

**TOWN OF OLD ORCHARD BEACH
TOWN COUNCIL MEETING
TUESDAY, JUNE 19, 2007
TOWN HALL CHAMBERS**

A Town Council Meeting of the Old Orchard Beach Town Council was held on Tuesday, June 19, 2007. Chairman Joseph Kline opened the meeting at 7:03 p.m.

Pledge of Allegiance and Roll Call:

Present were:

**Councilor Robin Dayton
Councilor Roxanne Frenette
Councilor James Long
Chairman Joseph Kline**

Absent: Vice Chair Shawn O'Neill

MOTION: Councilor Frenette motioned and Councilor Long seconded to move Agenda Item Number 2066 to under Acceptance of Minutes.

VOTE: Unanimous.

MOTION: Councilor Long motioned and Councilor Frenette motioned to add to the Business Licenses Christopher Bernier dba/Girardio's Mexitalia Cuisine (205-3-1-C), 32 Old Orchard Street, Victualers, and also to Agenda Item Number 2064 – Liquor License Renewals Christopher Bernier dba/Girardio's Mexitalia Cuisine (205-3-1-C), 32 Old Orchard Street, s-m-v in a Restaurant.

VOTE: Unanimous.

ACKNOWLEDGEMENTS:

CHAIRMAN KLINE: Our special thanks to Bob McNally for a spectacular Memorial Day Parade. His efforts always pay off in a great event for our community and the participation of so many individuals and groups. Bob, thank you for the hours of planning that go into this event. The next Town Council meeting will be on Tuesday, July 17. There will be no meeting on July 3. There will be no Planning Board meeting on July 12th. The next Planning Board Meeting will be August 9th.

COUNCILOR FRENETTE: We are thrilled to say that the horses – the Clydesdales are coming to Old Orchard Beach on Sunday, June 24th from 12:00 noon to 2:30 p.m. Jason Webber of our Recreation Department will be posting information on the web site and the television this week indicating the schedule for their visit. Also a reminder that there is an opportunity for residential

household hazardous waste drop off days. On July 21 that type of material can be dropped off at the Saco Public Works Department, 351 North Street, Saco, Maine. A show of Old Orchard Beach residency is required. Congratulations to the Dunegrass Golf Course, and Steve Boutet, for being selected by the Boston Globe as one of New England's top public golf courses.

COUNCILOR DAYTON: We acknowledge Nancy and Bob Kelley for the many acts of kindness given in memory of their son, Christopher Cash. The race, which is being held this coming Saturday, has provided through the donations and contributions of so many, scholarships to the following students: Ashley MacDonald, Courtney Rague and Ashley Hibbard, each receiving \$1,500 in scholarships. Our thanks to all who in memory of Christopher have added to the list of gifts acknowledge his great sacrifice. The Community Policing Committee is sponsoring a greet and meet at the new substation in the Grand Victorian on Thursday, June 21, 2007 from 5:00 p.m. to 6:00 p.m. We would invite citizens to attend and have an opportunity to greet the new recruits.

ACCEPTANCE OF MINUTES: Town Council Workshop Minutes of May 22, 2007; and Town Council Minutes of June 5, 2007.

MOTION: Councilor Long motioned and Councilor Dayton seconded to accept the Town Council Workshop Minutes of May 22, 2007.

VOTE: Yea: Councilors Long, Dayton and Chairman Kline
Abstain: Councilor Frenette

MOTION: Councilor Frenette motioned and Councilor Dayton seconded to accept the Town Council Workshop Minutes of June 5, 2007.

VOTE: Yea: Councilors Frenette, Dayton, Long and Chairman Kline.

2066 Discussion with Action: Approve the Special Event Permit Application for Lewis Alberti and Leigh Hoenig to hold a wedding ceremony on the beach at the end of Blaine Road on July 20, 2007.

MOTION: Councilor Frenette motioned and Councilor Long seconded to approve the Special Event Permit Application as read.

VOTE: Unanimous.

BUSINESS LICENSES: CPC Enterprises (316-13-11), 14-16 Union Avenue, four year round rentals; Gary Snyder (301-1-4-2), 177 East Grand Avenue, Unit #2, one seasonal rental; Demetra Blanchard (315-17-9), 46 Ocean Avenue, one year round rental; Frederick & Beth Miller dba/Del Sol (205-3-7-B), 38 Old Orchard Street, Suite 2, Novelty Store; Traci Daigle dba/Great Lengths (108-2-1), 3 Old Orchard Road, Beauty Shop; Barbara Piecewicz (319-5-7), 14-16 Hampton Avenue, two year round rentals; Jonathan Cricones (313-4-6), 10 Camp Comfort Avenue, one seasonal rental; Brian Miller (202-2-3-3B), 207 East Grand Avenue, Unit 3B, one year round rental; Glenn A. Fairchild (201-2-3), 216 East Grand Avenue, one year round rental; Kristen Tate (319-4-6), 11 Tunis Avenue, one seasonal rental; Jeffrey B.

Long (206-27-5-5), 5 Sunset Drive, Unit #5, one year round rental; Betty Enloe (319-2-3), 11 Hampton Avenue, one seasonal rental; Denise & Emile Maynard (205-6-6-4), 6 Imperial Street, Unit #4, one year round rental; Steven R. Hager (323-8-7), 35 Randall Avenue, one year round rental; Audrey Spence (311-19-4), 4 Eighth Street, one year round rental; Cheryl & Martin Waters (205-7-4), 18 Imperial Street, seven year round rentals and nine seasonal rentals; Suzanne Flynn (311-2-1), 128 Union Avenue, one year round rental; Fannie LeVasseur dba/Caricatures by Fannie LeVasseur, Store-to-Store (By Invitation), Inside Only, Photographer/Artist; Peter Mourmouras dba/Tax Doctor/Accountant (206-24-34), 30 Saco Avenue, Personal Service; Jennifer Dervis (312-15-2), 7 Central Park Avenue, one year round rental and one year seasonal rental; Norman LeBlanc (312-15-20), 18 Atlantic Avenue, one year round rental; David Bailin (305-4-1-503), 1 Cleaves Street, Unit 503, one year round rental; Eidan Bereby dba/Bereby's Oceanside Beachwear (306-1-2-C), 1 East Grand Avenue, Unit C, Novelty Store & Clothing, No Knives or Guns;

MOTION: Councilor Frenette motioned and Councilor Long seconded to approve the Business Licenses as read.

VOTE: Unanimous.

