

Cate Street takes gas contract to court

BY **DARREN FISHELL**
BDN STAFF

PORTLAND — The former manager of the Great Northern Paper mill has asked the state's top court to vacate part of a \$9.2 million award to the shuttered mill's natural gas supplier.

Cate Street Capital last week filed an appeal to the Maine Supreme Judicial Court, asking the court to nix a \$1.5 million of the arbitration award "because the arbitrator strayed from the plain language of the document for which the parties bargained."

Arbitrator Peter DeTroy's decision was unsealed in May, granting the \$9.2 million award to the Massachusetts-based Xpress Natural Gas under its contract to supply the East Millinocket mill with natural gas delivered by truck.

In XNG's initial statement of claims to the arbitrator, the company said the mill began accepting natural gas shipments in late 2013. When prices shot up 600 percent in December, Cate Street declined to pay for the gas and sought to back out.

Cate Street attorney Brian Champion wrote during arbitration that the price spike made it impractical for the company to satisfy its gas purchasing agreement and provided grounds to end the deal.

Cate Street appealed the \$1.5 million portion of the award to the Maine Superior Court earlier this year and lost. The company's appeal filed last week seeks to vacate that ruling.

Timothy Norton, the attorney for XNG, wrote in an email that he could not disclose whether Cate Street or its affiliates had paid any portion of the arbitration award, citing a confidentiality agreement in the contract.

Norton said a response to Cate Street's appeal is due in December.

Should your company offer unlimited vacation time?

LinkedIn recently announced they are now offering their employees unlimited vacation days. They join a growing list of companies including Virgin Atlantic and many smaller companies which are adopting this policy.

Employees may take weeks at a time, a day here and there, or a combination that best suits their needs, at their discretion. Here are some reasons to consider offering unlimited vacation time to your employees:

Cost savings

Employers don't have to pay their employees for unused vacation time and the administrative costs associated with keeping track of time off.

Trust

Employees want to be treated like adults and trusted to get the job done. Most want their employers to trust that they know what work needs to get done and when. That level of trust goes a long way to attract and retain good employees.

When you give your employees the opportunity to decide for themselves when they take their vacations, you are demonstrating that you trust them to know what works best for them and for the company when it comes to taking time off.

Time off increases productivity

The Society for Human Resource Management, or SHRM, in collaboration with the U.S. Travel Association, conducted a survey to examine HR professionals' opinions about the importance of vacation. Most believe that when employees take vacation, it has a positive impact on performance, morale, wellness, culture, productivity and retention.

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DEB NEUMAN
BACK TO BUSINESS



NICK SAMBIDES JR. | BDN

Brad Ulrick of Lincoln thinks his bunk beds would be especially good fits with hunting cabins and families with many children.

Lincoln retiree makes, sells custom bunk beds 71-year-old starts new home-based business

BY **NICK SAMBIDES JR.**
BDN STAFF

LINCOLN — Brad Ulrick is not particularly good at sitting still.

The 71-year-old retired Texas Instruments computer programmer is a part-time astrologer and a U.S. Air Force veteran who writes poetry and makes bunk beds. It's the bunk bed business he seems most excited about.

Watch the video
bangordailynews.com

"The nice thing about making beds is people seeming happy and seeing the looks on their faces when their kids climb on them," Ulrick said Thursday. "There is a lot of satisfaction in making something that is not necessarily artistically beautiful but it looks good, and it's solid and strong and will last a long time."

"It's more of a hobby than a business," Ulrick added. "The money part of it doesn't really matter so much."

Ulrick's home-based Husky Beds manufacturing business was among four businesses the Lincoln Planning Board granted land use permits to with 4-0 votes during the board's Sept. 21. meeting. Located at 762 Transalpine Road, Husky Beds targets families and cabin and trailer owners who have small spaces for bedding, Ulrick said. His double- and triple-bunk beds run from \$350 to \$525 and come in sizes ranging from twin to king.

"Most people who would be interested would be those who have children," Ulrick said. "I had a lot of doctors and lawyers who had cabins ... People that have summer places similar to this actually like them."



Brad Ulrick's Husky Beds is one of four new businesses that have opened in Lincoln recently.

He also makes desks, massage tables, book shelves and other items customers request.

Ulrick readily acknowledges that his bunk beds aren't fancy. Made of two-by-fours and two-by-sixes, they are hand assembled with wood screws — no nails.

"They look nice, but they aren't going to compare with fancy furniture as far as that [aesthetics] goes, but they will definitely compare in strength," Ulrick said.

Ulrick has made about 30 of them, mostly in Texas, where he lived until moving to Lincoln a year ago. He prepares the wood in his basement and assembles the beds in a barn on his property with the help of his wife, he said.

Making bunk beds "is a good hobby to have," Ulrick said. "It keeps me busy."

