I. CALL TO ORDER – On Monday, March 17, 2014 at 7:00 p.m. a Council Meeting was held in the City Hall Auditorium.

II. ROLL CALL OF MEMBERS – Mayor Pilon conducted a roll call of the members and determined that the Councilors present constituted a quorum. Councilors present: David Precourt, Leslie Smith Jr., Bette Brunswick, Kevin Roche, Arthur Tardif, Eric Cote and Nathan Johnston. City Administrator Rick Michaud was also present.

III. PLEDGE OF ALLEGIANCE

IV. GENERAL:

V. AGENDA:
A. CITY ADMINISTRATOR’S MUNICIPAL FY15 BUDGET PRESENTATION TO CITY COUNCIL

March 13, 2014

Re: Budget for Fiscal-Year 2015

Honorable Mayor Pilon and members of the City Council:

I submit to you the fiscal year 2015 (FY15) budget proposal pursuant to Article VI, Financial Procedures of the City Charter, § 6.02 Submission of the Budget, “at the second City Council meeting in March of each year, the City Administrator... shall submit to the City Council their respective sections of the budget for the ensuing fiscal year and the accompanying messages.”

Transmitted herewith is the proposed FY15 budget for the City of Saco. This budget recommendation constitutes the essential services level of operating performance required for the City of Saco. Essential services are those services determined to be necessary for the health, safety and desired quality of life of the community and for the effective functioning of city government.

With every challenge comes an opportunity. After many years of being involved in budget processes, I have come to view budgets as an opportunity for an organization to set goals and to work to achieve them. The FY15 budget has been prepared with the objective of no reduction in City services while addressing our infrastructure needs.

The FY15 municipal budget represents a total appropriation level of $23,533,772, which is a 0.67% or $157,207 increase from last year’s appropriation of $23,376,565.

In March of 2011, I recommended a 4-year plan with 2 financial goals: Unassigned fund balance should be 8.33% of the budget; and Capital Improvement Program should be $2.2 million. We have made significant progress towards these two goals.
Councilor Roche moved, Councilor Brunswick seconded “Pursuant to the City Charter Article VI, Financial Procedures §6.02, Be it Ordered that the City Council accept the City Administrator’s Budget for Fiscal Year 2015, and further move to set the Public Hearing for the FY15 budget and the Capital Program for June 2, 2014.” Further move to approve the Order. The motion passed with seven (7) yeas.
B. CODE AMENDMENTS CHAPTER 118 WATERFRONT – (2ND & FINAL READING)

The Coastal Waters Commission is proposing changes to the Chapter 118 Ordinance. Since the last revision to this regulation last year, the Coastal Waters Commission and the Harbor Master have had to time to work with the new rules and have found a few areas where the regulations could be improved to enhance safety, facilitate administration, and provide for greater fairness on the part of all using the Saco River to the Ocean and the Pier at Camp Ellis.

Councillor Roche moved, Councillor Smith seconded “The City of Saco hereby ordains and approves the Second & Final Reading of the document titled, ‘Code Amendments to Chapter 118 Harbor, River and Waterfront, dated February 3, 2014’.

AMENDMENT – Councillor Roche moved, Councillor Smith seconded to replace the current language in 118-11 (E) with the following language: “Pursuant to Title 38 section 281 of the Maine Revised Statutes, whoever operates any watercraft, vessel, water skis, surfboard, similar device or motorboat, however propelled, upon the tidewaters..."
of Saco or upon the offshore waters within the jurisdiction of the State of Maine at a speed greater than is reasonable and proper, having due regard for traffic, proximity to wharves, docks, moorings or shores, and for any other conditions then existing shall be guilty of a Class E crime. Further pursuant to Title 38 section 285, every law enforcement officer in the State of Maine, including harbor masters and their deputies, shall have the authority to enforce these laws, and in the exercise thereof shall have the authority to stop and board any such watercraft, vessel, or motorboat found in violation. Is shall be unlawful for the operator of any such watercraft, vessel or motorboat to fail to stop upon hail from any such officer, and a violation of the same shall be punished as a Class E crime. The motion passed with seven (7) yeas.

Mayor Pilon asked for a vote on the Main motion. The motion passed with seven (7) yeas.

**Code Amendments to Chapter 118 Harbor, River, and Waterfront, dated February 3, 2014**

(Please Note: underline is new language, while strikethrough represents language to be deleted).

**Code Amendments to Chapter 118 HARBOR, RIVER AND WATERFRONT, dated February 3, 2014**

**Article I. General Regulation of Waters**

§ 118-3. Definitions.

For the purposes of this chapter, the following definitions shall apply, unless the context clearly indicates another meaning:

**DISORDERLY CONDUCT**

(per 17-A M.R.S.A., § 501-A) In a public place, a person intentionally or recklessly causes annoyance to others by intentionally:

A. Making loud and unreasonable noises; or
B. Activating a device, or exposing a substance, that releases noxious and offensive odors; or
C. Knowingly fighting, accosting, insulting, taunting or challenging any person with offensive, derisive or annoying words, or by gestures or other physical conduct, that would in fact have a direct tendency to cause a violent response by an ordinary person in the situation of the person so accosted, insulted, taunted or challenged. or
D. Obstructing or Littering.

**DOCK**

The slip or waterway extending between two piers or projecting wharves or cut into land for the reception of vessels.

**OBSTRUCTING OR LITTERING**

The throwing of large rocks or debris as to impede the navigable river.

§ 118-5. Moorings and buoys.

A. Assignment of moorings.

(1) No mooring shall be set within City waters except by permission of the Harbor Master. Any person wishing to place a mooring in City waters or to relocate an existing mooring shall request such permission in advance from the Harbor Master. Annually, the Harbor Master shall prepare an updated list of approved mooring holders and provide it to the City Clerk by January 1. Only applicants appearing on the current approved mooring holders list may submit a mooring permit application to the City Clerk. Following acceptance of the application by the City Clerk and the payment of the appropriate fee, and provided the conditions in Subsection B(7) are met, the Harbor Master shall then assign a location for such mooring and shall advise the applicant concerning the requirements of these rules and regulations.