Lida Zahares dba/Zahares' Parking (206-27-13), 8 Heath Street, Parking Lot; Linda Anderson (316-6-2), 12 Odena Avenue, one year round rental; Lida Zahares dba/Zahares' Redemption Center (206-27-13-C), 8 Heath Street, Personal Service; Anthony & June Cantoni (313-2-1-8), 1 Bay Avenue, Unit 8, one year round rental; Alan & Nancy Bianchini (202-2- 3-1A), 207 East Grand Avenue, Unit A, one seasonal rental; Christopher Bernier dba/Girardio's Mexitalia Cuisine (205-3-1-C), 32 Old Orchard Street, Victualers; and Christian Dietzel dba/Beach Bike Cab (No MBLU), ONE mobile, Serial Number TB10406C25FN043, personal service, Council approval of signage.

MOTION: Councilor Long motioned and Councilor Dayton motioned to approve the business licenses as read.

VOTE: Unanimous.

Tim Swenson dba/Swenson's Park Fries (306-1-2-P), 1 East Grand Avenue, Unit P, Victualers; William Danton dba/Spinners Pizza (306-1-2-M), 1 East Grand Avenue, Unit M, Victualers; Jesse Fowler dba/Fowler's Bayside Burgers (306-1-2-O), 1 East Grand Avenue, Unit O, Victualers; Steven Fowler dba/Fowler's Bayside Lobster Rolls (306-1-2-N), 1 East Grand Avenue, Unit N, Victualers; William Danton dba/Cool Licks Ice Cream (306-1-2-L), 1 East Grand Avenue, Unit L, Ice Cream Parlor; and Oceanside Investment Group dba/Myst (306-1-2-I), 1 East Grand Avenue, Unit I, Victualers and one Vending Machine;

CHAIRMAN KLINE: We are removing these items because they are not complete. We will provide the opportunity for a Special Council Meeting when these businesses have passed inspection. We have a policy that we do not give business licenses until they have been completed.

COUNCILOR FRENETTE: Normally would not department heads signed off. I will be available for a special meeting to approve these censes. I don't agree we move forward without the inspection.

CHAIRMAN KLINE: I take responsibilities for this getting on the Council agenda as I was away and not able to approve the agenda.

COUNCILOR DAYTON: I shall be available for a special meeting as well and there may be approval of licenses for Union Avenue and Pearl Street.

COUNCILOR LONG: I am disappointed these things have appeared on the agenda. They are not complete and many issues have been raised about what is in them and what is not. I think it is inappropriate for these things to be on the agenda and we did not get anything in our packet to support these being on the agenda. I think we need better information for these things to be on the agenda.

GEORGE KERR: I am a little befuddled by Councilor Long's indication that people are against this. These are business people wanting to open for business for July 4th and the next meeting as approved this evening with the Minutes of June 5, 2007 will not be till July 17, 2007. This Council wanted us to upgrade and we have done that. This process has been very long – great expectations from this Council – we are going in the right direction. I have lived here 50 years. I can tell you that everything that we told you three years ago has been brought into those facilities, jewelry, spa, Sandal Company. The kiosk areas from our discussions have been built to instructions. We have a zoning ordinance and there are guidelines that we want to follow and we are willing to participate in any discussion. We made an application and went through the various boards – lawyer, surveyors, and that applies to all and we did go through that process. Hired an architect, lawyers, surveyors, came in and they made a presentation to the Town and they were approved. The height is 35 feet in the shoreline zone. We were limited to 20 feet. They are 17 feet. Those locations, color schemes were all approved and nothing was done in the cover of darkness. We have spoken to anyone that is unhappy. But there is a process that every citizen could and should follow. They could have voiced their opinion. It is not uncommon, when I sat in those chairs, approval subject to the inspection; because any time after, even approval of the licenses, state and local inspections must approve after the council signs off. I also want you to know that we rushed up here weeks ago when we applied for these licenses. We try to meet the criteria within those guidelines. That the Grand Victorian has followed every one of those criteria; subject o building inspector – that is not what you have done in the past. I don't know what tomorrow brings and we are trying to bring and finish that project – any questions they can come and see me. I only ask you, as Chair of this Council, not to hold these licenses hostage. Even after this Council approves licenses, the State and local inspectors will go down there and give the final inspection. If anyone, Councilor Long, has any questions, they can come to me.

COUNCILOR LONG: I am capable of getting the decisions that I need to get.

GEORGE KERR: So be consistent. So we can't open on the 4th? We have followed the ordinance; the planning board; we have followed the rules. We hope those rules apply to everyone. We have followed the rules, the ordinances, gone to the boards, we have followed the rules. We want to make sure they apply to everyone.

CHAIRMAN KLINE: We have in the past we have passed licenses but over six years ago we stopped that policy. So it is now a policy that we don't do this. We accommodate those emergency items. We do not give licenses to those who are not completed. I was away and there these were put on the agenda without my knowledge.

TOWN MANAGER: For the record, the Vice Chairman reviewed this agenda. It should be noted that the Vice Chair approved this agenda before it was advertised. I did not appreciate Councilor Long's rude remarks.

COUNCILOR DAYTON: I took pictures of the kiosks and they are not complete. I had a difficult time understanding how we could give a license to someone that the equipment has not been installed. I have been talking to others. I can't – I don't know which is which – I have concerned about the set back. I think whether they are temporary or permanent is a question in the public's mind. I believe we need to have a healthy decision. I don' like to be accused of holding up business and I would make myself available. I am new at this and I had a difficult time approving a business when even the equipment wasn't installed. I talked to Ken Shupe a couple of times and I have talked to you, George, and I am not comfortable to say yes to this. I don't which is what and what is which. I don't like being accused of holding up business.

GEORGE KERR: The issues that you brought up are not your responsibility. With all do respect – anyone that reads the agenda – sees that the July 3rd meeting is cancelled– that is something that is in the record. I am not looking for controversy. Just trying to move ahead – same standard – they are not permanent business and we are following State law and our municipal law. Is it your intention to sign off next week? We are following State law as well as municipal rules.

COUNCILOR DAYTON: I would like to address –

GEORGE KERR: Is it your attention to have a Special Meeting next week.

COUNCILOR DAYTON: I would like to respond to George's comments and I am doing my responsibility.

COUNCILOR FRENETTE: I would like to remove without prejudice.

COUNCILOR LONG: I second that for discussion.

CHAIRMAN KLINE: You can speak Mr.Goldzbein but the subject is mute at this point.

PAUL GOLDZBEIN: The public safety issue is not mute. Nothing is being done. The Town Manager was there. The buildings are a fire hazard. I am not interested in the business license but I am concerned about the safety issue.

