

**TOWN OF OLD ORCHARD BEACH
TOWN COUNCIL WORKSHOP
April 6, 2009
TOWN HALL CHAMBERS**

A Town Council Workshop of the Old Orchard Beach Town Council was held on Monday, April 6, 2009 in the Town Hall Chamber. The Chair opened the meeting at 7:05 p.m.

Present:

**Chair Sharri MacDonald
Vice Chair Robin Dayton
Councilor Laura Bolduc
Councilor Mike Tousignant
Town Manager Steve Gunty
Assistant Town Manager V. Louise Reid
Finance Director Jill Eastman
Fire Chief John Glass
Deputy Chief John Fitzpatrick
Police Chief Dana Kelley
Deputy Police Chief Keith Babin
Lieutenant Tim DeLuca
Animal Control Officer Will Watson**

Absent: **Councilor Shawn O'Neill**

The Fire Chief began by indicating that as a result of their Emergency Management System and billing staff attentiveness, the rescue fund has increased and continues to increase. The new fire apparatus is nearly complete and should be delivered by the end of this week or first of next week. Data has been collected, advice and recommendation have been noted, and a budget has been established for the aggressive pursuit of the two and a half million dollar facility remodeling grant from FEMA by way of the Fire Act Grant.

The Chief also indicated that Deputy Chief Fitzpatrick has been invaluable in making certain that we are in compliance with Federal standards without we would not eligible for grants. He also has bridged the gap with Code Enforcement by establishing a relationship with Mike Nugent and local businesses. John has taken over the training of all fire personnel and is insuring we meet State requirements. He has become an active member in committees such as the York County Hospital and EMS Service Collaborative which was established to create better relationships between Southern Maine Medical and local ambulance services. He serves on the York County Mutual aid committee which represents all the fire and EMS services in York County and helps establish working relationships with these partners. His position has created a bridge between the frontline supervisors and me by which the flow of information regarding issues such as discipline can be addressed more timely and effectively. The major accomplishment is that we have another Officer/Paramedic on duty during the daytime that can fill in as an EMS person, firefighter, emergency driver, fire commander. This additional person readily available also helps us meet Federal guidelines regarding initial on scene manpower and response. The presence of another manager has allowed me to pursue the fire at and additional grants, prepare this budget and do some strategic planning for the department.

The Old Orchard Beach Fire Department provides fire/rescue protection through fire prevention, emergency operations and support services. Staff includes the Fire Chief, Deputy Fire Chief and the Administrative/Rescue Billing Clerk who are responsible for the management of all call force, rescue and career personnel and routine operations, the maintenance of safety programs, the maintenance of the public safety complex, ambulances and fire apparatus, ambulance billing, federal and state directives compliance, inspections, equipment, records management payroll and training. The lifeguard division of public safety also falls under the supervision and director of the Administrative staff during the summer season. There are twelve career fire/Emergency Management System personnel, 30 call force personnel responding to an average of 2,500 EMS/fire calls per year. Emergency medical treatment is provided by cross trained career personnel and per diem rescue personnel utilizing fire apparatus, one primary ambulance and a second ambulance during the busiest months of the year. The career staff consists of nine EMT-Paramedics, two EMT-Intermediates, and one EMT-Basic all which are cross trained as firefighters. The per diem (part time) staff currently consists of seven EMT-Paramedics, six EMT-Intermediates and five EMT-Basics which work either twelve hours or twenty-four hour rotations shifts on our ambulance with a career Paramedic. The Chief highlighted answers to some concerns regarding funding of training; stipends, equipment and other issues addressed in the budget book.

Lifeguards

The Town employs a lifeguard staff which ranges in number from 20 to 30 people each season who work up to the 40 hours per week, seven days a week with a preferred minimum staff of eighteen guards on the beach each day. The beach is guarded from 10:00 a.m. to 5:00 p.m. each day. There is a lifeguard captain and several assistant captains who supervise the employees and assign posts based upon seniority and compatibility. There are twelve lifeguard stands which are placed within eyesight of each other and sometimes closer in the heavily populated sections. A surf rescue truck is utilized to transport additional guard to towers where guards enter the water to conduct rescues. Questions were fielded by the Fire Chief on training, time frame they are on duty and where.

Public Safety Complex

Discussion continued on expenses regarding the cleaning maintenance and upkeep on the Public Safety complex and grounds and then discussions began on a possibly new Police Station.

Police Department

The Police Department is charged with the preservation of life and property, through the enforcement of all Federal and State laws and Municipal ordinances and regulations. An intricate part of achieving excellence in law enforcement is the adequate training of police officers, enhanced neighborhood policing and quality customer serviced. The Administration of the Police Department consists of the Chief of Police, the Deputy Chief

and the Administrative Assistant. Administration is responsible for the day-to-day operation of the financial, staffing, training and overall efficiency of the department. The patrol division, commanded by the Lieutenant, is made up of three teams each having a sergeant and a corporal. Of the eighteen sworn officers in the Department, thirteen are assigned to the Patrol Division. The criminal investigation division is comprised of a sergeant and one detective. The support services division is responsible for all functions that support the Patrol and Criminal Investigation including the Court Officer and the Animal Control Officer.