(2) In the assignment of moorings, the Harbor Master shall, insofar as the same may be done consistently with these rules and regulations and with due regard for the safety of other vessels and of navigation, give consideration to the choice of the applicant. However, where mooring rights of individuals are claimed to be invadable and protection is sought of the Harbor Master, the Harbor Master shall assign and indicate to the masters or owners of the vessels the location which they may occupy for said mooring, and the Harbor Master shall assign mooring privileges in all cases where individuals who own or have an interest in the shore rights are complainants and shall locate suitable mooring privileges temporarily or permanently, fronting their lands if so requested, but not so as to encroach upon the natural channel or channels established by this chapter. Moorings shall be set by July 30 of each year.

(3) City Hall shall maintain a waiting list, with a registration fee established by the City Council, after a public hearing.

(4) The Harbor Master, based upon the waiting list, shall authorize moorings on a first-come-first-served basis, except that commercial harbor users may be given priority for facilities developed for commercial users with federal funds. The Harbor Master will provide the updated lists to the City Clerk on May 1, July 1 and October 1 each year and at other times when requested. The lists shall be provided to any
member of the public who requests them. If there is a dispute about mooring assignments, the Saco Coastal Waters Commission shall hear appeals from the decisions of the Harbor Master.

5) Any permit issued hereunder may be revoked if the Harbor Master determines that any portion of a permit holder's application contains false or misleading information. Any revocation may be appealed as set forth herein.

B. Application for mooring permits.

1) Applications for mooring permits for any one-year period must be filed with the City Clerk by March 15 of the current year, on forms prescribed by the Saco Coastal Waters Commission. Applications and payment for renewal of a mooring permit which have not been received within 60 days of the permit application filing date will cause that mooring location to be deemed vacant, and the mooring location reassigned. Applications received during the 60 day period are subject to a late fee.

2) The City of Saco mooring permit application form contains additional rules and regulations regarding use and placement of moorings. The address of the applicant supplied with the permit application shall serve as the address of record for all purposes of notice where notice is required in this chapter.

3) Permits shall be good for one year (March 15 January 1 to March 14 December 31). They are at all times a revocable license issued subject to the terms herein, and under no circumstances will they be treated as, or deemed, a property right.

4) Any mooring location not occupied by the vessel or float registered to it, or a vessel of equal or lesser gross tonnage owned by the mooring permit holder, for at least one day in each of three out of the five months during the period May 1st through September 30th—during the permit year may be considered to be abandoned. The location may be reassigned by the Harbor Master, after the Harbor Master has first given the registrant 30 days' advance written notice at his/her last known address (certified mail, return receipt). The cost of removing or dropping moorings shall be assessed to the owner if not removed by him within 30 days of receipt of said notice, in accordance with state law. Notwithstanding the above, this subsection will not apply to a mooring whose owner has notified the Harbor Master that such mooring will not be occupied due to prolonged absence from the area, illness, or other extenuating circumstances, provided the permit is timely renewed annually as required by this chapter.

5) The annual application fee for the waiting list shall be established by the City Council after a public hearing.

6) Moorings are not transferable except as provided by 38 M.R.S.A. § 3-A.

7) A person may be denied a mooring permit if they are found to have previously violated this chapter without good cause; or if they are in arrears of any City tax or fee.

D. Inspections of moorings. The Harbor Master or his/her designee shall inspect moorings biannually. It is the permit holder’s responsibility to contact the Harbor Master to arrange for inspections. Two visits by the Harbor Master are included in the mooring application fee; any additional visits required to complete an inspection shall be at the applicant’s expense.

E. Manner/condition of moorings:

1) All mooring floats shall meet United States Coast Guard regulations.

2) The float attached to the mooring line shall be of sufficient size to remain afloat when not attached to the vessel.

3) The Harbor Master may at any time examine any mooring or mooring line to determine compliance with this section. Except in the case of an emergency, he shall notify the owner of his or her intention to examine the mooring, either in writing or verbally, and request the presence of the owner during such examination. Any cost of examination shall be borne by the owner of the mooring.

4) If a party fails to properly maintain his/her/its mooring, float or cable, the Harbor Master will, in writing (by certified, return receipt mail), issue a seven-day notice-to-cure letter. If the offending party fails to correct the deficiency identified by the Harbor Master within seven days, the party’s mooring
permit shall thereafter be revoked upon the filing of a written decision from the Harbor Master to the City Clerk with copies provided to the offending party and the Coastal Waters Commission.

(5) **Vessels on moorings must be properly maintained to minimize hazards to other vessels, including:**
   (a) The vessel must be capable of moving under its own mechanical means.
   (b) Sail, lines, and sheets must be secured at all times when the vessel is not occupied.
   (c) All accessories, anchors, lines, poles, etc. must be secured and within the gunwales of the vessel.
   (d) Nothing may be trailing behind a moored vessel or protruding from the vessel that can damage another vessel.

Failure to properly maintain a moored vessel may result in revocation of the mooring permit.

6. **Vessels moored as to impede navigation or to endanger other vessels.** All moorings, whether now existing or hereinafter set, shall be so located or relocated that the vessels secured thereby will not impede navigation within City waters nor endanger other vessels moored therein. If the Harbor Master shall find that any vessel is so moored as to impede navigation or to endanger other vessels, he may require that the owner of the mooring or of the vessel secured thereby take such steps, whether by shortening the scope of the mooring lines or by the use of additional mooring or mooring lines, as will prevent such impeding of navigation or endangering of other vessels; or, in the alternative, he may order that the mooring be removed and relocated. In requiring the removal of a mooring because of its danger to other mooring last shall be the first ordered to be removed. Any person so ordered by the Harbor Master acting under this subsection shall remove a vessel within 48 hours after order, whether written or verbal; provided, however, that if the mooring owner fails to do so, then the Harbor Master shall thereupon cause the mooring to be removed or relocated. Any expense incurred by the City to move or remove a mooring shall be borne by the owner of the mooring or vessel.

7. If in the sole opinion of the Harbor Master a mooring creates an emergency or imminently dangerous condition, or if immediate action is required to ensure proper navigation and safety, the Harbor Master may temporarily, without notice to the permit holder, take possession of the mooring and temporarily remove and/or secure it until such time as the permit holder can be notified. The parties shall thereat determine together the appropriate terms and conditions for re-siting and re-installing the mooring.

F. The Harbor Master shall hold all moorings and tackle removed from coastal waters as a lien against all fees, fines and costs incurred as a result of the acts, actions or inactions of any mooring permit holder. No such equipment shall be returned until all such charges are fully paid.