CHAIRMAN KLINE: When we come up to the agenda for an action – we need to have that discussion.

MICHAEL HARRIS – I have a business – Oceanside Investment. We have spent of \$1.2 million dollars in this business. We are actually in the hotel – we have training scheduled for tomorrow. We had planned to open up before the 4th of July. We have been working nights and days to get ready for this. The pictures you took are of the kiosk. I am inside the hotel. I have put my life’s savings into this business. We are in the hotel and not one of the kiosks.

CHAIRMAN KLINE: If your work is not done it is not ready to be given a business license. Today is only Tuesday.

COUNCILOR FRENETTE: If we had the applications we would be able to see if they were completed.

COUNCILOR DAYTON: It is not in our packet; nothing like that is in our packet.

CHAIRMAN KLINE: If you are done we will have a special Council meeting to approve that license. You don’t contact us you contact the code enforcement officer. It takes as long as it takes. If you are complete we can have a meeting next week. It is only the 19th.

KEN SHUPE: To clarify. The restaurant was inspected by food and health. The final inspection doesn’t come until just prior to inspection. The ceiling tile is the only area to be inspected. All the electrical and plumbing has been approved. The food and health inspector has been there. There will be a final inspection prior to their opening. Can I....(then he was interrupted by the chair who said “Enough.”)

MOTION: The motion made above and seconded was to remove without prejudice.

VOTE: Unanimous.

MICHAEL HARRIS: This man that you just shut up is telling you that I have everything done so what is it what I have to do? When do I get my business license?

CHAIRMAN KLINE: When you get your business license.

PUBLIC HEARING Oceanside Investment Group dba/Myst (306-1-2-I), 1 East Grand
LIQUOR LICENSES: Avenue, Unit I, s-m-v in a Restaurant/Lounge.

MOTION: Councilor Long motioned and Councilor Dayton seconded to remove without prejudice to be considered when the business license is issued.

VOTE: Unanimous.

SPECIAL AMUSEMENT Old Orchard Beach Atlantic Resorts, Inc. dba/Alouette Beach
PERMITS Resort (303-1-11), 91 East Grand Avenue, Entertaining &
 Dancing; and William Marshall dba/Whaler (206-31-17), 20
 Staples Street, Entertaining & Dancing.

MOTION: Councilor Long motioned and Councilor Frenette seconded to approve the Special Amusement Permits as read.

VOTE: Unanimous.

MOTION: Councilor Frenette motioned and Councilor Long seconded to remove without prejudice Oceanside Investment Group dba/Myst (306-1-2-I), 1 East Grand Avenue, Unit I, Entertaining and Dancing.

VOTE: Unanimous.

COUNCILOR FRENETTE: The young man's whose license with bicycle has been approved.

ASSISTANT TOWN MANAGAER: One bike, one serial number.

CONSENT AGENDA # 2063: Accept with Regret the resignation of Laurie Manchester as a Regular Member of the Zoning Board of Appeals; Appoint Philip Weyenberg as a Regular Member of the Zoning Board of Appeals, term to expire 12/31/08; Appoint Eileen Payette as First Associate to the Zoning Board of Appeals, term to expire 12/31/09; and Appoint J. Philip Denison as Second Associate to the Zoning Board of Appeals, term to expire 12/31/09.

MOTION: Councilor Frenette motioned and Councilor Long seconded to Accept with Regret the resignation of Laurie Manchester as a Regular Member of the Zoning Board of Appeals; Appoint Philip Weyenberg as a Regular Member of the Zoning Board of Appeals, term to expire 12/31/08; Appoint Eileen Payette as First Associate to the Zoning Board of Appeals, term to expire 12/31/09; and Appoint J. Philip Denison as Second Associate to the Zoning Board of Appeals, term to expire 12/31/09.

VOTE: Unanimous.

NEW BUSINESS:

2064 Discussion with Action: Approve the Liquor License Renewals for Old Orchard Beach Atlantic Resorts, Inc. dba/Alouette Beach Resort (303-1-11), 91 East Grand Avenue, m-v in a Hotel; Charles Anton dba/The Lobster Garden (307-1-6), 4 Fernald Street, s-m-v in a Restaurant; and Christopher. Bernier dba/Girardio's Mexitalia Cuisine (205-3-1-C), 32 Old Orchard Street, s-m-v in a Restaurant.

MOTION: Councilor Frenette motioned and Councilor Long seconded to approve the liquor licenses as read.

VOTE: Unanimous.

2065 Discussion with Action: Approve the Special Event Permit Application of the Recreation Department to hold a Clydesdales Parade on June 24, 2007 from 12:00 noon to 2:30 p.m.; and a request to waive the fee.

MOTION: Councilor Frenette motioned and Councilor Long seconded to approve the Special Event Permit Application as read.

VOTE: Unanimous.

Note: Item 2066 was discussed earlier in the Meeting.

2067 Discussion with Action: Approve the Special Event Permit Applications of the Ocean Park Association to hold their annual Independence Day Parade and street dance on July 4th on Temple Avenue and West Grand Avenue; to hold their annual 5K race on July 29th from 5-8 p.m. on Temple Avenue, West Grand Avenue and Seaside Avenue; to hold their annual Illumination Night/Festival of Lights on August 4th from 5-10 p.m. in Ocean Park; and to hold a Temple Garden Dedication on August 5th from 11 a.m. to 12 p.m. on Temple Avenue and Royal Street; and to hold their annual block dance on August 18th on Temple Avenue, West Grand Avenue and Seaside Avenue; and a request to waive all the fees.

MOTION: Councilor Frenette motioned and Councilor Long seconded to approve the Special Event Permit Applications as read.

CHAIRMAN KLINE: We did receive a couple of e-mails of concern. Are those safety concerns addressed.

TOWN MANAGER: Yes, they have been met.

VOTE: Unanimous.

2068 Discussion with Action: Approve a Maine Department of Transportation (MDOT) grant for the study of the downtown vehicular/pedestrian traffic flows. The point of study is from Walnut Street to Heath Street, from East and West Grand Avenues to First Street and Milliken Street, which will consider all movement from outlying points. PACTS will provide 80% of the costs and the Town 20% with the Town's 20% funded from Account Number 10013-30100 – Undesignated Fund Balance, with a balance of \$4,094,525.83.