Husky Beds is among 11 businesses granted permits in Lincoln since Code Enforcement Officer Bruce J. Arnold assumed his position in mid-May, he said Thursday.

The other new businesses approved by the board, Arnold said, include:

— Crafters' Fair, 57 Main St., a part-time business that will offer art and woodwork sales on Fridays and Saturdays. It is located in the former RSU 67 main office.

— Cumberland Title Searches, 1 Burton St. The company, which opened Oct. 1, has a sole employee, Betty Jordan, who handles real estate title searches. It is a new satellite outlet affiliated with other Cumberland Title offices in Portland and Brunswick, Jordan said Friday.

— Acres Away Real Estate, 70 West Broadway. Owner Violet Dube-Moody purchased Burnell Bragdon Realty for an undisclosed sum and moved into that office in June from its former location at 20 Main St. in Howland, Dube-Moody said.

Starbucks opening in Bangor Mall

BY **EVAN BELANGER**
BDN STAFF

BANGOR — Bangor Mall is getting a new Starbucks kiosk.

The 286-square-foot kiosk will be located in the mall's center court, according to mall officials.

It will offer free Wi-Fi service and will feature a seating area with tables and chairs.

Representatives of the city of Bangor and the Bangor Region Chamber of Commerce are slated to attend a ribbon-cutting ceremony for the new shop at 10 a.m. Thursday.

"Starbucks is great addition to our mall, and we're excited to partner with them to offer our shoppers this world-renowned option," Kimberly Reid, director of marketing and business development for the mall, said in a statement. "We're sure it's going to become a fast favorite at Bangor Mall."

Officials with Bangor Mall and Simon Property Group Inc., the mall's property manager



SUZANNE PLUNKETT | REUTERS FILE

A woman holds a Starbucks takeaway cup in London in 2012. The Bangor Mall is getting a new Starbucks kiosk. A ribbon-cutting ceremony is slated for 10 a.m. Thursday.

ment company, were not available for comment over the weekend.

The city already has two other Starbucks, one a free-standing shop situated near the mall at 38

Bangor Mall Blvd. and another inside Target at 60 Longview Drive.

Follow Evan Belanger on Twitter at @evanbelanger.



Where to find help fighting fraud

BY **RUSS VAN ARSDALE**
EXECUTIVE DIRECTOR NORTHEAST CONTACT

Here are several recent news items about international scams:

— A federal court has temporarily stopped an alleged international pyramid scheme operated by Vemma Nutrition Co. The Federal Trade Commission alleges Vemma charged \$500 to \$600 for a membership and rewarded affiliates for recruiting more participants instead of selling products.

CONSUMER FORUM

— The marketers of Procera AVH, touted as a way to counter memory loss and cognitive decline, will hand over \$1 million to the FTC and another \$400,000 to satisfy a judgment brought in California. FTC's complaint charged that marketing claims were false, misleading or unsubstantiated and that the defendants claimed falsely a scientific study proved their product works.

— The FTC and the Florida attorney general's office have filed a joint complaint against New York-based Lifewatch, charging the firm used illegal and deceptive robocalls to lure older consumers in the U.S. and Canada into signing up for costly medical alert systems. Last year, one of Lifewatch's telemarketing firms agreed to a settlement with the FTC and Florida to stop making robocalls or engaging in other deception. Since then, FTC and Florida's attorney general charge that Lifewatch just switched telemarketers and carried on with business as usual.

The items above came from the website of the International Consumer Protection and Enforcement Network, econsumer.gov. The network is an alliance of FTC and consumer protection agencies in 33 other countries. The goal of the groups is to help law enforcement agencies do a better job against international scams.
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WEX to buy competitor EFS for \$1.1 billion

BY **DARREN FISHELL**
BDN STAFF

PORTLAND — Payment processing company WEX plans to buy the Utah-based Electronic Funds Source LLC, its largest-ever acquisition that company officials said will expand its core business of payment processing for commercial vehicle fleets.

The company said it would buy competitor EFS for \$1.1 billion in cash and 4 million shares to be distributed to investment funds affiliated with EFS owner Warburg Pincus.

The deal will make Warburg Pincus the company's single largest shareholder. Warburg managing director Jim Neary also will join WEX's board, the company said.

WEX on Monday announced the deal with EFS, which it said has focused on a different segment of the fleet fuel payment market in Canada and the United States, where EFS has 17,000 customers. WEX said it estimates that about 16 percent of EFS' revenue has exposure to fuel price fluctuations and that the purchase will reduce the South Portland company's own exposure to changes in fuel prices.

Last week, WEX announced it also plans to buy an Omaha-based health care payment processor for \$80 million. The company has focused on travel payment processing and health care payment processing in addition to its core fuel card business.

WEX said the deal still requires regulatory approval.