G. **Interference with moorings.** Except by direction of the Harbor Master acting in an emergency or with permission of the owner, no person shall move or interfere with any mooring or vessel in the harbor.

H. Removal.

(1) A mooring shall be removed after September 30, unless it is still in use by its owner. If not removed by its owner, the Harbor Master shall see to its removal at the expense of the mooring owner. The mooring and ground tackle shall not be returned to its owner until such bill is paid.

(2) All non-commercial vessels shall be removed from the river by December 1st.

I. Waiver procedures.

(1) A mooring permit holder may request a temporary waiver to the mooring requirements stated in this chapter by submitting a written request to the Harbor Master. A waiver will not be granted for a violation that impacts safe navigation on the Saco River. The waiver request must clearly state:
   (a) Mooring number;
   (b) Name and current address and phone number of the permit holder;
   (c) The nature of the waiver (e.g., inability to position or remove an authorized mooring, inability to attach a boat to an authorized mooring, inability to pay for a mooring in a timely manner);
   (d) The reason the waiver is needed; and
(e) Expected date for compliance (date the permit holder will make corrections or come into compliance with mooring requirements).

(2) The Harbor Master will notify the permit holder of his decision to approve or disapprove the waiver in writing and provide a copy of the written decision to the City Clerk, the Director of Public Works and the Coastal Waters Commission. If the Harbor Master must disapprove the waiver request the Harbor Master will send the decision via certified mail return receipt requested to the address of record. The permit holder can appeal the Harbor Master’s decision to the Coastal Waters Commission.

(3) Waivers for medical conditions may be granted for a maximum of one (1) permit year.

(4) Waivers for mechanical conditions may only be granted for moorings which have been in use during the permit year.

(5) Waivers and associated mooring privileges may be revoked if the Harbor Master determines that the waiver request mis-represented the facts and/or conditions that form the basis for the waiver request.

J. Buoys other than for mooring vessels. No buoy of this type shall be placed in channels leading to wharves, nor shall such buoys be placed less than 150 feet from a mooring buoy for that vessel. The Harbor Master is empowered, in the interest of public safety, to require the removal of any buoys.

§ 118-11. Headway speed only zones.

A. Headway speed only zones shall be established by the Coastal Waters Commission for the tidal areas of the Saco River and Saco Bay.

B. Designated headway speed only zones will be marked appropriately with buoys, signs or other reasonable markers likely to come to the attention of boaters. All types and locations of markers or buoys placed into the river or harbor will be approved by the authority having jurisdiction over navigable waters.

C. Once approved, buoys will be placed in the designated areas by the Harbor Master or by an independent contractor hired by the City with the recommendation of the Harbor Master and Coastal Waters Commission. Placement of buoys or markers within the areas shall be at the discretion of the Harbor Master.

D. These zones will be reviewed periodically to ensure that they do not conflict with state or City law and reflect the needs of the citizens of Saco.

E. There shall be a fine of $250.00 for violation of headway speed zone limit fixed by the Harbor Master or Coastal Waters Commission. A summons for violating the headway speed zone limit may be issued by any one of the following law enforcement officers or officials: the Saco or Biddeford Harbor Master, any law enforcement officer of Biddeford of Saco, and any state or federal law enforcement officer with jurisdiction over navigable waters.

§ 118-20. Storage.

Personal property, such as lobster pots, automobiles, cradles, boats, etc., shall not be stored on City wharves or landings or within the Camp Ellis Parking Lot. Exemptions to this rule shall be considered on an individual basis when submitted, in writing, to the Harbor Master. The hauling-out area at Camp Ellis will be under the jurisdiction of the Harbor Master.

Article IV. Camp Ellis Pier, Parking Lot and Public Landing Regulations

§ 118-24. Pier use regulations.

A. No person who owns, leases or operates a commercial or recreational boat or vessel shall use a public wharf, dock or pier unless they shall first obtain a permit therefor, as is hereinafter provided. A pier use agreement must be signed prior to the issuance of a user permit.

B. No person who owns, leases or operates a commercial or recreational vessel shall store said boat or vessel on any public wharf, dock, pier or parking lot.

C. All said pier use and mooring fees should be paid to the City of Saco through City Hall and a receipt for same presented to the Harbor Master.
D. User fees, mooring fees and parking fees are to be established annually by the City Council, by resolution, after a public hearing, as recommended by the Coastal Waters Commission.

E. Commercial pier use permit holders have priority use of the hoists for loading and unloading perishable products.

F. Use of the beaching piles located adjacent to the public landing will be available to pier use permit holders. The maximum size boat to use the piles shall not exceed twenty-thousand-pound displacement. Proper support must be installed under a berthed boat prior to allowing people to go into the boat fall area. Boats may only be berthed on the north side of the piles to maintain access to the public landing at all times. Berthed boats may remain at beaching piles for one full tide cycle.

G. Non-customary, short-term exceptions to these regulations may be allowed at the discretion of the Harbor Master, and may include:

   (1) use of the pump-out station
   (2) pick-up or discharge of passengers
   (3) use of the restroom facility

Short-term exceptions may not exceed 15 minutes. Individuals who become customary pier users must obtain a pier use permit. For the purposes of this section, “customary” is defined as a short-term pier use that is repeated more than twice per month.

H. Any permit issued hereunder may be revoked if the Harbor Master determines that any portion of a permit holders application contains false or misleading information. Any revocation may be appealed as set forth herein.

§ 118-26. Pier use permits.
A. There shall be three types of pier use permits.
(1) Commercial vessel pier use.
(2) Charter vessel pier use.
(3) Recreational vessel pier use.

B. Establishment of permit limitations. The Harbor Master will establish the maximum number of pier use permits to be granted within each type, described above. A waiting list will be established for persons desiring a pier use permit when the maximum number has been reached.

C. Pier use by mooring permit holders. A mooring permit holder who wishes to maintain a vessel at the pier shall obtain a pier use permit.

D. Charter Vessel users shall provide at the time of execution of a Pier Use Permit, a current Certificate of Insurance showing a minimum liability coverage of one million dollars ($1,000,000), which policy must name the City of Saco as an additional insured.

§ 118-27. Traffic and parking regulations.
A. The City of Saco has constructed a launching ramp and parking lot, for use by the public, on the shore of the Saco River at Bay Avenue in Camp Ellis, between the extension of North Avenue and East Avenue. There are no existing ordinances to control traffic and regulate parking for the public good and safety of the public which will be using these facilities. The following rules and regulations are hereby adopted, and the Chief of Police is hereby authorized and directed to erect the proper signs and controls to enable the enforcement of these rules and regulations.

