recommendations on matters of land development, energy and water conservation, transportation, solid waste disposal, location of municipal and school facilities, affordable housing and urban beautification and design improvements, historic and scenic preservations and agricultural preservation.

The Mayor is seeking to have Bob Barris of 47 Ferry Lane, appointed to the Planning Board to complete the three (3) year term currently held by Steven Dupuis.

The Land for Saco's Future Committee was created by the City Council to assist in selecting land to be purchased for the purpose of open space pursuant to the bond issue authorized by Saco voters in November 2002.

The Mayor would like to nominate for appointment to the Committee, Ms. Pat Mailman of 76 Old Orchard Road. Ms. Mailman resides in Saco and is interested in helping the city by serving on this committee.

Councilor Cote moved, Councilor Tardif seconded, that it be Ordered that the City Council confirm the Mayor's appointment of Bob Barris to fill a vacancy on the Planning Board, the term begins August 2, 2010 and ends August 1, 2013; Pat Mailman to the Land for Saco's Future Committee. Further move to approve the Order. The motion passed with seven (7) yeas.

#### **VII. ADJOURNMENT**

Councilor Mills moved, Councilor Smith seconded, to adjourn. The motion passed with seven (7) yeas. TIME: 7:53 p.m.

ATTEST: \_\_\_\_\_  
Lucette S. Pellerin, City Clerk