TOWN OF OLD ORCHARD BEACH TOWN COUNCIL MEETING TUESDAY, AUGUST 17, 2010 TOWN HALL CHAMBERS

A Town Council Meeting of the Old Orchard Beach Town Council was held on Tuesday, August 17, 2010. Chair MacDonald opened the meeting at 7:06 p.m.

The following were in attendance:

Chair Sharri MacDonald Vice Chair Michael Tousignant Councilor Robin Dayton Town Manager Jack Turcotte Assistant Town Manager Louise Reid

Absent: Councilor Shawn O'Neill\

Councilor Laura Bolduc (arrived during Good and Welfare)

Pledge to the Flag Roll Call

ACKNOWLEDGEMENTS:

ASSISTANT TOWN MANAGER: I have been asked by Colonels Howard and Patricia Burr to thank the Town Council and the business owners of Old Orchard Beach for the kindness and gracious efforts on their behalf during the week of Camp Meetings in their efforts at the Pier. They presented to Paul Golzbein and Rich Redmond expressions of appreciation at their final luncheon and publicly thank several business owners including the Ramunno's Pizza owners and also Mike Harris of the Myst. They also expressed their great regard for the professionalism they saw of the Police, Fire and Public Works personnel and Extreme Clean staff.

COUNCILOR ROBIN DAYTON: Members of the Old Orchard Beach lifeguard staff recently competed once again in the 31st annual New England Lifeguard Competition in Ogunquit Maine. OOB guards were entered in all events. The team placed 3rd overall out of 9 teams from throughout New England trailing only to a team from Salisbury Mass and the host team from Ogunquit.

Our guards placed 2nd in Surf Rescue;

3rd in Rescue Board Paddle relay, Rescue Reel relay and Men's Iron Guard competition 5th in Women's Iron Guard competition

3rd & 5th place in the 500 Meter Swim competition

Congratulations to Team Captain Phillip Bourassa and Lifeguards Morgan Swinburne, Chris Hevey, Robert Gravel, Nate Staples, Jennifer Gorsich, Scott Snow, Billy Corcoran, Lance Timberlake, John Sevigny & John Pecchia.

ERIC SANTOS: As a member of the Skateboard Park effort, he invited everyone to the next meeting and encouraged participation by the Council.

ACCEPTANCE OF MINUTES: Town Council Workshop Meeting of July 28, 2010 and Town Council Minutes of August 3, 2010.

MOTION: Councilor Dayton motioned and Vice Chair Tousignant seconded to Accept the Town Council Workshop Meeting Minutes of July 28, 2010 and Town Council Minutes of August 3, 2010.

VOTE: Unanimous.

CHAIR: I open the Public Hearing at 7:09 p.m.

PUBLIC HEARING BUSINESS LICENSES AND APPROVAL:

<u>Bratt Realty Trust</u> (210-4-10), 6 Oregon Avenue, sixteen year round rentals; <u>Priscilla Coreau</u> (211-8-22), 4 Goodwin Avenue, one year round rental; <u>Patricia Raynor</u> (301-3-1-100), 189 East Grand Avenue, Unit # 100, one year round rental; <u>Harry Louis</u> (311-9-1), 47 Fifteenth Street, two year round rentals; <u>Diane K. Jones</u> (312-3-12), 14 Highland Avenue, one seasonal rental and one year round rental; <u>Stan Defreese</u> (315-20-6), 62 Union Avenue, one year round rental; and <u>Audrey A. Cunningham</u> (315-7-5), 27 Seacliff Avenue, one seasonal rental.

CHAIR: I close the Public Hearing at 7:10 p.m.

MOTION: Councilor Dayton motioned and Vice Chair Tousignant seconded to approve the Business Licenses as read.

VOTE: Unanimous.

TOWN MANAGER'S REPORT:

- 1. Waste Water Negotiations Session.
- 2. Working with Sheila Flathers managing the Ballpark Finances.
- 3. OOB 365 Meeting.
- 4. Meeting regularly on Dispatch Consolidation focusing on the technical challenges and the Union procedures.
- 5. Met with the Pay-t0-Throw Committee.
- 6. Met with our Trident Insurance Representative.
- 7. Meeting with Union Representatives of the Fire Department.
- 8. Met with RSU Superintendent and Town Auditor regarding the closing financial figures relating to the final separation of the Old Orchard Beach School Department to the RSU relating to Federal Grants.
- 9. Met with Staff regarding cross training needs resulting from budget reductions and staff reductions in Town Hall.

