

STATE OF MAINE

COUNTY OF YORK

CITY OF SACO

I. CALL TO ORDER – On Monday, May 1, 2017 at 6:30 p.m. a Council Meeting was held in the City Hall Auditorium.

II. RECOGNITION OF MEMBERS PRESENT –Mayor Roland Michaud recognized the members of the Council and determined that the Councilors present constituted a quorum. Councilors present: David Precourt, Roger Gay, William Doyle, Kevin Roche, Alan Minthorn, Eric Cote and Nathan Johnston. City Administrator Kevin Sutherland was also present this evening.

III. PLEDGE OF ALLEGIANCE

IV. EXECUTIVE SESSION

Councilor Precourt moved, Councilor Minthorn seconded “Be it ordered that the City Council, Pursuant to [M.R.S.A. Title 1, Chapter 13, Subchapter 1, §405 (6) (C)] move to enter into Executive Session to discuss: the city’s anticipated power needs to support upcoming economic development activities with Central Maine Power.” The motion passed with six (6) yeas and one (1) nay – Councilor Cote. TIME: 6:32 p.m.

V. REPORT FROM EXECUTIVE SESSION

Mayor Michaud moved from Executive Session with the unanimous consent of the Council at 7:03 p.m.

Mayor Michaud conducted a roll call of the members and determined that the Councilors present constituted a quorum. Councilors present: David Precourt, Roger Gay, William Doyle, Kevin Roche, Alan Minthorn, Eric Cote and Nathan Johnston.

There was no report this evening.

VI. GENERAL

REVIVE CIVILITY MONTH PROCLAMATION

WHEREAS, civility reduces rudeness, ridicule, and lack of respect for the open exchange of ideas; and

WHEREAS, civility improves our well-being, restores trust, and encourages Americans to participate in building a brighter future for generations to come; and

WHEREAS, civility assists in the process of working together to create lasting solutions to our most pressing challenges, while fostering respect among opposing groups; and

WHEREAS, community members should feel comfortable and respected while exploring worldviews outside their own; and

NOW, THEREFORE, Be it resolved that I, Roland Michaud, Mayor of the City of Saco and the Saco City Council, do hereby proclaim May 2017 to be

REVIVE CIVILITY MONTH

And encourage all our citizens to exercise civility and respect towards each other.

Given under my hand and seal of the City of SACO, on this 1<sup>st</sup> day of May 2017

