

**TOWN OF OLD ORCHARD BEACH
TOWN COUNCIL MEETING
TUESDAY, SEPTEMBER 16, 2008 – 7:00 P.M.
TOWN HALL CHAMBERS**

A Town Council meeting of the Old Orchard Beach Town Council was held on Tuesday, September 16, 2008 in the Town Hall Chamber. The Chairman opened the meeting at 7:02 p.m.

Pledge to the Flag and Roll Call:

Present were:

**Chairman James Long
Councilor Roxanne Frenette
Councilor Shawn O'Neill
Councilor Robin Dayton
Councilor Sharri MacDonald
Town Manager Stephen Gunty
Assistant Town Manager V. Louise Reid**

MOTION: Councilor MacDonald motioned and Councilor Frenette seconded to add an Emergency Agenda Item pursuant to the Town Charter, Section 1004, and add it under new Business, Item Number 5060 – Discussion with Action: Approve the purchase of a rotating assembly for the West Grand Pump Station from Hayes Pump in the amount of \$12,513.89, from Account Number 20204-50846 – Waste Water – Capital, with a balance of \$86,000.

VOTE: Unanimous.

ACKNOWLEDGEMENTS:

COUNCILOR FRENETTE: Our thanks to the Rock Church of South Portland and to Seth and Sue Davis who organized the Barbeque in honor of our Fire, Emergency, Police, Dispatch and Lifeguards for the service they provide to our community. The petting zoo and face painting for children was a huge success and the competition in the throwing of a baseball was an interesting event – they sure gave Chief Glass a hard time – you know what I mean – he is over the age of 50? The Town of Old Orchard recently completed its 6th season of weekly shoreline water testing in conjunction with the State of Maine Healthy Beaches Quality Assurance Program. Water samples were collected each week by volunteers and tested for bacteria which might affect the health of our beach patrons. We would like to thank Chief John Glass and our volunteers, Laura Palkovic, Tom Beyer, Pat Kelly and Joyce Kelly for their dedication to the citizens of Old Orchard Beach.

VICE CHAIRMAN SHAWN O'NEILL: A letter was received from Senator Barry Hobbins to our lifeguards praising them for their life saving measures this past summer in light of some very scary experiences. We also thank them as well as the summer recruits and express our appreciation and express our appreciation to Chief Kelley and Chief Glass and their staff for a successful summer program. In addition the Chamber of Commerce will be conducting Candidates Night on Wednesday October 15th here in the Town Hall Chamber and we know you will want to be present for that event as well. Time will be noted on our Channel 3.

COUNCILOR MACDONALD: We invite all citizens to a special town council meeting on Tuesday, September 23 at 7:00 p.m. and again to watch on Channel 3 during which time the Regional School Unit (RSU) will give a presentation to answer questions people have on the plan to consolidate our schools which will be on the November ballot as a referendum question.

COUNCILOR DAYTON: We thank all those who participated in the Chamber of Commerce's Car Show this past weekend and our thanks to all the volunteers including Chief Glass, Joanne Lapointe and Kim McLaughlin. This is a great community event which brings many people to our community.

CHAIRMAN LONG: We want to acknowledge \$20 million dollar recovery of State funds by our State Treasurer, Dave Lemoine, and thank him for his diligence in the recovery of these funds for the citizens of the State of Maine.

ACCEPTANCE OF MINUTES: Special Town Council Meeting of August 18, 2008;
and Town Council Minutes of August 19, 2008.

MOTION: Councilor Frenette motioned and Councilor O'Neill seconded to remove without prejudice the Special Town Council Meeting Minutes of August 18, 2008 as it was a cancelled meeting.

VOTE: Unanimous.

MOTION: Councilor Dayton motioned and Councilor Frenette seconded to approve the Town Council Meeting Minutes of August 19, 2008.

VOTE: Unanimous.

PUBLIC HEARING: Shall We Consider an Application for the 2009 Community Enterprise Community Development Block Grant of \$150,000 for Exterior Business Façade Improvements and Public Streetscape Enhancements?

