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March 1, 2022

VIA E-MAIL AND U.S. MAIL

Carmen J. Morris
City Clerk
City of Biddeford
P.O. Box 586
205 Main Street
Biddeford, ME 04005

Re: Request for Public Information under the Maine Freedom of Access Act

Dear Clerk Morris:

Pursuant to the Maine Freedom of Access Act, (1 M.R.S.A. § 401, *et seq.*) I respectfully request access to the records specified on the enclosed Request for Public Information Form. I believe these records are in the custody of the City of Biddeford, including but not limited to the City's Engineering Department, Public Works Department, Code Enforcement Office, City Clerk's Office, and/or Planning Department.

I am willing to pay all lawful and reasonable costs associated with this request. Please notify me in advance what the costs will be.

If you intend to deny this public information request in whole or in part, I request that you advise me, in writing, of the particular statutory exemption upon which you are relying, and an explanation for doing so, as required by Chapter 13 of the Maine Statutes. Also, if the exemption you are claiming applies to only a portion of a record, please redact the exempt section and release the remainder of the records as required by law.

In light of the nature and importance of the records requested, please make them available within a reasonable time. If access to the records I am requesting will take longer than ten (10) days, please contact me or my co-counsel, Steven Hyde (telephone: 603-319-1731), with information about when we may expect to receive copies or when we may be given access to inspect the requested records.

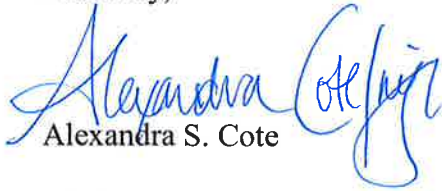
Thank you in advance for your prompt assistance in this matter. Please contact me immediately if you have any questions concerning this letter.

Clerk Carmen J. Morris

March 1, 2022

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Sincerely,

A handwritten signature in blue ink that reads "Alexandra Cote". The signature is written in a cursive style with a large, looping initial "A".

Alexandra S. Cote

ASC:

Enclosure



City of Biddeford, Maine

205 Main Street
Biddeford, Maine 04005

Request for Public Information

Well-informed citizenry is a goal of all public entities. Being well-informed includes that every person has access to public records within the possession of the City of Biddeford and that the information provided is accurate. To achieve this goal, the completion of this form will ensure that a person requesting public records shall receive them in compliance with their rights under the law (1 MRSA § 401, et.seq.). It will also allow for smooth coordination of governmental departments when fulfilling the public records request.

Definitions of 'public record' can be found in 1 MRSA § 402(3). The City is prohibited by law from releasing information classified as confidential under state or federal law.

Any person requesting information is requested to provide the following information:

Name: Alexandra S. Cote Date of Request: 03/01/22

Address: P.O. Box 326, 900 Elm Street

Phone number: (603) 628-1255

Email Address: alexandra.cote@mclane.com

Description of record(s) being requested:

Please see attached.

The City posts all public Freedom of Access Act (FOAA) requests and their responses on the City website so that all members of the public will benefit from any requests. This practice also saves costs for both the person requesting the information as well as the City. You will be contacted to let you know when the information has been posted. If your request has been denied, you will be notified in writing of the denial and reason for the denial. Denials may be appealed to the Maine Superior Court.

Requests for copies of documents will be subject to a fee of \$0.10 per page. If your request is expected to exceed two hours of staff time in preparing a response, a fee of \$15 per hour will be billed after the first two hours of staff time per request. This fee is collected to cover the actual cost of searching for, retrieving and compiling the requested public record(s). Compiling the public record includes reviewing and redacting confidential information. A deposit for the estimated time in excess of two hours will be required. Any unused funds will be refunded. If the time frame exceeds the estimate, the information will not be released until the balance of the payment is received by the City. If you have any questions, please contact the City Manager's office (207-284-9313).

RECORDS REQUESTED

This is a formal request for all records pertaining to:

1. The City's sanitary sewer infrastructure, including but not limited to maps and diagrams of the sanitary sewer system;
2. The City's stormwater sewer infrastructure (i.e., the Municipal Separate Storm Sewer System or "MS4"), including but not limited to maps and diagrams of the storm sewer system;
3. Practices and/or policies relative to inspection and management of the municipal sanitary sewer infrastructure;
4. Practices and/or policies relative to inspection and management of the municipal stormwater infrastructure;
5. Improvement plans to the sanitary and/or stormwater sewer system(s) from January 1, 2020 to present;
6. Sanitary and/or storm sewer backup events occurring within the City from January 1, 2020 to present;
7. Any investigations conducted in connection with the sewer backup events occurring at or near 24 State Street, Biddeford, on or around March 31, 2021 and June 30, 2021, including but not limited to any smoke tests conducted;
8. Sources that tie in to any and all sewer lines and sewer mains, whether sanitary or storm, to which 24 State Street, Biddeford, also tie in; and
9. Any enforcement action taken against the City by any state or federal agency, including but not limited to the Maine Department of Environmental Protection and the US Environmental Protection Agency, in connection with stormwater management, wastewater management, or its sanitary and/or stormwater sewer systems.

This request is for all records, including but not limited to: applications, permits, maps, plans, diagrams, minutes, bills, notes, memoranda, correspondence (including electronic correspondence), records of telephone calls, electronic mail, reports, ordinances, regulations, rules, policies, photographs, videos, orders, and any and all internal and external communications in the possession, custody, or control of the City of Biddeford and its employees and elected officials.