B. Public lot and public landing rules and regulations shall be as follows:
(1) Diagonal parking within marked spaces only.
(2) No parking after 1:00 a.m. until 5:00 a.m. from May 1 through September 30 and from 10:00 p.m. to 5:00 a.m. from September 30 through May 1, except for pier users permit holders who are aboard their vessels and have duly notified the Dock Steward or the Harbor Master of their intent to be at sea overnight. Crew members must obtain the proper receipt for overnight parking and notify the Dock Steward or the Harbor Master. Any other overnight parking constitutes storage, which is prohibited by Section 118-20.

(3) Five-miles-per-hour speed limit.
(4) No parking in front of launching ramp.
(5) No throwing of rocks and debris in the river.
(6) Boat trailers are to be parked in designated areas.
(7) Camping is not permissible.
(8) Parking violators shall be towed away at the owner’s expense.
(9) All cars and trucks parked in the parking lot shall prominently display a current pier user sticker or seasonal parking sticker issued by the City, unless they are paying the daily parking fee. A seasonal parking permit or the elderly residents permit is only transferable to other vehicles registered in the City by the resident. A commercial vessel pier use permit stays with the permit holder and is transferable to another vehicle.
C. GENERAL ASSISTANCE ORDINANCE UPDATE 2013 – (2\textsuperscript{ND} & FINAL READING)

Each year Maine Municipal Association presents municipalities with new Appendixes for their City Ordinance, which need to be reviewed and adopted. Municipalities should adopt the new maximums (Appendixes) by October 1st or as soon as possible thereafter. This year, the Over-All Maximums on Appendix A have decreased. The food maximums on Appendix B have also decreased since last year. On Appendix C, we used an average between the York County HMFA and the York/Kittery/S. Berwick HMFA. Those amounts are up slightly in units of three and four bedrooms.

Councilor Tardif moved, Councilor Smith seconded “The City of Saco hereby ordains and approves the Second and Final Reading of the amendments to the Saco Code, Chapter 112, General Assistance Program, Appendix A-Overall Maximum, Appendix B – Food Maximums, and Appendix C – GA Housing Maximums.” The motion passed with seven (7) yeas.

\textbf{Appendix A}

\textbf{OVER-ALL MAXIMUMS}

\begin{center}
\begin{tabular}{|c|c|c|c|c|c|} 
\hline
York County HMFA: & & & & & \\
Acton, Alfred, Arundel, Biddeford, Cornish, Dayton, & & & & & \\
Kennebunk, Kennebunkport, Lebanon, Limerick, & & & & & \\
Lyman, Newfield, North Berwick, Ogunquit, & & & & & \\
Parsonsfield, Saco, Sanford, Shapleigh, Waterboro, & & & & & \\
Wells & 678 & 704 & 891 & 1,191 & 1,233 \\
\hline
\end{tabular}
\end{center}

*Note: Add $68 for each additional person.

\textbf{Appendix B}

\textbf{FOOD MAXIMUMS}

\begin{center}
\begin{tabular}{|c|c|c|} 
\hline
\# IN & WEEKLY MAX. & MONTHLY MAX. \\
HOUSEHOLD & Current/Proposed & Current/Proposed \\
\hline
1 & $46.54/$43.95 & $200.00/$189.00 \\
2 & $85.25/$80.70 & $367.00/$347.00 \\
3 & $122.33/$115.58 & $526.00/$497.00 \\
4 & $155.35/$146.97 & $668.00/$632.00 \\
5 & $184.42/$174.42 & $793.00/$750.00 \\
6 & $224.40/$209.30 & $952.00/$900.00 \\
7 & $244.65/$231.40 & $1052.00/$995.00 \\
8 & $279.53/$264.42 & $1202.00/$1137.00 \\
\hline
EACH ADDITIONAL & & $150.00/$142.00 \\
\hline
\end{tabular}
\end{center}

\textbf{Appendix C}

\textbf{HOUSING MAXIMUMS}

\begin{center}
\begin{tabular}{|c|c|c|}
\hline
\textbf{Unheated Units} & \textbf{Heated} & \\
\hline
\# BDRMS & MONTHLY & MONTHLY & \# BDRMS. & MONTHLY & MONTHLY \\
& Current & Proposed & & Current & Proposed \\
0 & $635.00 & $635.00 & 0 & $690.00 & $690.00 \\
1 & $635.00 & $635.00 & 1 & $709.00 & $709.00 \\
2 & $748.00 & $748.00 & 2 & $880.00 & $880.00 \\
3 & $1085.00 & $1085.00 & 3 & $1215.00 & $1215.00 \\
4 & $1109.00 & $1109.00 & 4 & $1273.00 & $1308.00 \\
\hline
\end{tabular}
\end{center}
D. ADOPTION OF CITY OF SACO ENERGY POLICY

City Energy Policy purpose: City of Saco elected officials, appointed officials and employees have an inherent responsibility to be good stewards of tax dollars and the environment. By observing prudent building climate control standards and operating assigned vehicles and equipment in a responsible manner, the City will be able to conduct safe and effective operations while minimizing energy (petroleum products, electricity, etc.) consumption and, as a result, energy costs. This policy attempts to establish realistic and verifiable standards to optimize energy use by the City of Saco.

Councilor Cote moved, Councilor Johnston seconded “Be it Ordered that the City Council hereby ordains and approves the policy titled, ‘City of Saco Responsible Energy Use & Sustainability Policy, dated March 3, 2014’. Further move to approve the order. The motion passed with seven (7) yeas.

CITY OF SACO RESPONSIBLE ENERGY USE & SUSTAINABILITY POLICY
Dated March 3, 2014

1. PURPOSE. City of Saco elected officials, appointed officials and employees have an inherent responsibility to be good stewards of tax dollars and the environment. By observing prudent building climate control standards and operating assigned vehicles and equipment in a responsible manner, the City will be able to conduct safe and effective operations while minimizing energy (petroleum products, electricity, etc.) consumption and, as a result, energy costs. This policy establishes realistic and verifiable standards to optimize energy use by the City of Saco.

2. APPLICABILITY. This policy applies to:
   a. All permanent, temporary and volunteer (elected and appointed) employees while performing duties on behalf of the City;
   b. Contractors performing services on behalf of the City;
   c. Tenants using City owned facilities or equipment; and,
   d. New or replacement construction involving City infrastructure or equipment.