A proposed reduction of the Town's summer police force resulted in a lot of discussion by the Chief who asked that it be reconsidered. The cut of 25% will greatly affect the ability to provide safe and timely responses throughout the community. The current seasonal police budget is nearly \$220,000. A large part of this budget pays for the training and wages of summer police officers who earn on an average of \$11.50 an hour. The summer force, which includes cruiser and bicycle patrol, is staff 24 hours a day and covers 1,650 eight hour shifts. The Chief presented and concise report on costs and assignments of officers. Proposed reductions would eliminate 16 shifts weekly or 172 shifts for the entire summer. The Chief indicated that the summer police force is not limited to downtown patrols and officers like to have a presence in Ocean Park and other neighborhoods. Under the suggested cuts training and orientation for new officers would be reduced by \$4,200 and cruiser field training would be eliminated. The summer police force is currently budgeted for \$23,000 in training. Chief Kelley indicated that a smaller but well-trained force proves to be more effective. One of the important issues in the cuts is that it would cut or eliminate a summer liquor enforcement officer. This position was added a few years ago and has played a huge role in solving issues related to underage drinking. A crossing guard position and a janitor would also be cut.

Parking Enforcement

This is a division of the Police Department that operates seasonally and is responsible for installation and maintenance of all parking meters and pay stations. They are also responsible for enforcement of the municipalities parking regulations and the division consists of eleven seasonal employees including one supervisor.

Animal Control

The Animal Control Officer is assigned to, and supervised by, the Police Department. All personnel related costs for this position are in the Police Department Budget and the budget is strictly for the shelter. The responsibilities of the ACO include enforcement of all animal related ordinances pertaining to the Town of Old Orchard Beach, patrol looking for stray animals, act as liaison to the planning and code department and assist the Town Clerk with dog licensing.

The decision to recommend closing the kennel facility was arrived at based on several factors. The number one consideration was the proper care of any animal housed in our facility. I believe based on the condition of the facility and the fact that both the Kennebunk and Westbrook welfare societies are equipped and staffed on a fulltime basis, that the animals would be better served by being placed in one of these two facilities, as opposed to ours. Currently, our police officers are responsible for watering, feeding, the

release of the animals to their owners and making sure that the animals in our facility are otherwise cared for. The problem with this is that, they, (police officers) aren't always available to make regular checks on any animal housed in the facility. They may be assigned to calls or situations that do not allow them to respond to the kennel as often as they should. Our ACO only works eight hours a day, five days a week, which leaves the officers dealing with it most of the time. Again, the main concern is the welfare of the animals and the concern is that we may not always be in a position to meet that objective. As a result of this concern, we have initiated a policy that all animals that are not claimed by their owners in a timely manner are removed to a private kennel in Lisbon. The fee is \$25.00 for cats and \$75.00 for dogs. There is an additional charge of \$25.00 if they come to pick them up. Usually our ACO delivers them to the facility. The policy now requires that we keep cats for three days and dogs for seven before they are removed to Lisbon. This gives ample opportunity for owners to claim their pets. The ACO said that we should expect an increase in the number of abandoned pets that we will be dealing with. Typically in this kind of an economic climate, we can expect more abandoned animals as the owners cannot afford to feed them. This will result in a cost increase that will be placed upon the community. Another downside to not having a contract with one of the local kennels is that they will not accept any animals from Old Orchard residents who wish to place them up for adoption. Again, this results in animals being abandoned. There are also maintenance issues with the facility that will require immediate attention and could be costly. There is no septic system in the building which results in water being discharged directly onto the ground outside the facility and the cost of a septic system could cost ten thousand dollars or more. A contract with either Kennebunk or Westbrook AWS is based on a per capita formula and would cost Old Orchard Beach roughly ten thousand dollars. The estimated savings in closing the kennel would be about four thousand dollars. The cost of sending our animals to Lisbon is unknown at this time but could be as much as five thousand dollars. Based on these estimates not including needed repairs, it doesn't appear that contracting with one of these two facilities would result in a significant increase in our animal control budget. Again, and more importantly, we need to consider the safety and comfort of the animals we house and it is strongly believed they would be better served by either Kennebunk or Westbrook. There are currently two plumbing fixtures and at least one floor drain that are connected to waste line that discharges directly onto the ground, without pre-treatment. This constitutes a violation the State of Maine Subsurface Waste Disposal Rules. Section as indicated below:

100.5 Wastewater disposal: Any wastewater, as defined in this code shall be disposed of by one of the following methods:**100.5.1 On-site disposal:** A subsurface wastewater disposal system designed, installed, and used in accordance with this code;

100.5.2 Public sewer: A public sewer system; or

100.5.3 Licensed discharge: A wastewater discharge system licensed by the Maine Department of Environmental Protection under Title 38 MRSA §413 and §414-A, as amended.

Otherwise this is a well equipped, well maintained, licensed facility. There were a couple of minor code corrections that should occur: The fuel oil tank should be protected from vehicular damage with bollards or a similar device that would protect the tank if a vehicle where to strike it; and the ground rod for the electrical meter should be driven to it's full depth. If there is ledge, it can be driven "horizontally".

Former Animal Control Officer Bruce Savoy disagreed with the waste water issue and said that he had spoken with State officials who agreed with him. Our Code Enforcement Office was to address his concerns with the Town Manager. Officer Savoy also raised the issue of an error in the amount of \$261.48 that was charged against the Animal Control budget that had to do with the Police Dog, Gunther, and needed to be addressed. The Town Manager indicated that if this was an error in posting, it would be corrected.

It appeared to be the consensus that members of the Council felt that the PETS Committee involvement should be included to cover the issues at the Kennel.

The Chair adjourned the meeting at 10:15 p.m.

Respectfully Submitted,

**V. Louise Reid
Town Council Secretary**

I, V. Louise Reid, Secretary to the Town Council of Old Orchard Beach, do hereby certify that the foregoing document consisting of five (5) pages is a true copy of the original Minutes of the Town Council Workshop held on April 6, 2009.

V. Louise Reid