CHAIRMAN LONG: I open this Public Hearing at 7:05 p.m.

It should be noted that the following individuals publicly appeared at this meeting in support of the Community Enterprise Community Development Block Grant:

1. Don Comoletti, DRC Chair
2. Win Winch, Planning Board Chair
3. Michael Tousignant, resident

4. **Chris White**, Wastewater Director
5. **Gary Curtis**, member of 125th OOB anniversary committee
6. **Phil Denison**, ZBA Chair
7. **Sheila Gillan**, owner of Beachside Variety
8. **Ron Boutet**, Dunegrass
9. **Gary Lamb**, Town Planner
10. **Ken Lafayette**, Owner of The Waves
11. **Mike Longtin**, Owner of The Waves
12. **John Martinez**, resident
13. **Gina Presterone**, Owner of Mr. Goodbar
14. **Jack Sarno**, resident
15. **Jeff Blue**, Representative from St. Tropez/Olympia Corp.
16. **Ray Deleo**, DRC & ZBA member
17. **Bob Quinn**, Planning Board member
18. **Guy Loranger**, owner of Beach Bagel
19. **Brigitte Menard**, Chamber of Commerce
20. **Ivan Most**, Planning Board member
21. **Andrea Berlin**, Conservation Commission Chair
22. **Jessica Wagner**, Assistant Town Planner

Assistant Town Planner Jessica Wagner made the following presentation:

The CDBG (Community Development Block Grant) is Federal money transferred from HUD (Department of Housing and Urban Development) to the State Office of Community Development and distributed to communities throughout Maine. The money distributed through CDBG is required to assist low to moderate income individuals, eliminate slum and blight conditions across the State or assist in community development needs having a particular urgency. Community Enterprise Grant Program is one of the grants offered through CDBG. This particular program provides grant funds to assist in innovative solutions to problems faced by small businesses... and it is designed to promote business façade renovations and make streetscape improvements in downtown and gateway areas. Old Orchard Beach received money through this program in 2005. We received \$125,000 that was distributed to businesses for façade improvements. This first CDBG grant really set a spark in Old Orchard Beach's downtown revitalization movement, and I'm hoping we will continue this momentum with a 2009 grant.

BLIGHT

Old Orchard Beach is able to access this grant money because of our declared downtown Blight Area and through the properties across town that can be declared as Spot Blight. To explain a bit further: The current Blight Area was declared by Council in June of 2005. This area is identified as Old Orchard St bordered by: East and West Grand, Portland Ave, Saco Ave, Imperial Streets and Staples Street. PLEASE SEE OUTLINE ON THE MAP included in your handouts. This Blight Declaration is good for 10 years, so we are able to use this declared area in our '09 application. Within this area, we can use CDBG money for public streetscape improvements and façade improvements. HOWEVER, I want to emphasize that we are not limited to improvements in this restricted area. Any business that is not located in this area and wishes to use CDBG money for a façade improvement may access the grant money by the Code Enforcement Officer declaring the business location as 'Spot Blight'. This would simply involve submitting a photo of the property and describing its deteriorating conditions. Once a property is declared as spot blight, its owner would be eligible to receive these funds.

PROJECT FUNDING

Each eligible business/property may receive up to \$25,000 to cover 50% of each façade improvement project. The funds will continue to be distributed until the \$150,000 worth of funding runs out. The great thing about the 50/50 match is that \$150,000 worth of funding will actually spur \$300,000 worth of improvements in the community.

PROCESS

The Application will be submitted by February 20, 2009. The communities awarded this the Community Enterprise Grant will be announced in early April 2009. If OOB is selected for funding, all interested business and property owners may submit their façade renovation proposals and project cost estimates to the CDBG Committee (this will happen in April and May). This Committee will be made up of volunteer citizens and established before the submission of this grant application. Each application will be ranked based on Selection Criteria that will be established by the committee prior to the grant application submission. While individual business owners are putting together their proposals, the Town will be completing Phase 2 of the application process, which will involve holding a second public hearing, completing a mandatory Environmental Review for the project areas, and finalizing all the necessary paper work. I hope to have everything completed and funds ready to be distributed by July 2009. Most improvement projects utilizing this funding would take place in the fall 2009.