3. REFERENCES.
   b. 35-A M.R.S.A., Chapter 97 – Efficiency Maine Trust Act
   c. City of Saco Code, Chapter 74 – Building Energy Conservation
   d. City of Saco Code, Chapter 181 – Solid Waste
   e. City of Saco Purchasing Policy
   f. City of Saco Street Light Installation Standards Policy
   g. City Anti-Idling Policy, dated February 20, 2007 (superseded)

4. DEFINITIONS. (Unless otherwise noted, definitions were drawn from Furnace Compare -- http://www.furnacecompare.com/faq/definitions/.

   a. Annual Fuel Utilization Efficiency (AFUE) - The AFUE is the most widely used measure of a boiler or furnace's heating efficiency. It measures the amount of heat actually delivered to your house compared to the amount of fuel that you must supply to the furnace. Thus, a furnace that has an 80% AFUE rating converts 80% of the fuel that you supply to heat -- the other 20% is lost out of the chimney.

   b. Energy Efficiency Rating (EER) – The Air-Conditioning and Refrigeration Institute standardized this rating, which reports central air conditioning efficiency at 80 degrees Fahrenheit indoors and 95 degrees Fahrenheit outdoors. This rating measures steady-state efficiency -- that is, the efficiency of the air conditioner once it is up and running. The IPLV SEER (Seasonal EER) rating is available for residential central air conditioners, and is generally considered a more reliable indicator of the overall energy efficiency of the unit than the EER. While the SEER has been criticized for not taking into account the efficiency of the system while under partial load, there is no widely available rating which accounts for this
issue in residential air conditioners. (However, the measures partial load efficiency in non-residential units.)

c. Heating Season Performance Factor (HSPF) – the measure of a heat pump’s efficiency which is computed by dividing the total space heating required during a single heating season (expressed in Btu), divided by the total electrical energy consumed by the heat pump system during the same season (expressed in watt-hours). A heat pump with a high HSPF is more efficient than a heat pump with a lower HSPF. New heat pumps manufactured after 2005 are required to have an HSPF of at least 7.7. The most efficient heat pumps have an HSPF of 10.

d. Idling – An idling vehicle is basically one whose engine is running when it is parked or not in use. (From the South Carolina Department of Health and Environmental Controls’ website) Market research has found that the most common reasons for engine idling are: warming up the car; waiting for someone; or, doing an errand. Other reasons, reported by drivers include: personal comfort; listening to the radio; parking illegally; and convenience.

e. Integrated EER, Part Load Value (IPLV) – Like the ERR, the IPLV rating was developed by the Air-Conditioning and Refrigeration Institute. (In 1998, the ARI released a revised Standard, ARI 550/590-98 to cover IPLV.) Unlike the EER, however, the IPLV measures the efficiency of air conditioners under a variety of conditions -- that is, when the unit is operating at 25%, 50%, 75% and 100% of capacity and at different temperatures. IPLV is only calculated for non-residential central air conditioners.

f. Seasonal Energy Efficiency Rating (SEER) – The most commonly used measure of the efficiency of consumer central air conditioning systems. As of January 2006, an air conditioner must have a SEER of at least 13 to be sold in the United States. Higher efficiency models have SEER of up to 21.


a. Lighting. The following standards apply to optimize energy use for lighting:

   i. Turn off all lights when leaving a room/area unoccupied for more than 10 minutes and at the end of each work day.

   ii. With the exception of hallway and security lights, do not leave lights on for cleaning staff – they will turn lights on and off as they need.

   iii. Adjust timers for exterior lights biannually – within one week of the change to and from Day Light Savings Time – to remain in concert with expected sunrise and sunset. Reset timers after power interruptions if the power loss affected settings.

   iv. Use day light and task lights instead of overhead lights whenever practical.

   v. Clean reflectors and fixtures periodically (e.g., when lamps are replaced) to ensure maximum output of the light fixture.

   vi. Each department should conduct a lighting survey of their offices and work area to determine the safe lumen level required.

b. Heating

   i. Set thermostats to the lowest reasonable temperature to provide a safe and effective operating climate (preferably no higher than 70 degrees Fahrenheit).

   ii. Have all automatic controls and boilers inspected and/or tested annually to ensure they work properly and as efficiently as practical. Clearly post annual combustion efficiency test results in the boiler room, near the boiler inspection certificate.

   iii. When possible set HVAC systems to operate at a lower temperature (60-62 degrees Fahrenheit) when
the office or facility is unoccupied.

c. Hot Water

  i. Set the temperature on hot water tanks no higher than 120 degrees Fahrenheit unless specifications on
the equipment or physical plant require a higher setting. • If a hot tank serves a dishwasher or other
sterilizing equipment that lacks a temperature booster, operators may set the tank temperature up to no
more than 140 degrees Fahrenheit. Set mixing valve for other hot water uses to no more than 120 degrees
Fahrenheit.

  • Using a lower setting (e.g., 110 degrees) is preferred.

  ii. Install faucet and showerheads that meet the Environmental Protection Agency’s WaterSense standard
– defined as flow rates of 1.5 gallons per minute (gpm) or less for sink faucets and 2.0 gpm or less for
showerheads – within 12 months of the implementation of this policy.

d. Air Conditioning

  i. Use shades and blinds as the initial strategy to control solar gain during hot weather.

  ii. Use operable windows for initial ventilation during hot weather if acceptable comfort can be
achieved.

  iii. Set thermostats to the highest reasonable setting to provide a safe and effective working environment
(preferably no lower than 78 degrees Fahrenheit).

  iv. Turn off air conditioning at the end of each work day when a room/facility is expected to remain
unoccupied for the rest of the day.

  v. When used, set window air conditioners to the lowest comfortable setting for room occupants – the
“economy” setting, if equipped.

e. Windows and Doors

  i. Do not leave windows and doors open when heating or cooling equipment is in use.

  ii. Close window shades and curtains at the end of each day to help reduce heat loss, reduce solar gain or
retain cooling overnight.

f. Ventilation

  i. Cycle exhaust fans, instead of allowing them to run continuously, to minimize energy losses, when
practical and not in conflict with other regulatory requirements (e.g. NFPA, OSHA).

  ii. Turn off ventilation when a room/facility is expected to be unoccupied.