*Roland Michaud*  
Mayor Roland Michaud



## VII. PUBLIC COMMENT

- Don Pilon, 1 Meadow Lane – CFO’s – When we were interviewing for a City Administrator in 2015 there were a number of candidates that had come before the Council for the position. As the former Councilor will recall there were some very good candidates that were qualified to be CFO. Biddeford may be having a difficult time finding a CFO but we didn’t find that here in Saco. We all go to meetings and seminars and we hear “we have to find jobs for the new graduates” in order to keep our children in Maine. If the combined CFO occurs we will have 1 person overseeing Biddeford and Saco which is eliminating the opportunity for a graduate with a Masters Degree or MBA to hold a position. We are eliminating a career opportunity.
- John Harkins, 4 Christopher Terr. - 1) We advocate for a zero mill rate increase. Preferably a reduction in the mill rate. 2) I don’t believe it is in the town’s best interest to have the Finance Director shared with the City of Biddeford. We have enough issues here with finance and we should keep what we have here and maintain a full time employee for our community. 3) I believe we have a policy already on the books concerning the Economic Development. We support the budget action here for \$210,000 into a special fund. 4) Ambulance Fund – We purchased items out of the ambulance fund with the agenda item being the Lifepaks. Why bring those dollars into the general fund? 5) The budget is the most significant thing a Council does during the course of the year. This agenda like it was 2 weeks ago is loaded. We ought to be able to have an agenda dedicated to the programs that affect them.
- Peter Koppo, Saco resident - As a taxpayer I and my neighbors in Sierra Woods are a tight knit group. Allot of us are frustrated because our taxes keep going up. The year after I moved in the taxes went up 18% and they have gone up 4 out of 5 years. I have no problem paying for taxes and we appreciate the great services that we have but I think there are areas we could look at things sharper pencil. Would like more conversation on bringing businesses and revenue rather than just going to the taxpayer. His wife works at Maine Medical and he is in the restaurant business. We know things go up. Put things out to bid and make things
- Barbara Colman, 45B Stockman Ave. – Lease purchasing debt – In FY17 a ambulance was purchased and I was told there was a budget error. That ambulance has not been put on the lease purchasing debt page and it is supposed to be being paid from the ambulance fund. As well as another ambulance that is on there that is not marked as an ambulance fund purchase (\$22,000 + interest), not sure if in the RAD calculator. IT copier in lease purchasing I was told was moved to the IT line (\$22,000 +). What I do not see in the IT line is an increase of \$22,000. Who made decision to move from lease purchasing to Dept? FOIA request – Not sure how many know we have a new policy for FOAA requests. It is found on the City Clerk’s page, a form that it is requested to be filled out. It can be requested but not mandated. A request can be found, verbally, email or by the new form. A request was put in by e-mail and then they were asked to put it in through the form, goes against State of Maine FOAA laws. Shared Finance Director with City of Biddeford – At this point be have been waiting for figures for Transfer Station costs, Stackpole Bridge, and you Councilors have been waiting and we have not seen them. SCSG questions from April 18<sup>th</sup> have not all been addressed. Why?
- Alan & Suzanne Bubar & Dan Harvey, 116 North Street – on April 22<sup>nd</sup> I sent all of the Councilors an e-mail regarding the FEMA maps, flood zone and Sawyer Brook and how it is affecting the people in that area who are considered flood zone but are really not as far as I can tell. It is causing a hardship for us because we are trying to sell our property and land and have gone through the hoops of having DEP prove that it is no longer a viable brook with nothing livable in it etc. I went to all the neighbors and there were 8 in the flood zone area and one lady was in a reverse mortgage and she couldn’t afford the flood insurance and everyone else owns the property which means that we don’t pay the flood insurance just at the bank if you have a mortgage. We would like to see this addressed. It is a one-time cost to the budget to have it done. Dow and Coulombe did a survey years ago and Sawyer Brook was redirected down Spring Street (95%) except for a little bit of a spill out. It has never flooded and is no longer considered a brook, but wetlands. FEMA said that individuals that live in that area cannot get a letter of map amendment ourselves, it has to go through the city. We are asking that an amount of \$15,000 be put back into this year’s budget so that can be studied and done in an appropriate way. Mr. Dan Harvey just wants to eliminate some additional costs and visually the flood map looks kind of unnecessary.

- Lynn Copeland, 526 Ferry Road – Shared Financial Dir. – There is a committee with Biddeford and I believe that committee should talk about it. There are good practices to be learned and they can be learned without having to share our financial Director. Conservation Commission – Ms. Copeland thanked Councilor Cote for coming out for the April stools day beach clean-up. The next clean-up is the Goosefare Brook Clean-up o May 6<sup>th</sup> from 9-11 a.m. Meet at the Community Garden at 41 King St.

### VIII. CONSENT AGENDA

Councilor Precourt moved, Councilor Doyle seconded to approve the consent agenda items #A, B, C and D as follows:

**A. MINUTES** – Be it ordered that the City Council approve the minutes for April 18, 2017 and further move to approve the order;

**B. CONFIRM THE MAYOR’S APPOINTMENT OF RICK MILLIARD TO THE COASTAL WATERS COMMISSION** – Be it Ordered that the City Council confirm the Mayor’s appointment of Rick Milliard as a full member of the Saco Coastal Waters Commission, for a three year term ending on May 1, 2020. Further move to approve the Order;