TOWN MANAGER: Bids on this Request for Proposal were opened on Monday, June 18, 2007. Fay, Spofford & Thorndike, Inc., traffic engineers are being recommended by town staff to perform data collection and modeling of the downtown vehicular and pedestrian circulation patterns and volumes, including an evaluation of several proposed circulation patterns submitted by business owners in a public meeting. The area of study is from Walnut Street to Heath Street, from East and West Grand Avenues to First Street and Milliken Street. Discussions pro and con for one-way traffic have resurfaced numerous times in recent years and each time the discussions are intense. The public, particularly the business community, are very opinionated when discussing what will or will not work and why. There are three areas of agreement: 1) People in cars don't spend money, but pedestrians do, 2) The town is very walk able, and 3) most through streets are cut off by the railroad and pedestrian

traffic is funneled to the town center. The 1993 Comprehensive Plan suggests one-way traffic in Old Orchard Street from Milliken/First Street to E/W Grand, with traffic being one-way south on West Grand and one-way north on East Grand. Traffic from East Grand could turn up Walnut and then south on Milliken to return to the downtown. Traffic traveling south on West Grand could turn up Atlantic Avenue and then north on First Street to return to the downtown. This recommendation has never been implemented due to lack of support. When presented at a public meeting in February 2007 to the business community, it was not well received. At an April 2007 meeting with business owners, the Town Planner presented several suggestions made by members of the business community for revised traffic patterns. None of the suggestions were voted on and there was no apparent consensus. Town Planner recommended a thorough traffic count that includes a pedestrian count, suggested having a consultant model the ideas presented based on known data, and a return to discussions when all participants are more fully informed. This was agreed to.

Old Orchard Beach

A REQUEST FOR PROPOSAL
for
**Data Collection and Study of the Downtown
Vehicular and Pedestrian Circulation System**
Including AN EVALUATION OF PROPOSED CIRCULATION SYSTEMS

June 2007

Contact:

Sandra Mowery, PE
Dir. of Planning & Development
Town of Old Orchard Beach
Tel: (207) 934 2250
Email: smowery@oobmaine.com

Town of Old Orchard Beach
Town Hall
One Portland Avenue
Old Orchard Beach, Maine
04064

The Town of Old Orchard Beach is seeking a qualified traffic consultant for data collection and modeling of the downtown vehicular and pedestrian circulation patterns and volumes, including an evaluation of several proposed circulation patterns submitted by business owners in a public meeting.

Situation

Old Orchard Beach, a resort community, is approximately 3.3 miles long and slightly under two miles deep. Due to its size and shape, it is indeed a very walk able town. During the tourist season, when the population expands close to 100,000, the town center is heavily populated with both pedestrian and vehicular traffic. Trolleys and buses carry many tourists from the eleven campgrounds to the beach, but most campers prefer walking the streets with pull carts and strollers filled with beach umbrellas, sunbathing accessories and children. In season the streets are filled with tourists in vehicles and pedestrians visiting shops and restaurants, and strolling to the beach.

From the north: Vehicular traffic on East Grand Avenue traveling to the center square is backed up north beyond Walnut Street (see the map on page 7) as pedestrians from Cascade Road and Portland Avenue campgrounds take Walnut Street to town center and the beach. Too often pedestrians do not cross East Grand at Walnut nor do they wait to cross at the Old

Orchard Street and East Grand intersection; instead there is continual jaywalking of pedestrians through vehicles inching their way towards the town center. This situation is dangerous for pedestrians and frustrating to motorists.

In 2005 the Town constructed phase 1 of the Milliken Street municipal parking lot. Pedestrians departing this lot generally traverse Milliken Street to Old Orchard Street; others have the option of walking down Walnut Street to East Grand.

From the West:

Pedestrians from the campgrounds, places of lodging and vehicles generally use Old Orchard Street to access the town center.

From the South:

The train station and Chamber of Commerce are located on First Street just south of Old Orchard Street. The Chamber boasts having 10,000 visitors a day during the height of the season. This traffic combined with train passengers creates a heavy pedestrian load on First Street. As the rail bisects the Town (east and west) all traffic to town center is funneled to Old Orchard Street (there is no rail crossing at Heath Street.). Added to this is the pedestrian traffic from the campgrounds, places of lodging, upper Saco Avenue via Heath Street, First Street and Staples Street. A third crossing of the rail exists at Atlantic Avenue, but being further south, most pedestrians use First Street to Old Orchard Street.

Location

The area of study is from Walnut Street to Heath Street, from East and West Grand Avenues to First Street and Milliken Street.

Public Comment

Discussions pro and con for one-way traffic have resurfaced numerous times in recent years and each time the discussions are intense. The public, particularly the business community, are very opinionated when discussing what will or will not work and why. There are three areas of agreement: 1) People in cars don't spend money, but pedestrians do, 2) The town is very walk able, and 3) most through streets are cut off by the railroad and pedestrian traffic is funneled to the town center.

The 1993 Comprehensive Plan suggests one-way traffic in Old Orchard Street from Milliken/First Street to E/W Grand, with traffic being one-way south on West Grand and one-way north on East Grand. Traffic from East Grand could turn up Walnut and then south on Milliken to return to the downtown. Traffic traveling south on West Grand could turn up Atlantic Avenue and then north on First Street to return to the downtown. This recommendation has never been implemented due to lack of support. When presented at a public meeting in February 2007 to the business community, it was not well received.

At an April 2007 meeting with business owners, the Town Planner presented several suggestions made by members of the business community for revised traffic patterns. None of the suggestions were voted on and there was no apparent consensus. Town Planner recommended a thorough traffic count that includes a pedestrian count, suggested having a consultant model the ideas presented based on known data, and a return to discussions when all participants are more fully informed,. This was agreed to.