g. Computers and Office Equipment

  i. Turn off all monitors, printers and office equipment at the end of each duty day. Leave computers
processing units (CPU) on to allow Information Technology staff to push patches and updates to CPUs.

  ii. Turn off monitors, printers and office equipment when not expected to be used for more than 8 hours.
During business hours or when the office is occupied, photocopiers/printers may be left on if they
have an Energy Saver or Standby mode.

  iii. Place self sticking “Please Turn Off” labels on office equipment to encourage compliance with this
energy policy.
h. Vehicle Operations. Operators of City vehicles and internal combustion equipment will adhere to the following standards:

i. Idling is prohibited when the ambient temperature is above 32 degrees Fahrenheit, except when certain conditions are met (defined below).

ii. Vehicles will not be left idling when the operator is out of/stepped away from the vehicle/equipment, except when certain conditions are met (defined below).

iii. Idling is permitted for no more than 10 minutes when the ambient temperature is 32 degrees Fahrenheit and below.

iv. Due to the nature of certain emergency and non-emergency City operations, the following exceptions may apply: • Operators may allow emergency response vehicles to idle when responding to an emergency or when standing by in readiness to respond, if weather conditions threaten to delay a response.

• Operators may allow ambulances, which must maintain onboard medication above a specific temperature, to idle.

• Department Directors may allow vehicles with batteries that may discharge because of the requirement to operate significant onboard electrical equipment (e.g. emergency lights, communication equipment, computers, radars), to idle to preserve the battery(ies) life.

• Department Directors may authorize other situations, in writing, to ensure the health and welfare of City employees or members of the public.

i. Equipment Maintenance

i. All equipment shall be maintained according to the manufacturer’s recommended schedule and standards.

ii. Replace or clean air filters regularly to ensure good air quality and flow.

iii. Clean heat exchange coils at least annually for heat pumps, air conditioners, refrigerators, freezers and other temperature regulated equipment.

j. Equipment Replacement

i. When replacing worn or unserviceable equipment always seek the most energy efficient equipment that effectively meets the operating need. Always try to obtain Energy Star rated equipment – meets or exceeds the U.S. Environmental Protection Agency’s (EPA) high energy efficient standards.

ii. When possible, seek and take advantage of state, federal and utility company rebate and incentives for purchases of high efficiency equipment.

iii. For lighting, use the lowest wattage that meets the luminescent needs for safe operations in the specific work area. Use Light Emitting Diode (LED) or Compact Florescent Light (CFL) technology whenever feasible.

iv. For heating equipment specify the highest annual fuel utilization efficiency (AFUE) rating for boilers and furnaces and the highest seasonal energy efficiency rating (SEER) or heating season performance factor (HSPF) rating for heat pumps.

v. For cooling, specify the highest SEER rating for central and window air conditioning units.

vi. For motors, specify the highest efficiency replacement motors. Use a lower horsepower or variable speed pump to improve efficiency when possible.

vii. Consider renewable energy options when replacing existing equipment.
k. New Construction/Renovation

i. The City will give priority to technologies, products and design options that reduce energy consumption without degrading a facilities operational capability or unreasonably inflate long term costs.

ii. For all City construction and building renovation projects, present this policy to the architect/engineering firm and other appropriate parties in the initial planning stage of each project to encourage energy efficient and operationally effective designs.

iii. Each building committee and associated design team and Planning Board review of a new or renovation building project will consider energy efficiency as specified by this policy.

6. Policy – Waste Management/Recycling. All City offices and buildings will make recycling a conspicuous part of their operations. All departments will take reasonable steps to put containers to collect recyclable waste in obvious places for employees and customers to use. Appropriately disposed of waste to minimize the impact on the environment and the City’s solid waste disposal budget. These procedures will complement the requirements spelled out in Chapter 181 of the Saco City Code, Solid Waste.


a. Purchases of energy efficient equipment as well as the construction, renovation or modification of City facilities will occur in accordance with the City’s Purchasing Policy.

b. Additionally, the City will seek the opportunity to reduce energy costs by centrally purchasing energy – petroleum fuels and electricity – when feasible. Such purchase will follow procedures outline in the City’s purchasing policy.

8. Participation in Initiatives and Incentives. City departments and agencies, (to include the Library, Museum and Schools if they wish to participate in the City’s energy purchasing program) are required to pursue energy incentives through the multiple utility companies and service providers whenever possible and practical. Departments and agencies should contact the City’s Energy and Sustainability Committee to learn about or share information on current incentives.

9. Membership in Collaborative Organizations and Associations. City Departments or the City’s Energy and Sustainability Committee are encouraged to become members of organizations and associations that will help the City advance energy efficiency (e.g., Maine Clean Communities, professional organizations’ energy fora). City staff members should participate in energy information sessions or training courses regarding energy efficiency and sustainability available through collaborative organizations and associations to which they belong.

10. Enforcement and Reporting Problems and Successes.

a. Department directors are responsible for developing and implementing procedures to facilitate compliance with this policy. Supervisors at all levels will monitor their departments’ operations to ensure compliance.

b. Department representatives to the City’s Energy and Sustainability Committee may occasionally report progress and challenges in complying with this policy.

E. TAXICAB BUSINESS LICENSE APPLICATION FOR RADIOWAVES INC. d/b/a ALTERNATIVE TAXI AND TWIN CITY TAXI INC. – (PUBLIC HEARING)

Radiowaves Inc. d/b/a Alternative Taxi & Twin City Taxi Inc. have applied for a Taxicab Business License for a term of one calendar year.

The applicant has paid all applicable license fees and the clerk has properly advertised the public hearing in accordance with Chapter 195 – Taxicabs, Subsection 195-3 Licenses required and Subsection 195-4 Application for Taxicab Business License.
Councilor Tardif moved, Councilor Johnston seconded to open the Public Hearing. The motion passed with unanimous consent.