- 10. Hosted the New England Train Regional Meeting.
 - a. Ridership contains to increase throughout New England;
 - b. New Stations are planned in Freeport and Brunswick.
- 11. Met with Extreme Clean to discuss recommendations for changes in operation for next year season.
- 12. working with our Attorney and BBI to finalize the agreement to close the Town's Transfer Station.
- 13. Worked with the Department of Environmental Protection regarding the Tide Gate operation.
- 14. Worked with the Department of Environment Protection regarding Dune reconstruction to commence after October 1st to repair winter storm damage.
- 15. Working with Wright Pierce in preparation for the West Grand Bond Workshop scheduled for Wednesday, August 25, 2010 following a Special Town Council Meeting at 7:00 p.m. here in the Town Hall Chamber.
- 16. Met with Citizens of Summit Street with Public Works Director regarding the proposed construction project.
- 17. Attended last night's initial Comprehensive Plan Committee Meeting.
- 18. Works with Wright Pierce and Gary Lamb on the Training Station Platform Project.
- 19. Reviewed with our Legal Counsel the subject of Council's conflict of interest when Council members are also members of community organizations.

Snap Shot Report of Conflict of Interest

- A. Two types of conflict of interest
 - 1. Actual
 - 2. Perceived
- B. Actual is when a Councilor has direct or individual Monetary interest or has potential of direct monitory gain.
- C. Perceived when there is a perception that a Councilor Is voting to advocate for a special purpose:

Example: If a Councilor was a Rotarian and the Rotary was requesting a vote of the Council, it could be perceived that the Council who is a Rotarian has a conflict of interest. In a monetary gain situation the Councilor should not vote and declare he or she has a conflict becausea perceived conflict it is not black or white.

The general rule of perceived conflicts are:

Using the Rotarian example:

- 1. The Councilor who is a Rotarians should announce before the vote that he or she is a Rotarian.
- 2. If a majority of the Council (in our case 3 councilors) because challenges the Councilor who is a Rotarian because they consider the Rotarian could have a conflict of interest then the Rotarian Councilor should not vote.

3. If there are not three members who challenge the conflict of interest then the Rotarians Councilor should announce his or her affiliation with Rotary and he or she should vote as long as the Councilor feels that he or she is acting in the public interest and capable or reviewing the issue fairly, impartially and without favoritism.

During this period the Town Manager indicated that if a town councilor is a member of a local civic group and was voting at a town meeting on an issue related to the group, but was not getting any monetary value or gain, it <u>may</u> be perceived as a conflict of interest. If a counselor is part of a civic group and is going to vote on an issue such as a special event permit, they should probably announce they are a member of the group before the vote. If the Town Council feels the Council member's involvement with the organization is a conflict of interest, it can decide not to allow the member to vote on the special event permit. However, there needs to be a majority, or three votes, to prevent the person from voting on the special event permit; however there needs to be a majority, or three votes, to prevent the person from voting on the special event permit. If someone discloses they are in an organization before a vote on a particular item, such as a special event permit, that does not create monetary gain, it is usually satisfactory. If the Councilor is on an organization's Board of Directors Executive Board, etc., then the perceived conflict could be intensified. The Old Orchard Beach Code of Ethics – Sections 3 and 4 – addresses indirectly this subject.

5545 Discussion with Action: Amend Chapter 2, Division 8 – Ballpark Commission – Section 2-401.

BACKGROUND: Sec. 2-401. Authority to appoint agents. The Commission may, with the consent of the Town Manager and the <u>vote of the</u> Town Council, designate one or more of <u>its the</u> members <u>or other volunteers</u> to serve as the commission's agents for carrying out the commission's responsibilities. Such agents may not, however, bind the town to any contractual or financial commitments unless expressly authorized to do so by the town council. (Ord. of 3-16-2010, § 7)

TOWN MANAGER: As he had the Public Hearing before, he explained why this action was necessary based on the fact that the Ballpark Commission cannot do everything and therefore there is the need to have volunteers accept responsibilities and as such be "commission's agents for carrying out the Commission's responsibilities. There is this slight adjustment to the prior wording. This is the recommendation of the Town Attorney. It should not be unexpected for this document to come up for adjustment as the Ballpark activities grow. He reiterated that the challenge of the busy schedule of the Commissioners necessitated the need to ask other qualified volunteers to accept responsibilities that needed to be indicated in the Ballpark Commission Ordinance in the area of "commission's agents." During the discussion the question was also discussed about the need to hire individuals to care for the fields next year in line with the number of events that are already scheduled.