**C. APPLICATION FOR A LICENSE TO OPERATE A GAME OF CHANCE – FRATERNAL ORDER OF EAGLES #3792** – Be it Ordered that the City Council grant the application for a License to Operate a Game of Chance as follows: Meat Shoot (Dice Game) – May 21<sup>st</sup>, June 25<sup>th</sup> and August 27<sup>th</sup>, 2017 as submitted by the Fraternal Order of Eagles #3792. Further move to approve the Order;

**D. APPLICATION FOR A LICENSE TO OPERATE A GAME OF CHANCE – FRATERNAL ORDER OF EAGLES #3792** - Be it Ordered that the City Council grant the application for a License to Operate a Game of Chance as follows: Dice from June 1<sup>st</sup>, 2017 – May 31<sup>st</sup>, 2018 as submitted by the Fraternal Order of Eagles #3792. Further move to approve the Order.

The motion passed with seven (7) yeas.

### IX. AGENDA

#### A. AMENDMENTS TO CHAPTER 4, ADMINISTRATIVE CODE – (PUBLIC HEARING)

As part of the municipal budget for the 2018 fiscal year it has been proposed that the funding for the annual operational budget of the City’s Economic Development Department be taken from revenues generated in the City’s approved Development Districts which allow such use vs. the historic and current practice of funding these operations from an allocation from the City’s General Fund. For purposes of transparency and tracking we are suggesting that any funds utilized from the City’s Approved Development Districts all pass thru the City’s Economic Development Fund. In order to allow this, the City Administrative Code would require an amendment. The Code should be further amended to allow for this fund to support other economic development related expenses.

NOTE: For Auditing purposes all of the City’s operational expenditures are required to pass thru the General Fund.

In order to amend or change an ordinance, the process requires the standard three meeting process adopted as part of the Saco Charter (Section 2.09). This includes publication in a newspaper before the public hearing.

This item was discussed during workshop on April 10, 2017. The revised exhibit item below reflects the addition of the word “council” to (4) (g.) v.

Councilor Roche moved, Councilor Doyle seconded to open the public hearing of the document titled, ‘Amendments to Chapter 4 Administrative Code dated April 18, 2017’. The motion passed with seven (7) yeas.

There were no public comments.

Councilor Roche moved, Councilor Minthorn seconded to close the public hearing of the document titled, ‘Amendments to Chapter 4 Administrative Code dated April 18, 2017’ and further move to schedule the second and final reading for May 15, 2017. The motion passed with seven (7) yeas.

**Saco City Code, Chapter 4: Administrative Code, § 4-14 Department of Finance,  
Paragraph E. Economic Development Fund, Sub-paragraph (4)  
Current (as of April 10, 2017) Code Language of Sub-paragraph (4)**

“(4) The City Council may make allocations from the Economic Development Fund only to accomplish the following purposes:

- (a) To further develop and expand the existing Industrial Park.
- (b) To develop new industrial parks within the City of Saco.
- (c) To develop new office parks or distribution parks.”

**Propose to be Amended (as of May 8, 2017) Code Language of Sub-paragraph (4)**

(4) The City Council may make allocations from the Economic Development Fund only to accomplish the following purposes:

- (a) To further develop and expand the existing Industrial Park.
- (b) To develop new industrial parks within the City of Saco.
- (c) To develop new office parks or distribution parks.
- (d) To accept fiscal transfers into the Fund from the City’s various Development (TIF) District Funds.
- (e) To allow fiscal transfers from the Fund to the City’s General Fund and third parties related to the operations of the City’s Economic Development Department, Economic Development Commission, and such other municipal expenses as may be allowed under the terms of the Development Plans of the City’s various Development Districts.
- (f.) To allow fiscal transfers from the Fund to the City’s General Fund to fund any local match for grants or participatory funding for economic development projects.
- (g.) To allow fiscal transfers from the Fund to the City’s General Fund to fund any approved annual or other funding to the following:
  - i. Saco Main Street, Inc.
  - ii. Southern Maine Planning and Development Corporation
  - iii. The Biddeford Saco Area Economic Development Corporation
  - iv. The Biddeford Saco Area Chamber of Commerce and Industry
  - v. Other organizations as the City Council may designate from time to time that assist in the City’s economic development efforts.
- (h.) To allow fiscal transfers from the Fund for the purposes of making Economic Development Grants as approved under the City’s Development Districts & Tax Increment Financing Guidelines (Adopted by the City Council on 6/16/97, Readopted by the City Council without Amendments on 8/1/05, and as Amended 04/03/17).