Public Suggestions

- 1) **Close off a section of Old Orchard Street between Milliken/First Streets to East/West Grand Avenues during tourist season and create a pedestrian only area from the railroad to the East/West Grand Avenue intersection. Use large temporary planters to enclose the pedestrian area. Use the short section between the railroad and the Milliken/First Street intersection as a loading area only. Two-way traffic on Old Orchard Street would remain, but traffic flowing down Old Orchard Street must turn left onto Milliken or right onto First Street. Two-way traffic would continue on Milliken and First Streets. Two-way traffic would continue on East/West Grand Avenues. There will be no turns up Old Orchard Street from East/West Grand Avenues. Place a police officer at the intersection and stop all vehicular traffic at intervals allowing pedestrians to cross the intersection in any chosen path. This will get pedestrians to their street side destinations more quickly and provide steadier and more efficient vehicular traffic flow.**
- 2) **Leave current traffic flow paths as they are except do not allow right turns from East Grand onto Old Orchard Street and do not allow left turns from West Grand onto Old Orchard Street. This will eliminate two paths of cross-over traffic at a very busy intersection. Place a police officer at the intersection and stop all vehicular traffic allowing pedestrians to cross the intersection in any chosen path. This will get pedestrians to their street side destination more quickly and provide a steadier and more efficient vehicular traffic flow.**
- 3) **Construct two pedestrian foot bridges. Place a foot bridge at the Bradbury Street alignment so that pedestrians on Milliken Street can cross over the railroad and access East Grand. This will provide a more direct route to and from the municipal parking lot, campgrounds and places of lodging. Place a foot bridge at the Heath Street-Fernald Street alignment so that pedestrians on First Street can access West Grand. This will provide a more direct route to and from the train station, the Chamber of Commerce, campgrounds, places of lodging and the Memorial Park. The intent is to decrease the funneling of all pedestrians to one intersection.**
- 4) **Make no changes to the present traffic/pedestrian flow pattern but do place a police officer at Walnut Street and East Grand Avenue intersection. When south-bound traffic in East Grand backs up to Walnut Street, divert vehicles to Walnut Street. Place a second police office at the E/W Grand Avenue intersection to direct vehicular and pedestrian traffic.**

Evaluation

Current vehicular/pedestrian traffic flow paths create vehicular traffic congestion and place pedestrians in hazardous conditions. The long walk around the railroad tracks to the few intersections causes pedestrians to take short cuts through traffic to get to their destinations. It should be noted that pedestrians pushing strollers and pulling carts may find the pedestrian foot bridges too inconvenient if there are no elevators or escalators to assist with their loads. Such devices would considerably increase the cost to construct. Suggestions regarding jaywalking, an inducement that would cause pedestrians to want to cross at controlled intersections, are needed. E/W Grand Avenues are also Route 9, and to date Maine Department of Transportation says a signalized intersection is unwarranted. This makes it difficult to control pedestrian traffic using electronic cross walk signals. Suggestions other

than police officers should be considered. Many business owners are concerned that one-way traffic would be detrimental to the business economy. A large majority of the business owners agree that the pedestrian congestion problem is due to the railroad cutting off too many cross street and creating the funneling affect. Many business owners believe that the problems could be resolved with the addition of police performing traffic control. The police department argues that the cross-over patterns and heavy pedestrian load is too much for police to control. Years ago, the police did control this intersection with a police officer placed in the center of the intersection. Since that time, the intersection has been redesigned and realigned and is not as conducive to manual patrol.

Tasks to be accomplished

(1) Vehicular/Pedestrian Counts:

- **Walnut Street at Milliken Street:** a pedestrian/vehicular count for those turning south down Milliken Street and those continuing to East Grand Avenue.
- **East Grand Avenue at Walnut Street:** a pedestrian/vehicular count for those coming from those traveling south on East Grand.
- **Heath Street/Train Station:** a pedestrian/vehicular count for those turning north on First Street continuing to Old Orchard Street.
- **Intersection of Old Orchard Street, East Grand, West Grand and the Town Square:** a pedestrian/vehicular count.

(2) Presentation of current of vehicular/pedestrian counts and circulation conditions/usage.

(3) Modeling of current and proposed circulation flow paths to be presented to the public in September.

Timing

This consultancy for data collection should begin July 7, 2007.

This consultancy for presentation to the public shall be completed no later than September 28, 2007.

Proposal Requirements

All proposals must include the following elements:

1. **The qualifications of personnel to be assigned to this study.**
Attach the resumes of all key personnel who may have direct, regular involvement in the project.
2. **A detailed list of the tasks proposed to complete the project.**
3. **Rates charged for any additional task(s) that may be added to the scope of the project.**
4. **A proposed timetable to complete the project.**
5. **Identification of any facilities that will be required to be provided by the Town.**
6. **Identification of any staff support that will be provided by the Town.**
7. **References from the proposer's client list including the name, telephone number of the contact person, and company association.**

8. **Examples of similar projects your firm has undertaken.**
A special emphasis shall be placed on projects similar in nature.
9. **A bid amount for all tasks proposed.**
 - Identify items to be considered reimbursable expenses.
 - The proposal may include Add Alternatives for recommended additional services.
 - The proposal must include the terms and conditions of payment.

Acceptance and Evaluation of Proposals

Maine Department of Transportation requires the town to consider three responses to this Request for Proposal. The Town Planner and Director of Public Works will enlist three firms to submit proposals.

All questions related to this Request for Proposal shall be directed, in writing, to Sandra Mowery, Town Planner. Emails are acceptable; responses will be shared with each firm that agrees to submit a proposal. Questions received after Wednesday, June 13, 2007 at 4:00 PM will not be addressed.

Responses from the Town that substantially alter this RFP will be issued in the form of a written addendum to all those that have agreed to submit a proposal.

Proposals must be received by the Town Planner, Old Orchard Beach Town Hall, 1 Portland Avenue, Old Orchard Beach, Maine 04064 by 4:00 PM on Friday, June 15, 2007

All proposals submitted shall remain open to acceptance for ten working days from their opening, Monday, June 18, 2007 at 9:00 am.

The Town Manager, the Town Planner and the Director of Public Works will review the proposals and will recommend a firm to Council at the June 19, 2007 Council meeting. The Town is not bound by the lowest cost proposal but may accept the proposal that is considered the best value for the Town

The Town of Old Orchard, Maine reserves the right to accept or reject any or all proposals or parts thereof and to further make modifications as it deems in the best interest of the Town. It also reserves the right to retain all proposals submitted and to use any ideas from a proposal regardless of whether that proposal is selected. Submission of a proposal indicates acceptance by the firm of the conditions contained within this request for proposal.

The Town will negotiate terms for a contract to complete the tasks with the top ranked proposer. If a satisfactory agreement cannot be reached, negotiations with that firm will be suspended, and negotiations opened with the second firm. The process continues until an agreement is reached, and contract is executed.

The following criteria will be used to evaluate proposals:

- **Project Understanding and Project Approach**
- **Work plan and timetable to complete the project**

- Ability to provide animated modeling for public presentation
- Ability to provide examples and experience of similar project work
- Qualifications of assigned personnel to the project
- Extent of accessibility of the Consultant to the Town
- Completeness of the submission

PACTS Consultant Selection Procedures

May 21, 2007

These procedures are based on procedures at MaineDOT.

Sole Source

PACTS will hire firms on a sole source basis for studies with budgets of \$25,000 or less. We are currently awaiting word from MaineDOT on additional conditions under which we could go sole source.

