

City of Sanford



**From the Desk of
Steven R. Buck
City Manager**



Memo

To: City Council
Subject: Manager's Report for September 19th, 2017
Date: September 19th, 2017

SanfordNet Fiber:

Final Design and the design of final connections to the 83 Community Anchor Institutions are nearly complete. The placement of a communications cabinet in South Sanford is still under placement considerations as this will alleviate fiber exhaustion within the two central loops connecting at the central hub of City Hall. Final Design and Bid Documents should be ready for EDA review by the second week in October.

The City applied for and has now received the First Amendment to Financial Assistance Award for the EDA funding to allow for the change in design in fiber strand counts, communications cabinet placement, and CAI entrance design. The First Amendment makes the following changes to the Original EDA Award;

1. Change Elements for the higher fiber stand count and amends miles of each count
2. Updated EDA office contact Information
3. Updated Section 5 with Brett Steinberg as the Project Manager
4. Extends start of Construction and Construction completion dates by six (6) months
 - a. Construction Start March 29, 2018
 - b. Construction Completion March 29, 2019
5. Milestone Table in Section 10 was removed as no longer applicable

All other Sections of the Award remain unchanged as does funding and estimated Project Costs of \$1,538,418.

Pole Ride Outs of the 1,300 plus poles have now been completed from US Route 1 in Wells and for all poles to be utilized in Sanford/Springvale for the tow primary loops and associated spurs. The final Make Ready Estimates should be ready within three weeks and will be the last of the information needed for the Project Budget Estimates to be combined with the Engineered Estimates for pending Construction Bids.

Network Operator Agreement is in the final derivation with GWI as is the Dark Fiber Lease Agreement for use of SanfordNet Fiber, the Network. The Network Operator Agreement is focused on the service provision to the Original 83 Community Anchor Institutions and the cost to operate and sell services to these clients. The Dark Fiber Agreement is focused on the use of

the Network for ISP provisions for services to businesses and residents within reach of the SanfordNet Network and on how ISP providers will attach, overlap, and otherwise use the Network to extend and sell services to these Sanford businesses and residents. This has been the focus of the New Business Model of the Public-Private Partnership. The City (Public Sector) builds the base and or middle-mile network connected to the Maine Three Ring Binder (TRB) and the Private Sector ISPs provide lit services using the Network, thereby operating and maintaining the Network under an Operations Agreement and Dark Fiber Leases. This Partnership satisfies the “But For” argument that encourages private sector investment. “But For” the fact that the City builds the connecting infrastructure (by comparison the connecting roadways) the Private Sector uses the Network to sell and provide competitive expanded broadband services that would have otherwise not occurred under the currently accepted legacy business models. The complexities have been in ensuring an open access non-discriminatory business model that promotes profitable business services by a number of providers improving Sanford’s broadband service options beyond those currently available. That Model is nearly complete as the City finalizes a Network Operations Agreement and Dark Fiber Leases.

Stenton Trust EPA Site Investigation:

On Wednesday, September 13th, 2017 US EPA came to Sanford to perform a Site Investigation of the former Stenton Trust Mill site that incurred a structure fire on June 23rd, 2017. EPA Emergency Response Coordinator, John McKeown mobilized Weston, EPA Contractor, to perform the Site Investigation to assess possible contamination outside of the Mill Structure that burned and also to assess any potential pathways for environmental exposures and or releases. The Three-person team from Weston performed soil and sediment samplings from inside storm drains as well as a large number of samples around the perimeter of the Stenton Trust complex. Jim Roderick of the Maine DEP Asbestos Abatement Program was also on site to guide and observe the sample collections. The samples are being collected to see if contaminants, such as asbestos fibers, might be found outside the burned building, released during the fire, or if other pathways such as wind and or water present a release hazard.

The soil samples and other debris samples will be sent to EPA contracted labs for analysis. If contamination reaching EPS’s thresholds are met, as an example 1% asbestos content or higher, the Site will be moved for consideration for remediation. The Analysis, again if exceeding thresholds, will move for consideration under EPA’s Time-Critical Removal Actions or TCRAs whereby the point source, in this case the fire damaged structure of the Rear and or East Tower, would be scored in a priority basis for funding consideration to remediate.

The Test Results of the Samples collected should be known within three weeks. A Report will be issued and the City will have access to the Report. Again, if thresholds are met, EPA will make a recommendation for prioritization within the Time Critical Removal Program for potential demolition.

Housing and Code Enforcement:
RENTAL HOUSING LICENSE

- License applications are available and can be submitted at any time. The due date is February 28, 2018 for first year registrations.
- Rental Registration license will be annual, due every December 31 beginning in the second year.
- There will be a 50% discount in the second year for submitting on time and meeting license obligations.
- City continues to work on the administration of the program around notifications, registrations, two new Code Officers, movement of office space, and further preparing for implementation by the start of 2018.