**B. ZONING ORDINANCE AMENDMENTS, SECTION 708, OFF STREET PARKING –  
(FIRST READING)**

Parking requirements in the Zoning Ordinance are found in Section 708, which includes Table 708-2, which specifies the number of parking spaces required for different uses. Off-street parking is required for all uses in Saco, from single-family dwellings to larger commercial and industrial businesses. Section 708, like the Ordinance, dates back to 1995, and has been amended a number of times over the years. The proposed amendments would allow greater flexibility for the Planning Board in its review of project-related parking, particularly in the downtown area.

The Planning Board will review this item and hold a public hearing on May 2, 2017.

Councilor Cote moved, Councilor Minthorn seconded The City Council hereby Ordains and Approves the First Reading of the document titled, “Amendments to Section 708. Off-Street Parking, May 1, 2017”, and further moves to schedule the Public Hearing for May 15, 2017. The motion passed with seven (7) yeas.

**“Amendment to Section 708. Off-Street Parking”  
May 1, 2017**

*(Proposed language is underlined.)*

**Section 708. Off Street Parking**

**708-1. OFF STREET PARKING REQUIRED**

1. A minimum number of off-street parking spaces shall be provided in accordance with the specifications in this section in any district whenever any new use is established or existing use is enlarged. However, existing uses are considered grandfathered for the number of parking spaces required on June 19, 1995 and need provide additionally only the difference between that required for the grandfathered use and the new or expanded use. (Amended 6/19/95)
2. Off-street public parking lots may be utilized to fulfill parking requirements in lieu of on-premise parking when such public parking lots have been provided for that purpose.
3. Notwithstanding other provisions of this section requiring on-site parking, existing buildings in the B-3 district, north and west of the Boston and Maine Railroad only, and in the MU-1 and B-7 districts may receive a parking waiver in whole or in part from the Planning Board, when a structure is expanded, when a change of use requires additional parking spaces be provided, or when an existing building or use undergoes internal expansion. Such expansion includes the reuse or rehabilitation of unused or underutilized space. The Planning Board shall hear the application for the parking waiver as a conditional use and before approving it shall make a finding that it meets the following standards, ~~as well as the conditional use standards of § 901-4:~~
  - A. On-site parking is not available;
  - B. Off-site parking as described in § 708-3-2 is not available;
  - C. The lack of on-site parking will not create excessive congestion in the neighborhood. (Amended 6/19/95; 5/21/12).

**708-2. SPECIFIED USES AND OFF-STREET PARKING SPACES REQUIRED**

The minimum number of off-street parking spaces required for different uses shall be as shown in Table 708-2. When the required number of spaces arrived at is not a whole number, fractions of parking spaces shall be rounded up to the next whole number. In the B-3 district, north and west of the Boston and Maine Railroad, and the MU-1 and B-7 districts, the parking requirements of Table 708-2 are reduced by 50 percent. (Amended 4/3/89; 6/19/95; 5/21/12)

**Table 708-2  
Minimum Off-Street Parking Spaces Required By Use**

Use	Minimum Off-Street Parking Spaces Required
Single family residential	2 spaces per dwelling unit
Two family residential	2 spaces per dwelling unit
Multifamily residential	-1.5 spaces per unit for 1 bedroom units -2 spaces per unit for units with 2 bedrooms -In Residential zoning districts, 2.5 spaces for units with 3 or more bedrooms -in Residential zoning districts one additional visitor’s space for every 6 units or fraction thereof (Amended