Studies with Budgets in excess of \$25,000

We will aim to streamline this process as much as possible in order to minimize the consultants' costs and our time in the selection process. For instance, our RFP's will set limits on the length of proposals to be submitted.

1. Develop cost estimate.
2. Select at least three consultant firms. The selection will be done by the municipal staff members involved, PACTS staff and others involved in the selection process.
3. Send Request for Proposal (RFP) to all firms. The proposal must consist of separate Technical and Price Proposals, and the Price Proposal must be in a sealed envelope as the selection will be based solely on the firm's qualifications. *The scoring criteria may be based on firm workload, time constraints, geographic location, experience relating to the nature of the work, experience with municipality, etc.*
4. Review and score received proposals.
5. Conduct interviews with at least three firms. Telephone interviews are acceptable up to a contract amount of \$50,000. However, face to face interviews are required for contracts in excess of \$50,000.
6. Select best qualified consultant firm.
7. Negotiate Contract (Scope, Schedule & Price)
8. If during negotiations a cost that is "fair and reasonable to the Government" cannot be arrived at, then PACTS may terminate negotiations. Negotiations then can be initiated with the next highest ranked firm/individual and the process is repeated until a firm/individual is selected or the pool of qualified firms/individuals is exhausted.

MOTION: Councilor Frenette motioned that this be removed without prejudice until all councilors are present to discuss.

CHAIRMAN KLINE: Is there a second? I will second this for discussion.

COUNCILOR FRENETTE: Councilor O'Neill is not here. I would like to take this up when all the Council is in attendance.

MOTION: Councilor Frenette asked if it could be brought forward for reconsideration since we have done this before.

CHAIRMAN KLINE: Is there a second? Call for the vote?

VOTE: Yea: Chairman Kline and Councilor Frenette
Nea: Councilors Long and Dayton

CHAIRMAN KLINE: This has failed. Any other discussion on this?

COUNCILOR FRENETTE: Is there a call for reconsideration?

CHAIRMAN KLINE: I second for discussion.

VOTE: Yea: Chairman Kline and Councilor Frenette
Nea: Councilor Long and Dayton

CHAIRMAN KLINE: This failed again so that reconsideration is dead.

JACK SARNO: This issue was discussed months ago the majority of people were not in favor of directing the traffic flow. Unless there are other reasons – I see no reason to proceed with this item. There was no desire to consider a different traffic flow.

TOWN MANAGER: We had two meetings – proposal was going to look at five options – had to do with the administration – comprehensive plan – to evaluate the pedestrian movement. One of the discussions police officer – next to East and West Grand; build an overpass – evaluated – no hard concrete data to get traffic ties ups, one work, no data to support any of ideas are floated out there. Simmer and cook a little bit longer. That is the purpose of my asking for this to be removed without prejudice. The confusion rests is that this proposal has nothing to do with creating one way street nor what is being talked about outside this room. There is a lot of misinformation out there. If this is going to be discussed it should be discussed with all members of the Council.

RICH REDMOND – 116 Ross Road – this topic has come up before in the community. I would like to see some consensus and come up with a Committee and look at the plan. The study is premature and I think the Council has the right idea to table this item.

PAULA POURAVELIS – Cascade Road – needs of the study, we need to look at the priorities of the Town, the condition of the roads and the flooding involved. We have been talking about analyzing traffic flow. No one was interested in the traffic flow. Two meetings and there was no interest. There are other priorities and when we are talking about the

traffic flow in Town – we were talking about the fence and some of the walkways to the square area. It is not vehicular traffic but controlling pedestrians. We should not be financing a new study – we need to give more assistance to our Police Department. True appreciation for the budget – that truly got me thinking about our priorities – flooding – flooding issues will affect the entire community. Infrastructure – problems – Milliken Street – Walnut Street – both of those roads are evacuation routes.

RICKIE LETEWT: First came to Town – pedestrian – no police officer – I see many nights that because of the pedestrian traffic flow traffic was backed up ½ beyond Walnut Street. I believe that something has to be done and if it needs a study, it is time to do something. It is almost the Fourth of July – we put things off and it will be next year. I see many nights that because of the pedestrian flow which is so bad at the corner of Old Orchard street it is backed up beyond Walnut Street. I think it is time to do this now.

PAUL GOLDZBEIN: I think it is not necessary at this time. The Town Manager had a good idea; go over the tracks.

BUD HARMON: Local Chamber Executive. I disagree with everything that Ricki said. I respectfully disagree and don't feel we need this – my problem is basic – we don't even have a problem. I don't see any traffic issues. I don't get what the problem is. I don't see business owners wanting this and they made that very clear at both business meetings. The last thing I want to see is people whizzing through town and not be able to see what we have in town. I went to two of these meetings and asking for our input and it was unanimous not wanting to mess with the traffic.

JACK SARNO: If you live here you know not to be here on East Grand Avenue – you may see them cruising and going up and down – out of towners – we can live with them. We can live with the out of towners for six to eight weeks.

COUNCILOR DAYTON: The citizens know more than I do. Significant concerns about using the Undesignated Fund balance. This is not a capital improvement – discrepancies – still don't know my answer. (Read from the commentary which was presented in the packet for information.) It is clear to me the business owners are not in favor of this. We were told during the last budget hearing what the undesignated fund was to be used for and I asked for some information and the Town Manager still has not provided that to me.

COUNCILOR FRENETTE: I don't think anyone here is an expert – I don't believe that there is support for this at this moment – but at some point it does need to be done.

TOWN MANAGER: They were less than 10% of the business owners in attendance. We held an Administrative Board where we talked with seven business t-shirts owners – unanimous – comment 75% - shop pornographic t-shirts. Sometimes business owners make statements – further believe – citizen pedestrian needs to be addressed – this is a study of pedestrian – does not talk about one-way streets or no vehicular traffic. It looks at four or five options. Leave it the way it is. That is all we were suggesting. This has been blown all out of proportion. I believe that if you asked the citizens if there is a pedestrian problem and it has never been studied. It does not talk about one way streets. It looks at four or five options. One of the options that might come back is leave it the way it is. I think we are blowing this thing out of proportion.

COUNCILOR FRENETTE: I did go to the business meeting and this recommendation came from a business owner. Any pedestrian knows you keep walking – it is the driver's fault.