COUNCILOR DAYTON: She again indicated that this was setting a precedent as no other Commission or Committee has this option. She also discussed the question of whether salaries or stipends would be paid to people serving in the positions designated by the Commission and this would raise a lot of questions and concerns in the minds of many. She asked what determines whether a person gets paid or doesn't get paid? She also raised the issue of where the funds are coming from? She indicated she believes that it is not an acceptable procedure

that once the budget process is concluded to hire individuals which then raises the question of the budget approvals being out of line with the vote of the Council.

TOWN MANAGER: In answering some of these concerns he indicated that the discussion with the Commission was generic in nature and that many of the issues raised by Councilor Dayton were not discussed because the issue is being taken out of perspective in the area in which it was discussed.

VICE CHAIR TOUSIGNANT: He reiterated as he had many times in the past that payment of positions will not come out of the town's taxpayer money. He understands and stated that it is only natural that in the period of time that the Ballpark activities have developed that it will become a more professional entity but the hiring dollars will, as long as he is on Council, not be paid by the taxpayers.

CHAIR MACDONALD: She again reiterated that this is no different than any other Committee who uses different individuals to do different assignments. She indicated she felt this was being taken out of context of the discussion that had occurred.

COUNCILOR DAYTON: She respectfully disagreed with Chair MacDonald on the issue and also raised again the question of a tax status question.

MOTION: Vice Chair Tousignant motioned and Councilor Dayton seconded to Table Agenda Item Number 5545 to Amend Chapter 2, Division 8 – Ballpark Commission – Section 2-401.

VOTE: Unanimous.

5546 Discussion with Action: Accept, with regret, the resignation of Randy Sears, Jr., from the Conservation Commission; and move Pierre Bouthiller from an Alternate to a Regular Member, term to expire December 31, 2012; and Appoint Paul Niemczyk to the Community Animal Watch Committee, term to expire December 31, 2011; and to the Recycling Committee, term to expire June 30, 2012.

VICE CHAIR TOUSIGNANT: His concern was raised about individuals serving on more than one Committee which makes complications arise when Committees and Commissions are trying to establish schedules of meetings. He agreed to approve this agenda but requested that, if possible, there be a set time table for Committees that are listed on the web site and provide opportunities for members and citizens to know when those meetings are scheduled.

MOTION: Councilor Dayton motioned and Vice Chair Tousignant seconded to Accept, with regret, the resignation of Randy Sears, Jr., from the Conservation Commission; and move Pierre Bouthiller from an Alternate to a Regular Member, term to expire December 31, 2012; and Appoint Paul Niemczyk to the Community Animal Watch Committee, term to expire December 31, 2011; and to the Recycling Committee, term to expire June 30, 2012; and that the Administration seek to develop a set timetable for Committee and Commission

meetings which will be advertised on the web site and enable members and citizens to know when meetings will be held.

VOTE: Unanimous.

- # 5547 Discussion with Action: Approve Liquor License Renewals of Oceanic Inn, Inc. dba/One Soho Square (310-6-3), 43 West Grand Avenue, s-m-v in a Hotel/Optional Food; and Bua Thai LLC dba/Bua Thai (211-12-4), 194 Saco Avenue, m-v in a Restaurant. Please note the agenda item originally was incorrect and therefore the motion is as indicated above.
- MOTION: Councilor Dayton motioned and Vice Chair Tousignant seconded to Approve the Liquor License Renewals Approve Liquor License Renewals of Oceanic Inn, Inc. dba/One Soho Square (310-6-3), 43 West Grand Avenue, s-m-v in a Hotel/Optional Food; and Bua Thai LLC dba/Bua Thai (211-12-4), 194 Saco Avenue, m-v in a Restaurant. .

VOTE: Unanimous.

5548 Discussion with Action: Award the Propane Contract for the new Police Facility to Beaupre Fuels including a free tank installation, regulators and piping for a cost of \$5,673 from Account Number 31143/50891, with a balance of \$2,082,969.57; with propane available at a cost of \$1.79 per gallon as of July 28, 2010, subject to market fluctuations, but not a part of the contract at this time.