	8/04/03; 5/21/12)
Multifamily residential restricted to elderly	1 space for every two units
Elderly congregate housing	1 space per three units
Churches	1 space per 4 seats in principal assembly room
Schools (not including high schools or colleges)	1 space per each 2 employees, including teachers and administrators, plus sufficient off-street space for safe loading and unloading of students
High schools and colleges	1 space for each 5 students based upon the maximum number of students attending the school at any one period in the day
Commercial schools	1 space for each 3 students based upon the maximum number of students attending the school at any one period in the day
Private clubs or lodges	1 space per 75 square feet of total floor space
Recreational assembly places, e.g. dance halls, night clubs, video game parlors	1 space per 75 square feet of total floor area
Theatres	1 space per 4 seats
Bowling alleys	5 spaces for each alley
Funeral homes	1 space per 100 square feet of total floor area
Adult day care center	1 space per employee and one per six clients
Hospitals and rest homes	1 space per 3 beds plus 1 space per 2 employees on the maximum working shift
Professional offices, business services, office of wholesale businesses	1 space for every 250 square feet of total floor area
Banks	1 space per 150 square feet of floor area exclusive of storage space
Medical offices	1 space per 100 square feet of floor area exclusive of storage space
Veterinarian clinic, kennel, animal hospital	5 spaces per veterinarian
Retail business, personal services businesses	1 space per 200 square feet of total floor area
Eating and drinking, Eating, and Drinking Establishments	1 space per 75 square feet of total floor area
Barber, beauty shop	4 spaces per chair
Industrial businesses	1 space per employee on the maximum working shift
Warehouses	1 space per 500 square feet of total floor area
Child care facilities	1 space per 4 children
Flea markets	3 spaces per table
Hotels and motels, tourist homes, bed and breakfast establishments, boarding homes	1 space per guestroom plus 1, space per employee working on the largest shift
Home occupations	See mixed uses
Mixed uses	Total of individual use requirements
Golf Courses	50 spaces per 9 holes (Amended 12/7/98)
Marinas	1 space per 2 slips or moorings (Amended 6/2/08)

Where a proposed use cannot be reasonably fit into one of the above categories, the Planning Board shall prescribe the required number of off-street parking spaces. **When an applicant demonstrates to the Board's satisfaction that the number of off-street parking spaces is adequate for a proposed use, the Board may find that a lesser number of spaces than is prescribed in Table 708-2 is acceptable, but only upon making a finding that the following standards have been met:**

- A. On-site parking is not available;**
- B. Off-site parking as described in § 708-3-2 is not available;**

**C. The lack of on-site parking will not create excessive congestion in the neighborhood.**

(Amended 7/1/91; 3/7/94; 9/6/94)

708-3. PARKING DESIGN CRITERIA

The following standards apply to off-street parking areas with five or more parking spaces. These standards apply both to parking areas and automobile, truck and other merchandise display lots. (Amended 3/2/92)

- 1) Size of Space and Aisles: Each parking space shall be clearly delineated and contain a minimum area of 162 square feet (9 feet by 18 feet), exclusive of drives, aisles, entrances, or truck loading and unloading spaces, and fully accessible for the storage or parking of motor vehicles. Aisles between rows of parking spaces shall be at least 24 feet wide, except that one-way aisles may be reduced to not less than 16 feet wide.
  - a. Handicap spaces shall meet the requirements set forth in ANSI 117.1.A.
  - b. A parking space in front of a garage door shall contain a minimum area of 198 square feet (9 feet by 22 feet). No parking space shall obstruct or intrude into a sidewalk or driveway.
  - c. Parking spaces at the edges of parking lots may be reduced to 16 feet in length if the front of the cars can overhang the front of the space by two feet. This is not acceptable in areas adjacent to sidewalks, buildings, or other facilities which might be interfered with by the fronts of cars. (Amended 8/04/03)
- 2) Off-site Parking: Required off-street parking for all land uses shall be located on the same lot as the principal building or facility or within 500 feet measured along lines of access. However, in the B-3 district, north and west of the Boston and Maine Railroad, and in the MU-1 **and B-7 districts**, this is increased to 1,200 feet. The Planning Board may approve off-site parking or the joint use of a parking facility by two or more principal buildings or uses where it is clearly demonstrated that said parking facility would substantially meet the intent of the requirements because there is sufficient space, or because of a difference in the probable time of maximum use by patrons or employees of such establishments. A long-term lease or other arrangement satisfactory to the Planning Board is required for any off-site parking. The Planning Board as part of a site plan review may permit contiguous properties to construct shared parking areas that extend over property lines without regards to five foot setback requirement for parking areas. The Board may require adequate plantings and other landscape treatments if necessary to buffer such shared parking. (Amended 6/19/95; 10/15/01; 2/19/02)