This is a great opportunity for Old Orchard Beach. Downtown revitalization has proven itself to be contagious in this community. Façade improvements completed with 2005 CDBG grant inspired other business owners in the area to improve their buildings.... and I know if this 2009 grant is received, it will not only improve the buildings it assists directly... It will also encourage other businesses and property owners to follow in the same footsteps of revitalization and improvement.

THE FOLLOWING CITIZENS/BUSINESS OWNERS SPOKE IN SUPPORT OF THIS GRANT:

WINN WINCH

Chairman of the Planning Board

I fully support this process and recognize the work that has been done in fulfilling the requirements of applying for these funds. I compliment the staff and lend my support as Chairman of the Planning Board in moving this forward.

BOB QUINN

Member of the Planning Board

I have often thought the most important thing in a program are the people that are involved but I see more involvement by the people who visited our community and we can all take pride in what we are seeing.

RON BOUTET

Owner of Dunegrass golf course and banquet center

The Ocean Side location of Old Orchard Beach, just 13 miles from Portland, 12 miles from The Portland jetport and having an Amtrak Station downtown provides us with the foundation to become the premier vacation spot North of Boston. For years, the Town have been attempting to attract more shoulder season business. We, as the Developers of the Dunegrass Golf and

Banquet Center, know how important it is for us to maintain and upgrade our facility in order to increase our customer base. A healthy and attractive downtown benefits us at Dunegrass as it does everyone in Old Orchard Beach. As our streetscapes and businesses improve, we become more prideful and more economically prosperous as a community. The Town has made great progress in improving our downtown in recent years and we at Dunegrass would like to see this progress continue as we move forward. In 2005 the Town received \$125,000 to improve business storefronts. This money was well spent helping to improve storefronts like those at Mike Dickinson's building and the entrance to the Pier. It is imperative that we all support the Town of Old Orchard Beach's application to receive a 2009 Community Enterprise grant. I have faith that this money will be well spent. There are still several businesses in the town that require facade renovations, and as each storefront improves, it inspires other businesses in the area to follow in the same footsteps. Grants such as this are a great motivator, and it makes the revitalization of Old Orchard Beach possible. I am in full support of this grant application and I know that if it is received, these funds will be used effectively and efficiently.

RAY DELEO

Design Review Committee member and ZBA Chair

It has been a successful endeavor before and I lend my full support to the grant and encouragement to those who can use such a grant in the betterment of their business and our community.

KEN LAFAYETTE

Owner of The Waves Motel, 87 West Grand Ave.

I am very proud of our community and the more that we can do to add to the façade of our Businesses and to help our community recognize the beauty that we have all around us is important. As a business owner, the beautification and revitalization of Old Orchard Beach has so many benefits. This is a great program, and I think we would use this money well and all benefit from façade and streetscape improvements. Old Orchard Beach is truly an undiscovered gem, and grant like this will help us bring our community to its full potential. As a motel owner, when directing tourists about how to get to downtown Old Orchard Beach, I have to use "go left at the 7-11" as the major landmark/direction point. I think we are so much better than that. This money could be used to improve our gateway into town. Perhaps new signage welcoming and directing people into Old Orchard Beach could be installed at the rotary as people are leaving Interstate 195. We all need be involved and support this grant in order to make this happen!

IVAN MOST

Planning Board member & Member of the Library Renovation Committee

The public library is planning to undergo major renovations in the near future. This grant would be a good companion piece to the upgrade of the library in evaluating for its facility on Staples Street.