TOWN MANAGER: At the last meeting we provided three proposals for installation of the propane tanks and associated piping. The following is a summary:

- Downeast Energy--They will provide two 1000 gallon tanks, all piping and regulators at no up front cost to the Town. For three years thereafter, the Town would purchase propane from Downeast for the next three years, billed in one of two ways either: a) \$.50 over their "rack price" starting at \$1.956 per gallon, or b)at a fixed rate of \$1.995 per gallon through 5/31/11, reverting to pricing option "a" thereafter. The town would retain ownership of the underground piping after three years.
- Dead River Company--They will provide two 1000 gallon tanks, all piping and regulators at no up front cost to the Town. For five years thereafter, the Town would purchase propane from Dead River based on a predetermined volume of fuel. Dead River was asked to provide more specific pricing information and has not provided this information.
- Beaupre Fuels-- They will provide two 1000 gallon tanks, all piping and regulators for a cost of \$5,673 and provide fuel at market rate starting at \$1.79 per gallon and following market pricing thereafter.

The project's mechanical engineer has advised that the estimated propane consumption for the building is likely to be appr. 4000 gallons per year.

That being the case, the Beaupre Fuels proposal provides the town with the ability to:

- 1) Own all of the equipment while still saving money compared to the Downeast three year contract and \$.50 per gallon surcharge;
- 2) Shop the market to obtain the best price for fuel;
- 3) If the Town so chooses purchase propane from Beaupre at a rate lower that Downeast. (Dead River did not provide a propane price.)

MOTION: Councilor Dayton motioned and Vice Chair Tousignant seconded to Award the Propane Contract for the new Police Facility to Beaupre Fuels including a free tank installation, regulators and piping for a cost of \$5,673 from Account Number 31143/50891, with a balance of \$2,082,969.57; with propane available at a cost of \$1.79 per gallon as of July 28, 2010, subject to market fluctuations, but not a part of the contract at this time.

VOTE: Unanimous.

5549 Discussion: Update and status report on the progress of the Police Station Building.

CHIEF DANA KELLEY: He provided the following report:

Old Orchard Beach Police Station

Completed work (as of Aug 26, 2010)

- Storm system has been installed.
- Foundation walls are complete.
- Moving the Ballpark power is complete.
- Under slab rough in for plumbing and electrical is on going.
- Grading site elevation is on going, 90% complete.
- Installed propane tanks and gas line to building.

Up coming work

- Slab prep.
- Pour slab.
- Finish grade site.
- Pave parking lot.
- Start block walls.
- Start framing exterior wood walls.

VICE CHAIR TOUSIGNANT: He expressed his appreciation to the contractor for the excellent and clean worksite and for the work that is being done.

COUNCILOR DAYTON: She expressed her appreciation to all concerned.

5550 Discussion: Update and status report on the progress of Public Works Construction Projects.

PUBLIC WORKS DIRECTOR BILL ROBERTSON: He presented the following report.

Project Co.	Engr. Estimate	
Police Dept. Sewer	\$23,000.00 – Materials and Machine Rental <u>\$7,000.00 – Overtime</u> \$30,000.00	\$60,000.00 <u>\$75,000.00 (plus ledge 500cy)</u> \$135,000.00
Paving		
o Arbutus (base/to)	p) \$14,770.00	\$20,400.00
o Foote (top)	\$7,615.00	\$13,100.00
o Imperial	\$14,880.00	\$17,900.00
Fourth Ave Vault	\$19,600.00	\$75,075.00 (07-14-2008)
		\$40,000.00 (03-06-2010)
Outfall Cleaning (Mullen/Brown)	\$20,000.00	\$20,000.00
Cottage/Grove Sewer & Drainage	\$23,865.00	\$53,994.00 (03-06-2010)
Paving		\$57,740.00 (03-06-2010)
- ···8		\$111,734.00
		\$314,595.00 (11-25-2008)

Ross Rd.