**C. FY2017 BUDGET AMENDMENT #3 – (SECOND & FINAL READING)**

This item was discussed during the City Council Budget Workshop on April 10, 2017.

The Fire Department is seeking funding to replace an aging Physio Control Life Pak 12 Cardiac Monitor that will no longer be eligible to receive factory support for repairs and maintenance after June 30, 2017. The new unit, a Physio Control Life Pak 15 Cardiac Monitor, is compatible with two existing Life Pak 15 Cardiac Monitors currently in service at the Fire Department.

List price on the new Cardiac Monitor has been quoted at \$39,555.00 with an additional factory discount of \$8,694.45 and a Trade-In Discount (Life Pak 12) of \$6,500.00 which produces a new purchase price of \$24,360.55 after adding \$185 for Shipping & Handling costs.

The Budget Amendment will allow for the transfer of \$24,545.55 from the Ambulance Fund to facilitate the purchase prior to June 15, 2017.

Councilor Doyle moved, Councilor Precourt seconded "The Saco City Council hereby ordains and approves the second and final reading of Budget Amendment #3 FY2017". The motion passed with seven (7) yeas.

**CITY OF SACO  
BUDGET AMENDMENT REQUEST FORM  
REVENUE & APPROPRIATION  
AMENDMENT #3 FY2017**



Date  
**April 18, 2017**

Department  
**Fire Department**

Name of Account	Account Number	Current Budget 2016-2017	Used to Date	Adjustment Request	Amended Dept. Total
Fire Capital	10472/500910	\$35,750.00	\$24,469.33	\$25,545.55	\$61,295.55
Transfer from Special Revenue	10340/300951	\$(750,245.00)	\$(533,733.75)	\$(25,545.55)	\$(775,790.55)
<b>Net change</b>				<b>\$0</b>	
Notes:					
Finance Director certifies that funds are available:					
Signature: <i>Cheryl Frouin</i>			Date: 4/10/17		
Comments: The City is over on their fund balance policy.					
<b>Approved by City Council</b>			<b>Date:</b>		

**D. CREATION OF A SHARED FINANCE DIRECTOR WITH THE CITY OF BIDDEFORD**

In March of 2017, the Finance Director in Biddeford left the organization. The City Administrator in Saco and the City Manager in Biddeford met with the Finance Director in Saco to discuss a joint venture between the two communities. Understanding a merger/shared position would not be about saving money; it would be about showing the community we're continuing to partner to an even greater extent and looking for greater efficiency moving forward.

On May 2, 2017 the Biddeford City Council will be voting to approve the agreement with the City of Saco.

Councilor Precourt moved, Councilor Minthorn seconded "Be it ordered that the City Council authorize the City Administrator to sign a one (1) year agreement with the City of Biddeford to provide a shared Finance Director between the two cities."

TABLED – Councilor Cote moved, Councilor Johnston seconded to table this item until the first Monday in June. The motion passed with four (4) yeas and three (3) nays – Councilors Precourt, Doyle and Minthorn.

AGREEMENT  
FOR OPERATION  
OF  
SHARED FINANCE DIRECTOR

THIS AGREEMENT is made this "XX" day of "XXXX", 2017 by and between the CITY OF SACO, a Maine municipal corporation existing under the laws of the State of Maine and located in York County (hereinafter "Saco") and the CITY OF BIDDEFORD, a Maine municipal corporation existing under the laws of the State of Maine and located in York County (hereinafter "Biddeford") and, collectively ("The Parties").