COUNCILOR LONG: I will stay out of the t-shirt shops and stick to the question here. The Planning Department showed a slide show – the business community in unanimous with its voice and it is saying no. The second business meeting was the same. Citizens were opposed to spending a dollar. We are here to do the will of the people, We don't want the traffic flow changed now. I have encouraged a transparent and honest approach. The public has spoken. That is the end of it. The will of the people has been expressed. I am disturbed in my item agenda the bid proposals came in yesterday. I don't believe that is an open and transparent way of doing business. There is nothing new about this issue so listing it under New Business. We don't need to cover this up in a t-shirt and if the people don't want it – we don't need to tell them we are going to do. This needs to be killed. The Administration needs to have a message sent to them – it is not about educating the citizens but about listening to them.

CHAIRMAN KLINE: Interactions – studies – increase in businesses – the need for a pedestrian study. Sure there are no accidents at a particular place – then the council will take responsibility – this is professional data – shelve it – see here are some ideas – paint pedestrian lines –change the patterns. I do support this – it is brand new and I think moving this ahead will give us the data of moving pedestrian flow. I do support this. It has been discussed for several years and moving it forward will give us this information.

BUD HARMON: I consider my self to be a traffic expert. We don't need a traffic expert - - it is places like Freeport, North Conway, etc. Complaining the traffic flow. We are the most drivable and walkable community. Put a police officer in the square...there are other solutions. It is overkill for something that is only summer related. Spend our time and money on something else. I just don't get it.

COUNCILOR FRENETTE; Dana Kelley tells it is \$60,000 for a police officer; but rather this will cost us \$10,000 and I don't see how we can pass up this kind of funding when it is free money.

KEN SHUPE: I am speaking as a resident, not an employee. I am surprised the Chamber of Commerce is not in favor of a traffic count. Bud, do we have a traffic count? I am very much in favor of this – we do need a traffic study to give us statistics for new businesses. Again, I am very much in favor of this and it would be a beneficial thing for our community.

CHAIRMAN LONG: We don't need an expert – we don't need to spend money to make him happy. It is those pedestrians that are spending money. They are an economic engine.

COUNCILOR DAYTON: There is no dollar amount on this. I have heard \$54,000, \$10,000, etc. This is see three or four times. It is non sensible to spend money on something that the citizens don't want. We spent \$5,000 on the police station study and this seems to be one or two times more.

RICH REDMOND: Traffic community- police officer and citizen – patrol the situations – Kennebunkport – traffic problem – situations arise – type of things we deal with – tourist

dollar – multiply into the pedestrian – find there way to the beach – tourist community. There are some ways to getting recommends and maybe a traffic committee.

GEORGE KERR: Unfortunately the agenda item doesn't give us all the particulars. I think there are a variety of issues – attract large companies – pedestrian count – no one wants to change traffic patterns –the town has changed dramatically – railroad – barrier – chain link fence – it is – do we have the traffic we had 25 years? People have found their way to the beach for a hundred years and I think a traffic committee might be helpful in this regard. They are at the meetings and they can make recommendations and it would not cost us anything.

COUNCILOR LONG: Need to update our comprehensive plan. It is out of date – that is what we need to do. Comprehensive Plan – the community has spoken – let us leave it at that. The administrative office keeps referring to the Comprehensive Plan but it is out of date. Whether it is rezoning, or other. I rest my case that despite any merits on this scope – the proposal is about traffic flow – and the people don't want it. It is inappropriate to push aside the will of the people. Our whole packet did not have one number on the amount.

GEORGE KERR – We don't know what the scope of this is – can we look at the grant for pedestrian Study. Let us look at the scope of this plan and make it pedestrian patterns directed. Many years ago we had 6,000 motel rooms in the downtown; now we have condos. That is one of the reasons for the impact of pedestrian flow. Use this study to regulate the pedestrian flow downtown. Can we move on with the next item. It does say pedestrian.

COUNCILOR DAYTON: I appreciate Mr. Kerr's comments and I certainly appreciate Councilor Long's comments. One of the difficulties I have with this is the bids were opened and we did not have any option on the scope. The Administration did that for us and we didn't know what was happening.

RICKI LETEWT – There was a grant to beautify facades. I had facades that needed to be beautified. I took it so that what I might night have done for five years being offered the 50% I changed both garage drawers. We are offered 50% or 80% to cover it, I took it. If we are offered this grant now and it may not be available in the future, let us take it.

PAULA POURAVELIS: Am I understanding that dealing with this study, three bids have been received and opened to conduct this study and the Council has not even approved the study? Am I missing something?

COUNCILORS DAYTON AND LONG: Yes, that is correct.

TOWN MANAGER: That is not correct. The business community asked if there were funds for such a study. The PACTS provisions you cannot open the bids. You can only open the bid of the presenter that you are going to hire. We were anxious to have this done during this summer. We had a very comfortable feeling with one. We spent an hour-and-a-half with each of the three bidders. We opened only one bid which is the rules of PACTS.

PAULA POURAVELIS: I am not sure what the procedures are for if any of the fiduciarly responsibility was not followed and you spend undesignated fund money that should not be permitted.

COUNCILOR LONG: Two important points and more important issues. The Town Manager and the Planner decided to go to PACTS without our permission and the community does not want this. Whether there is merit to this or not, there were legs under it before tonight. Spending \$10,000 when the community does not want it – it is bad fiscal responsibility. So regardless what is great timing and this enthusiasm to help us when we do not want it and the Administration has to accept this whether it has merit it or not.

COUNCILOR DAYTON: I question what the Town Manager has said. It says all proposals will be opened. So what the Town Manager is saying is not accurate. I don't see how you can score when you opened one proposal.

COUNCILOR FRENETTE: The last thing she read is from PACTS. We are here to set Policy, not administer. It is the Administrator's responsibility to administer and the Council's governs.

TOWN MANAGER: It is the PACTS rules that say you open three packets (one from each of those who apply) but we only open one bid. The decision is not based on the cost but on the best proposal.

CHAIRMAN KLINE: We follow their rules not the reverse.

COUNCILOR DAYTON: Doesn't this have to be on the agenda item?

TOWN MANAGER: I asked at the beginning of the meeting for this to be removed.

COUNCILOR LONG: The Manager is not the head of the Council. If we want to discuss it that is our wish not his. The Town Manager does not tell us what to do. Business meetings orchestrated by the Administration and yet the Administration goes off to PACTS and asks for a traffic study. I understand the Manager doesn't like it but the Manager has his own vision and goes off and the Council has a right to discuss that and will continue to discuss it. Whether he thinks we have to be obedient to his wisdom.

CHAIRMAN KLINE: As the Chair I have requested that the Town Manager not bore me with the details. He is charged with the requirements to find solutions to issues and to find the money to address them. I also understand that the intent of the Manager was to have this reviewed and removed without prejudice. And as I mentioned before I asked that this be removed.