(Saco Line to Cascade)

Phase I

Drainage \$26,900.00 Paving (Sta 0+00 - 93+30) \$103,409.00 \$130,309.00

Phase II

Drainage \$36,650.00

Paving (Sta 44+00 – 93+30) \$156,000.00

\$192,650.00

Total: \$322,959.00 \$1,388,220.00 (W/P 02-17-2010)

Smithwheel Rd. (Turn Lane)	\$20,000.00	\$68,000.00
Little River at Walnut (Dredging)		\$83,000.00
Bond Project	Cost	Engr. Estimate
Ocean & Seaview	\$1,142,994.00 Plus	\$800,000.00
Ross Rd. (Culvert to Finish)	\$236,966.00 <u>\$20,087.00</u> \$257,053.00	\$350,000.00
W. Grand Stormwater		\$1,850,000.00
Summit & School St. (Sewer/Drainage)	\$224,563.00	\$900,000.00 \$631,844.00 (12-09-2009)
Wright-Pierce to Date		
Ocean/SeaviewRoss Rd. Culvert	\$100,283.00 \$69,015.00	

\$65,771.00

\$65,245.00

Other Projects In-House

o Summit/School

Drainage:

o Union Ave (RR to W. Grand)

o W. Grand Stormwater

- Ocean Ave (W. Grand 150' West)
- Homewood
 - o Date St Culverts #31 and #33
 - o Homewood & Date
 - Chestnut (Safety Road & Drainage)
- o Benoit (CB & Pipe)
- o Goodwin Ave (Pipe Behind Boyd Residence)
- Winona #15 (Curbing Cape Style)
- Odessa (2 CBs)
- Seacliff (New Day Well Completed)
- Oceana #3 (Apron & Sidewalk Shared Cost)

The Council thanked the Public Works Director and his staff for the tremendous work they have done and the savings that is being noted for these many projects.

5551 Discussion: Update and status report on the Little River Dredging Update.

GARY LAMB: As the Planner he gave the following update and report:

This is an update to the Town Council, Town Manager, Davenport Condo owners and the general public concerning the proposed Little River dredging project which would re-open the Little River channel from Walnut Street out to open marsh.

On July 28 2010, I met at Canco Road DEP headquarters with two DEP staffers, wetlands biologist Doug Stewart and Jon Edgerton of Wright Pierce engineers, Inland Fish and Wildlife and Army Corps of Engineers. The purpose of the meeting was to discuss what DEP and Army Corps will require for permits for the dredging.

1. It was a surprise to hear DEP raise the argument that OOB might have to mitigate or compensate for our "destructive wetland activity" by this dredging. In other words, we may have to pay a compensation "fine" for this project which we thought was merely channel maintenance to improve stormwater flow. The DEP compensation table tells us that our compensation fine could be as high as \$138,000 for this wetland destruction...and that is over and above what we would pay the dredging contractor. We have budgeted \$80,000 for this dredging project...and assumed such compensation fees would not even exist. Their contention is we are destroying high value wetlands by clearing the channel behind Davenport condos...and not conducting maintenance...even though similar work was done by IFW just a few years ago.

- 2. It is interesting to learn that IFW apparently did not pull any permits nor pay any compensation fees for similar work in the early 2000's. We hope to use that fact to put us in a simple DEP maintenance permit category called permit by rule (PBR). Jon Edgerton and Doug Stewart are working with DEP on this approach. If we can prove that IFW did similar dredging work as part of their habitat maintenance...then perhaps we can get a PBR with zero compensation fees attached. That is our goal.
- 3. The RFP is ready to be issued...but we need answers to these permitting questions before advertising. I am still waiting for information from IFW and DEP.

PAULA DUPRE: She indicated that she appreciated what staff was doing and also provided to the Planner some dates on when she thought the drainage had been addressed before and who provided that service.

CHAIR MACDONALD: She again asked the Planner to set up a meeting with the Railroad about the culverts under the tracks and the flooding issues on Walnut Street area.

The Council encouraged the Planner and the Administration to move forward on this issue and keep it on a top priority list.

5552 Discussion: Discussion with Action: Waive any and all fees for RSU 23
Reconfiguration of Classrooms 104 and 105, Old Orchard Beach High
School; such fees include, but are not limited to, miscellaneous building (\$144)
and Electrical (\$45.)

MOTION: Councilor Dayton motioned and Vice Chair Tousignant seconded to Waive any and all fees for RSU 23 Reconfiguration of Classrooms 104 and 105, Old Orchard Beach High School; such fees include, but are not limited to, miscellaneous building (\$144) and Electrical (\$45.)

VOTE: Unanimous.

5553 Discussion with Action: Cancel the September 7, 2010 Town Council Meeting.

MOTION: Councilor Dayton motioned and Vice Chair Tousignant seconded to Cancel the September 7, 2010 Town Council Meeting.