Councilor Precourt inquired why the liability insurance rates for the limits are different from one company to the other and whether the city has set minimums that an individual doing business in the city needs to meet? The City Clerk stated that there no minimum requirements for insurance. City Solicitor Tim Murphy noted that the City was listed as certificate holders, so that if there were a cancellation of insurance the company would do its best to notify the city. He noted that nothing unusual about 2 different businesses holding different insurance limits. It is up to the owner of the business to decide how much insurance they think they need. Mr. Murphy noted that he had not looked at the ordinance recently but it was exactly as how the clerk had described that there are no minimums that we know of. Police Chief Bradley Paul provided Mr. Murphy with a copy of the Ordinance which states “No taxicab business license shall be issued to any business until the applicant files with proof of liability coverage”. So no minimums are required. Mr. Murphy noted this was no ideal liability coverage. Mayor Pilon noted that the city may want to look at putting so minimum requirement in the ordinance. Councilor Precourt stated that when his construction business works in the city, they have minimum insurance requires they need to carry for certain things, so maybe the city should look into a minimum requirement.

Councilor Tardif moved, Councilor Brunswick seconded to close the Public Hearing and “Be it Ordered that the City Council grant Radiowaves Inc. d/b/a Alternative Taxi & Twin City Taxi Inc. a Business License for a term of one calendar year.” Further move to approve the order. The motion passed with seven (7) yeas.

VI. CONSENT AGENDA:

Councilor Brunswick moved, Councilor Smith seconded to approve consent agenda items #A, B, C, D and E as follows:

A. Be it Ordered that the City Council approve the minutes for February 24, 2014 and March 3, 2014. Further move to approve the Order;

B. Be it Ordered that the City Council authorize the City Administrator to negotiate a Contract for wastewater customer account management with Maine Water Inc. Further move to approve the Order;

C. Be it Ordered that the City Council grant Katherine Brown a Massage Therapist License in accordance to the Codes of the City of Saco, Chapter 138. Further move to approve the Order;

D. Be it Ordered that the City Council confirm the Mayor’s appointments of Councilors Smith, Tardif, and Precourt to the Joint Biddeford-Saco Council Committee. Further move to approve the order.

E. Be it Ordered that the City Council grant the application for a Farmer’s Market as submitted by the Saco River Market. Further move to approve the Order.

The motion passed with seven (7) yeas.

The complete item commentaries are listed below:

B. WATER RESOURCE RECOVERY DIVISION OUTSOURCE BILLING

Increasingly customers are asking for services such as e-billing, debit or credit card payments, and on-line access to their account. In the interest of enhancing customer service, staff contacted Maine Water to inquire whether they can provide these types of wastewater billing services to the municipalities that they serve. They do in fact provide these services to the following towns and cities; Rockland, Freeport, Hartland, Vinalhaven and Camden.

We inquired with the Town of Freeport and the City of Rockland to find out if they are pleased with the billing function provided by Maine Water and they both indicated that they are very happy with the wastewater billing service.

Based upon positive results from the other municipalities, staff negotiated a billing price from Maine Water that is comparable to the price it is currently costing the city to provide our own billing.
January 21, 2014

Howard Carter, Director
Water Resource Recovery Division
City of Saco
300 Main Street
Saco, Maine 04072

RE: Proposal to Provide Wastewater Customer Billing and Other Services for the City of Saco

Dear Howard:

Thank you for the opportunity to provide this proposal for wastewater customer billing and other related customer services.

Our proposal is for comprehensive wastewater customer account management, including water meter readings, bill generation, postage, all paper supplies, cash management, financial reporting, customer service, cash receipts and collections (not including filing of liens). All wastewater customers with billing inquiries would call our Maine customer service numbers and be handled with little burden on the City or its staff.

In addition to the above services, the City's wastewater customers would also be able to enjoy the same services that we make available to all our water customers at no cost to them, including ebilling, payment by ACH, debit or credit card, payment at any of our collection sites, such as Hannaford and Bangor Savings, on-line access to their account and history, and payment at our offices.

We propose two pricing options for your consideration:

1. $3.00 per bill, or
2. Flat monthly charge of $5,100.00

For either option, we can offer a one-year contract, or a longer term contract at the City's choosing, that would include a CPI escalator. For any non-routine services, such as running scenarios for wastewater rate increases, providing non-standard information or reports, etc. we would bill the City at an hourly rate of $40/hour for work by a customer service specialist and at $75/hour for work performed by our customer service manager. These billing rates would also be subject to an escalator in a multi-year contract.

There will be a one-time initial account set-up charge of $6,500.00, which covers the programming costs of Northern Data Systems to convert your data from Munis to Northern Data, to set up a new bill format and to add the customers into the wastewater billing system.

The Maine Water Company currently provides wastewater billing services to the City of Rockland and the towns of Camden, Rockport, Freeport, Hartland, and Vinalhaven. We invite you to contact any of these communities for references.

We believe we offer a comprehensive billing and customer service program that is consistent with our philosophy of providing excellent service and value. We conduct independent customer service surveys twice a year with a goal of having customer satisfaction at or above 90%. In the most recent survey in December, 2013, our customer satisfaction rating was at 93.9%.

We appreciate the opportunity to propose these services to the City of Saco, and are looking forward to the possibility of working together. If this proposal meets your approval, we can provide a draft contract for your consideration.

Sincerely,

[Signature]

Judy Willingford
President
C. MASSAGE THERAPIST/ESTABLISHMENT LICENSE APPLICATION

Katherine Brown located at Peak Performance Therapeutic Massage, 334 Main St. has applied for a Massage Therapist License.

The applicant has paid all applicable permit fees and has provided a copy of her Certificate of Completion of a Therapeutic Massage Career Program in compliance with Chapter 138, Subsection §138-9 Basic proficiency.

D. CONFIRM THE MAYOR'S APPOINTMENTS TO THE ‘JOINT BIDDEFORD-SACO COUNCIL COMMITTEE’

The cities of Biddeford and Saco have been working towards a Saco River Interlocal Agreement. To that end, the Biddeford City Council on February 4, 2014, appointed Councilors Michael Swanton, Michael Ready, and Roger Hurtubise to the ‘Joint Biddeford-Saco Council Committee’. The Mayor of Saco has appointed Saco Councilors Les Smith, Art Tardif, and David Precourt to serve on this committee and these appointments now require Council confirmation.

The charge of the joint committee is to collaborate on a Saco River Interlocal Agreement; the draft agreement will be presented to both City Councils for final approval.

E. APPLICATION FOR FARMER'S MARKET – SACO RIVER MARKET

Saco River Market, 110 Main Street has submitted an application for a Farmer’s Market. This would allow market vendors the opportunity to sell wine or malt liquor they manufacture in the State at the Farmer’s Market.

The applicant has submitted the application in accordance with the provisions of M.R.S.A. Title 28-A, Chapter 51 – Subsection 1366 (4).