COUNCILOR FRENETTE: I made two motions and it did not pass. I do want to say one last thing. There are two councilors wanting to support this. I would like to see what the possibilities are from an outside objective person; some of our options. This is not going anywhere. We have all talked.

LINDA JENKINS: The question, Mr. Manager, you said the July 4th weekend or it going to cover the whole summer.

TOWN MANAGER: It would have been perhaps 90 days. It was a thorough study and made no recommendations. It is not easy to get money from PACTS. I understand transparency every day.

LINDA JENKINS: If traffic flow was spoken by 50 business owners then they are the ones that came to the meeting. I think we may need a traffic study. I understand grabbing the money why it is there – maybe we need to start in baby steps. We do studies and studies and studies and then we file them away.

COUNCILOR LONG: The Administration mentioned that it is important to move this quickly but the proposal says July 7th – that is after the 4th of July – July 4th weekend.

CHAIRMAN KLINE: There is no relevance in there.

COUNCILOR FRENETTE: If we are ever going to get a study for something over the tracks we are going to have to pay for it ourselves because we pass up free money.

GEORGE KERR: Can we remove this without prejudice. Then Council studies it and then tells the Town Manager what their wishes will be. Do we need to have data so that national companies will come into this community? The Chamber does not have the information; the State does not have the information. You are our leaders, just lead.

BUD HARMON: I agree with Mr. Shupe that we need a traffic count. But I think this is much more than that and I think we could do this ourselves; have eight to ten people counting money. I bet I could be as accurate as they would be. I would love to have a traffic count. I don't believe this is the way to go.

PAUL GOLDZBEING: Please enough is enough. Let us do something.

COUNCILOR LONG: Governance is clumsy but that is the way the founding fathers decided we would go. I think this was healthy. They were critical questions that came up the way this was handled. I think we do a good service while airing this. I would motion to remove this without prejudice.

COUNCILOR FRENETTE: We can't do this. We can table it.

MOTION: Councilor Long motioned and Chairman Kline seconded to Table this Item to the July 17, 2007 meeting.

VOTE: Unanimous.

2069 Discussion with Action: Accept the bid from Reynolds Motorsports for two (2) 2007 Yamaha Rhino 450 Utility Vehicles with no additional accessories in the amount of \$15,214 from the FY 2008 Capital Expenditures with a balance of \$20,000.

CHIEF DANA KELLEY: Bids were received from the following:

Shaw's Ridge Equipment Company
8 Shaw's Ridge Road
Sanford, ME 04073
\$16,340.00

Reynolds Motorsports
Route 202
Gorham, ME 04038
\$15,214

Abbott's
154 Main Street
E. Waterboro, ME 04030
Ranger 4x4 500 EF1 Trail 4x4 06 UV
\$8,610.00 \$7,399.68

MOTION: Councilor Long motioned and Councilor Frenette seconded to Accept the bid from Reynolds Motorsports for two (2) 2007 Yamaha Rhino 450 Utility Vehicles with no additional accessories in the amount of \$15,214 from the FY 2008 Capital Expenditures with a balance of \$20,000.

VOTE: Unanimous.

2070 Discussion with Action: Accept the bid from New England Police Vehicle Leasing Corp, for one (1) 2007 FLHP Harley Davidson Police Motorcycle in the amount of \$14,100 from the FY 2008 Capital Expenditures with a balance of \$14,100.

CHIEF KELLEY: Bids were received from the following:

New England Police Vehicle Leasing Corp.
17 Lafayette Road (US Route 1)
North Hampton, NH 03862
\$14,100

Big Moose Harley-Davidson/Buell
376 Riverside Street
Portland, Maine 04103
\$14,924 plus Doc & Title = \$15,147

MOTION: Councilor Long motioned and Councilor Frenette seconded to Accept the bid from New England Police Vehicle Leasing Corp, for one (1) 2007 FLHP Harley Davidson Police Motorcycle in the amount of \$14,100 from the FY 2008 Capital Expenditures with a balance of \$14,100."

VOTE: Unanimous.

GOOD AND WELFARE

PAUL GOLDZBEING: I want to thank the Council for the donation of money for the Fireworks. I also would like to know if you got my letter?

LOUISE REID: I am here as an employee of the Town. I have been for several months very discouraged and concerned with the demoralization of staff by certain members of Council. I do not believe this has been productive. We may not do everything right but we do our best and most of the employees are productive and supportive of the citizens. I am disappointed that perhaps citizens are not more responsive to the work publicly. We certainly take enough negativity and I want to go on record and say their needs to be some discussion. Something about the commentary is mentioned every week. There is a simple solution. If someone feels they can do it better, there is a simple solution. Thank you.

JACK SARNO: What I am concerned about is the mixed messages being sent about Dispatch. We had a workshop on dispatch and it turned into a public safety building discussion. You had a budget hearing and you approved the dispatch budget and also gave money for new equipment. You then had another meeting and you took the money. Where do you stand on dispatch. Is it going to stay or go? I hear one thing one day and another day something different. If we are keeping dispatch and the equipment goes down a month from now and that piece or part is not available, how do we help those who are looking for help? I feel very strongly that I am confused and I believe other citizens are confused as well. We need it one way or the other. I would like some clarification by hand signals or written form.

BUD HARMON: What more information will we have before July 17th if you are looking for the business community to reevaluate their position? Fifty people and 32 surveys I think you got a good feel for where we stand. Do I just go back, do I have a lot of answers.

CHAIRMAN KLINE: Coordinate something with the Town Manager. We cannot alter the way the Agenda items reads. I can't promise you a lot.

COUNCILOR FRENETTE: We have missed the time frame anyway.

RICH REDMOND: I would like to know where the Noise Ordinance has gone. We have worked very hard on this and here we are four years later and we still do not have the Noise Ordinance. I would like to thank the Town for permitting us to use the sub station and it serves those Town citizens well.

COUNCILOR LONG: I think the Council has many times expressed to the employees our appreciation to them and to those who serve on Committees but that does not have any basis on our expressing our opinion. It is not hurtful; it is helpful.

COUNCILOR FRENNETE: I know that I offended someone by answering my cell phone. I have served the citizens of this community for five years but I am a mother first and my daughter needed me. I just sent my son off to Iraq for a year so I have had a lot on my mind but I do apologize if it appeared that I was not taking my responsibilities to heart.

MOTION: Councilor Frenette motioned and Councilor Dayton seconded to adjourn the meeting at 9:15 p.m.

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 twenty-three (23) pages is a true copy of the original Minutes of the Town Council Meeting of June 19, 2007.

V. Louise Reid