VOTE: Unanimous.

GOOD AND WELFARE:

JEROME BEGARD: He provided a lengthy dialogue on the many positive things happening in the community. He presented a motivational encouragement to citizens to get involved in the community; join committees; get involved; be proud of your home town and be active in the activities going on. He sought in his comments to energize those who were listening to get involved in groups such as OOB 365, the Chamber of Commerce, BRASS and other community groups who are endeavoring to bring people to our towns to enjoy all that we have to offer. He talked about personal investment in the

community; talked about upcoming events such as Autumn Celebration, Woofstock, First Night, Winterfest, Balloon Festival and other planned town events. He encouraged everyone to be a Townie.

PAT CARTER: She spoke about not wanting at first to get involved in activities as she had done that most of her life but when she saw what was happening in the community she wanted to be part of a positive experience. She encouraged support of community events and praised those who were willing to give time and energy to activities. PAT BROWN: She spoke about perceptions and the different conclusions that people make based upon impressions and/or bits of information that is provided and she encouraged the Council to be sensitive to perceptions. She said that although it is a subjective process that can be impacted by a number of variables – perception is important when you are serving in the role of a Councilor and have the authority and control to make decisions that affect not just a few people but many individuals. She explained that she was not particularly referring to OOB 365 but rather on the need for sensitivity of Councilors prevalent in decision making issues relative to one group of people as compared to another. She also indicated that she realizes that perception can and sometimes does lead to errors but that the Council needs to be cognizant of this and participate with that thought in mind. She said this was not personal and indicated she considered them "pure of heart" but that people are asking questions that need to be addressed.

PAULA POURAVELIS: She talked about the need for Councilors to permit individuals on the Council or as an individual to express their opinion without it becoming a personal issue and to collectively accept questions in the spirit in which they are given and at the same time she expressed the need for answering the questions that were asked, thus giving credence to their importance.

VICE CHAIR TOUSIGNANT: He addressed the reason that the subject seemed to be raised and where it was coming from. He indicated that he has sought to find out what the issues are that are affecting people's perceptions. He delved deeply in discussion relative to the beer tent, use of town funds, and other issues that he felt were relative to the discussion.

CHAIR MACDONALD: She expressed her concern that people are not understanding involvement in OOB 365 and that she would be involved in any group that brings activities to the town.

COUNCILOR DAYTON: She expressed the anxiety she has felt regarding her previous involvement in the Ballpark activities and that being told she was "too close" has impacted her ability to commit to the ballpark events and she has been greatly grieved by all that has happened and that fellow Councilors should take a page out of their own book. She again raised the question of tax issues as it revolves around donations and indicated she still has not received the correct information at this point.

COUNCILOR BOLDUC: She arrived after Good and Welfare started and said that she had watched Mr. Begart's positive comments about all the good things being done in the Town including the work of OOB 365 and that she was disheartened about the negativity that was being expressed. She said she has withdrawn from a desire to serve as a

Councilor because of the negativity that is relevant by so many. She said that Chair MacDonald and Vice Chair Tousignant are two of the most well intended people she has ever met.

VICE CHAIR TOUSIGNANT: Many thanks to Saco & Biddeford Savings Institution for the generous donation of \$1,500 presented to Andrea Berlin and Ginger McMullin of the Conservation Commission for use at the Petanque Courts. They made a great case to the Bank for this support and as usual, Saco & Biddeford Savings Institution came through and supported again our community.

COUNCILOR DAYTON: Congratulations to the Town Clerk and her staff for a very excellent Acceptance Facility Review by the United States Passport Division. The Review that came back indicated that this office has a well run Passport Program with an attention to customer service, protecting and identifying applicants. The additional training that they have taken was also acknowledged. Congratulations to the Town Clerk's office staff for doing an excellent job.

ADJOURNMENT

MOTION: Councilor Dayton motioned and Vice Chair Tousignant seconded to adjourn.

VOTE: Unanimous.

Respectfully Submitted,

V. Louise Reid Town Council Secretary

I, V. Louise Reid, Secretary to the Town Council of Old Orchard Beach, Maine, do hereby certify that the foregoing document consisting of thirteen (13) pages is a true copy of the original Minutes of the Town Council Meeting of August 17, 2010.

V. Louise Reid