WHEREAS, pursuant to 30-A M.R.S.A. § 2201, et seq., municipalities are permitted to make the most efficient use of their powers by enabling them to cooperate with other municipalities on the basis of mutual advantage; and,

WHEREAS, the Cities are desirous to create efficiencies for the benefit of the citizens and property taxpayers of both communities; and,



WHEREAS, Saco is willing and able to provide financial administrative services to the City of Biddeford through its current Finance Director Cheryl Fournier on a cost sharing basis and pursuant to the terms provided below, and

WHEREAS, Biddeford is desirous to appoint Cheryl Fournier as their Finance Director, and as both communities are desirous to appoint here as the new Chief Financial Director

NOW, THEREFORE, Biddeford and Saco agree as follows:

1. **Creation of Joint Position:** The Cities have, through vote of their respective City Councils on this agreement, voted to create a joint Chief Finance Director position which will be made up of a shared employee between the two communities.
2. **Staffing:** The Cities will jointly share and employ of the Chief Finance Director for both communities. For the purpose of this agreement, the City of Saco, as set out in further detail below, will take the lead as the primary employer of the Chief Financial Director for the purpose of employment and benefits issues. The day to day oversight of the Chief Financial Director will be jointly shared between the Biddeford City Manager and the Saco City Administrator.
  - a. For the initial term of this agreement, the Cities agree to appoint Saco's Finance Director (Cheryl Fournier) to serve in the capacity of chief finance officer/finance director for both cities.
  - b. Each community commits to supplying the necessary administrative support for their respective departments.
3. **Appointment of Saco's Finance Director.** The Saco City Council and the Biddeford City Council expressly authorize and appoint Cheryl Fournier, current Saco Finance Director, to be the official Biddeford Finance Director for all purposes required under law, and they appoint and employ her as the Chief Financial Director of the two communities Chief Financial Director, subject to the additional terms herein.
4. **Financial Data.** The data collected, analyzed and archived for each City shall physically reside in that respective City; and all data, databases, and other financial records shall be assembled and stored for each City separately. While the merged use of the data is encouraged, the databases themselves shall remain independent entities, as they exist today, on the day of this agreement and each Party shall be solely responsible for the integrity, protection, and backup of its respective data
5. **City as Sole Employer.** The Chief Finance Director shall remain an employee of Saco during the term of this agreement for all administrative purposes including, without limitation, pay, benefits, and worker's compensation coverage. However, the Chief Finance Director shall be subject to the oversight, direction, and control of the party for whom duties are being performed and shall conform to the relevant provisions of any charter, ordinance, or policies for the respective community for whom duties are being performed.
6. **Biddeford Responsibility.** The Chief Financial Director shall be an agent of the Biddeford City Manager for the purposes of statutory authorization and for all functions and duties of the finance department including, without limitation, all fiducial responsibilities associated with the position. Biddeford shall provide a dedicated workspace for the Chief Financial Director at Biddeford's City Hall, complete with desk, chair, telephone, computer, and internet access and related office supplies to use when working in the City of Biddeford. Biddeford will also provide office support, legal counsel and all other requirements normally expected for the position. Biddeford shall provide such additional financial and administrative support for all printing, mailing, and other necessary resources and functions as Biddeford shall deem necessary and prudent for the proper administration of the Biddeford finance function.
7. **Cost.** The Cities agree to share all employment costs (wages and benefits) resulting from this agreement equally. Quarterly, the Cities will meet to determine the amounts owed and payment will be made by the owing City within thirty (30) days of the determination. During the first year of the agreement, Cities, through their respective City Manager/Administrator will determine the budget for the operation. Effective with the July 1, 2018 budget, the joint budget will be agreed on by the respective City Council's through a budget process that the parties will agree on.