VII. RECESS THE MEETING AND CONVENE THE WORKSHOP:

Councilor Roche moved, Councilor Brunswick seconded to recess the meeting and convene the workshop. The motion passed with unanimous consent. TIME: 8:00 p.m.

VIII. RECESS THE WORKSHOP AND RECONVENE THE MEETING

Mayor Pilon moved to recess the workshop and reconvene the meeting with the unanimous consent of the Council. TIME: 8:40 p.m.

F. CHARTER AMENDMENTS – SCHOOL BOARD

On November 6, 2013, the Saco citizens voted (2,996 yes - 977 no) in favor of the City of Saco withdrawing from the Regional School Unit No. 23 (RSU 23). The approved Withdrawal Agreement dated August 1, 2013 was certified by the Department of Education on November 18, 2013. The Withdrawal Agreement describes the process for School Board member elections and budget adoption. The City Council and School Board support a Charter amendment that will create a School Department.

Subsequent to the formation of Regional School Unit 23, approved by voters on November 4, 2008, the citizens voted on November 2, 2010, to approve and ratify the Charter Amendments to Article VI Board of Education, Article VI Financial Procedures §6.02-6.04, and Article VII Elections §7.02, dated February 16, 2010, and Article VII, Elections §7.02, dated August 16, 2010, removing all Board of Education references in the Charter.

In summary, the proposed charter amendments remove the Regional School Unit 23 from the charter and replace it with a School Department; create a School Board; and describe how members are elected as well as their duties and powers. The budget adoption process is added to the Charter as well.

If the Charter is not amended; what is the process for adopting the School Budget? The Withdrawal Agreement between the City of Saco Withdrawal Committee and the RSU 23 dated August 1, 2013, describes these processes.
The document can be found at this web site:
http://www.sacomaine.org/departments/administration/RSU/FinalSacoWithdrawalAgreement.pdf

Councilor Precourt moved, Councilor Smith seconded “Be it Ordered that the City Council approve the (First Reading) of the document titled, Charter Amendments Board of Education dated June 10, 2014’, and the council further moves to set the Public Hearing for April 7, 2014.”

TABLED – Councilor Smith moved, Councilor Roche seconded to table this item until the November election. The motion passed with unanimous consent.

VII. RECESS THE MEETING AND CONVENE THE WORKSHOP:

Mayor Pilon recessed the meeting and reconvened the workshop with the unanimous consent of the Council. TIME: 8:45 p.m.

VIII. ADJOURN THE WORKSHOP AND RECONVENE THE MEETING

Councilor Smith moved, Councilor Cote seconded to adjourn the workshop and reconvene the meeting. The motion passed with unanimous consent. TIME: 9:50 p.m.

G. CHARTER AMENDMENT ARTICLE II, §2.01 COMPOSITION OF MUNICIPAL OFFICES AND COMPENSATION – (FIRST READING)

Note: This item was not discussed in the Workshop and there was no vote in the regular meeting.

Proposed to the City Council is a Charter Amendment with regard to Article II -Mayor and the City Council- §2.01 Composition of Municipal Offices and Compensation.

The Mayor and City Council shall receive an annual salary, payable quarterly, added to the Charter is the proposed language: “and such additional compensation and benefits, all as shall be fixed by 5 members of the city council from time to time.”

“Amendments Chapter C. Charter, Article II. Mayor and the City Council, §2.01 Composition of Municipal Offices and Compensation, Dated June 10, 2014”

(Note that strikethrough represents language to be deleted, while underline represents language to be deleted.)

Chapter C. Charter
Article II. Mayor and the City Council
§2.01 Composition of Municipal Offices and Compensation

There shall be a Mayor and a City Council consisting of seven members, one from each ward. The Mayor and members of the City Council shall constitute the municipal officers of the City for all purposes required by statute and perform all duties required of municipal officers under the laws of the State. The Mayor and City Council shall receive an annual salary, payable quarterly, and such additional compensation and benefits, all as shall be fixed by 5 members of the city council from time to time. The Mayor shall receive a salary of three thousand six hundred ($3,600.00) dollars and the City Councilors shall each receive a salary of one thousand two hundred ($1,200.00) dollars. The Council may by ordinance change the annual salary of the Mayor and/or the City Councilors, but no ordinance changing such salary shall become effective until approved by the voters of Saco in a referendum question in the next regularly scheduled municipal election, either primary or general. The Mayor and Councilors shall receive their actual and necessary expenses incurred in the performance of their duties of office.
H. SACO HOUSING AUTHORITY CONSOLIDATION WITH BIDDEFORD HOUSING AUTHORITY

This item would consolidate the Saco Housing Authority (SHA) into the Biddeford Housing Authority. In 1982 the City contracted with York Cumberland Housing (renamed Avesta in 2001) to administer 38 Housing Choice vouchers assigned to the Saco Housing Authority by the federal Housing and Urban Development Administration. (The Saco Housing Authority was also created at that time.) That arrangement continued until 2011 when Avesta explained the administration of these vouchers was unlike much of its other work and that it has become costly to staff and administer the program.

The administrative work is very similar to that done by the Biddeford Housing Authority, and the City Council, acting as Saco’s housing authority, has contracted with Biddeford Housing Authority (BHA) since May 2011 to provide this service. Director Guy Gagnon has managed the program, including adding a Saco preference for the local vouchers.

Now the BHA is suggesting that it would be more efficient to consolidate the Saco Housing Authority vouchers fully into the Biddeford Housing Authority. Guy thinks the change would eliminate confusion and eliminate duplicative administrative requirements. Local preference would remain.

Councilor Smith moved, Councilor Tardif seconded “Be it Ordered that the City Council, acting as the Commissioners of Saco Housing Authority, approve the voluntary transfer of the Saco Housing Authority Section 8 Housing Choice Voucher Program to the Biddeford Housing Authority Section 8 Housing Choice Voucher Program for the purposes of consolidation and increased efficiency. The Saco Housing Authority will be permanently terminated as a result. The U. S. Department of Housing and Urban Development will review and approve this request and notify both housing authorities of the final decision.” Further move to approve the order. The motion passed with seven (7) yeas.

IX. ADJOURNMENT

Councilor Roche moved, Councilor Smith seconded to adjourn the meeting. The motion passed with seven (7) yeas. TIME: 9:51 p.m.

Attest: ________________________________
Michele L. Hughes, City Clerk