CODE ENFORCEMENT OFFICERS

- Position advertisement closed on 9/15/17 for 2 Code Enforcement Officers/Constables.
- There are qualified Applicants within the pool.
- Administration will start interviews within the week
- Start date could be as early as November 1 providing offers can be extended.

VACANT BUILDING LICENSE

- License applications are available and can be submitted at this time. The due date is November 1. The fee is \$300 per six months.
- Renewal applications are due every six months. The fee doubles after the second six months.
- Five inquiries have been made from national companies looking to comply with the requirement.
- One application has already been received yesterday from a national company.

DANGEROUS BUILDINGS

- The City Council will be holding three hearings pursuant to Title 17, Sections 2851-2859 on October 3, 2017 at 6:00 pm to determine whether the following buildings are dangerous and what is the appropriate remedy: Notice of Hearing was published in the newspaper on September 16 and will be published two more times on September 23 and September 30. Notice has been served to the necessary parties and by the necessary means.
 - 5 & 7 Allen Street
 - 13 Deering Neighborhood Road
 - 32 River Street
- A MANDATORY pre-bid meeting will be held at 9 Kirk Street, in Springvale to review the Requests for Proposals to demolish 9 Kirk Street and return it to a clean site per order of the City Council's order to demolish the building on December 20, 2016. More

information about this RFP can be found at www.sanfordmaine.org/rfps. Notice of the RFP was published in the newspaper on Saturday September 16.

Petition to Overturn Council Actions on Housing and Code Amendments:

A Petition Committee was formed within the 14 day period post Council adoption of amendments to Chapter 90 Building Construction and Chapter 128 Fire Protection, Rental Registration, and Vacant Building Registration Programs. The seven person Petition Committee of Mark Adler, Ryan Appleby, Robert Hewey, Peter Landry, Rebecca Lapierre, Bonnie Wallace, and Douglas Williams were issued Petitions for Overture of Action of the Council. Petitioners were required to collect a minimum of 717 signatures of Sanford Registered Voters on or before September 11th, 2017 by 4:30PM. The Petitioners only turned in 223 Signatures, therefore the Petition failed due to lack of support.

Sanford Airport Solar, LLC:

Project Development is currently focused on finalizing the environmental permitting as follows;

- Pre-application meeting took place at City Hall September 5th for local permitting process to begin; will require a major site review permit. That process will likely begin this year after the DEP permit has been submitted since a good portion of the information can be cross-referenced.
- Pre-application meeting with Maine Department of Environmental Protection took place September 6th. The meeting was held to identify issues, processing times, fees, and the types of information and documentation necessary for the DEP to properly assess the project. The project will require a modification to the Airport's existing Site Law Permit as well as a separate permit for the other lands involved, those being on Cyro Drive, the sewerage department land and a private property owner. These state permits are required for projects occupying more than 20 acres. A permit is issued if the project meets applicable standards addressing areas such as storm water management, groundwater protection, infrastructure, wildlife and fisheries, noise, and unusual natural areas. Inland Fisheries and Wildlife has been studying the flora and fauna on and around the airport for over a year now and will make recommendations to MDEP on requirements they feel should apply to the project. Permits are scheduled to be completed and submitted to DEP in October 2017 and review time is slated for 4-6 months for a project of this complexity.
- Wetland impacts have been avoided for the entirety of the solar development and for that reason Army Corps has not been triggered for a permit. The resolution of a permit condition from a 1995 project that was not completed will be completed through offsite mitigation carried out by the City with the help of Sanford Solar.
- One portion of the solar development has been pulled out of the main construction and will be completed sooner: the airfield perimeter fencing. Due to an increase in wildlife presence and strikes by aircraft it is vital that the fence is completed to exclude as much wildlife from the field as possible. Approximately 15,700 linear feet of fencing will be completed as soon as practicable. The fencing will be included in the airport's separate DEP application and major site review permit with the city for the construction of the new SRE/ administration building. We need to wait for the bond and the FAA grant for the building construction, but with the help of NextEra dba Sanford Solar we should be able to have the fencing installed as soon as permits and weather allow.

- *Anticipated start of construction for the solar development is winter 2018/2019 due to anticipated permit conditions that clearing be done when the ground is frozen. Project completion is slated for 2019.

General Code Update of City Code (E-Code):

City Clerk Sue Cote has completed work with the contracted vendor for the City's Codes and Ordinances, General Code, updates. All amendments through the latest adoption of the Electrical Inspector Ordinance have been submitted. General Code will now codify all amendments and produce a Revised Edition of the City's Ordinances. The Company will then compile a Editorial and Legal Analysis of the City's Codes and provide for review by the City and our Legal Counsel. Upon acceptance and or amendment of the Editorial and Legal Review, the City will respond for the last amendments to complete the Recodification of the City's Ordinances and Codes. That will culminate a three year process for the recodification after a ten-year period since the last codification was completed.