**THE FOLLOWING WRITTEN SUBMISSIONS FROM CITIZENS/BUSINESS OWNERS
WERE READ AND ACCEPTED INTO THE MINUTES:**

FRED GOLDER

Owner of Palace Playland, 1 Old Orchard Street.

I am very interested in participating in this grant if it is received, and I am excited to learn more about it. The receipt of grants to enhance the business facades benefits everyone. I fully endorse the proposal.

SAM AND HAROLD HARRISBURG

Harold's, 13 East Grand Ave.

We are looking to enhance our building here to make it look real nice on the front. We'd like to redo all the siding and change all the signs on the building to spruce it up and to make it more attractive. Please keep us posted for when the grant money is received. We like to spend roughly over 50,000 in renovations at 13 East Grand Ave.

ESTHER CHEBEHAR

Owner of 23 Old Orchard Street

She states that she would love to participate in this grant. 23 Old Orchard Street, housing the business Beach Paradise is in great need of a façade renovation. She would like to completely revamp the façade, with new windows, siding and awnings. She says this is very important for this property, and she is willing match the funds to utilize this grant money.

KEN MACAULEY, Planning Board member

The improvements in the appearance of our main street have to date been impressive. I think one avenue we might pursue is the attachment of flower baskets which could hang from the poles of existing street lights. Also, the addition of raised flower beds in front of storefronts can also add some nice color. Best of luck in your efforts!

BEN AMNON

Business owner at 23 Old Orchard St, 25 Old Orchard St, and 32 East Grand Ave.

I would like to participate in this grant. I will be speaking with the property owners for my three businesses in town about develop proposals for each of these buildings. I know that I would like to add an awning at 25 Old Orchard Street.

PAUL ROUSSEAU

Crest Motel, 35 East Grand Ave

I received funds in the last CDBG program and used the funds to save the Crest Motel neon sign, a landmark in town for over 45 years. The program is a great incentive to add "curb appeal" to existing properties. I have seen great improvements to individual store fronts and believe another \$300,000 of improvements would be beneficial to both the year round community and our summer guests.

I would apply for matching funds in the next round to replace the aging carport of my property as well as add new side the building. With the building boom over (for now) and the tightening financial markets, I believe the CDBG program would keep OOB headed in the right direction.

In relation to other buildings, I would like to see improvements to the rest of the pier.

ANNEMARIE SERRECCHIA

Owner and 19 and 17 East Grand Ave

In 2005, I received funding through the CDBG grant program. I used the money to have the building at 19 East Grand scrapped and painted. In doing so, I was able to beautify my property – benefiting not only me, but my tenants and the Town.

I hope that Old Orchard Beach will be able to be a part of a new grant 2009 process. This program is extremely helpful to people who need to have work done on their property. It is beneficial for the contractors and workers, to the beautification of our streets, to the residents of Old Orchard and to the overall spirit of the town itself.

PAUL R. MCCLELLAN

Friendly Market, 31 Washington Ave.

I would like to see improvements made in other areas of town as opposed to focusing on the downtown. The downtown area is only open and used from May to August. The downtown area has experienced a number of streetscape improvements in recent years. I feel that it is time to take care of the other "blight" in town. If downtown is considered blight what is Washington Ave. considered?

If I could improve my facade it would include fixing a drainage problem. When it rains, water flows in front of the steps leading in to the store. The customers have to walk through a river of water to enter my businesses. Perhaps a type of barrier could be worked into the landscape to deflect the water.

The streetscape on Washington Ave should be an improvement of the sidewalks. Currently, people have to walk in the road to be safe. They are broken apart and not level. I feel that if the sidewalks were fixed that the neighbors would feel more pride in the community and improve their properties and help keep the streets clean.

JOHN BERGERON

Owner of the Whitehall Inc. and Bills Pizza at 12-14 Old Orchard Street

I would love to submit an application to redo the metal siding and put in new windows and Victorian shakes to blend in with the grand Victorian. This would dress up the downtown a lot! This project would likely cost between \$50,000 to \$75,000 to do it right.

MIKE DICKINSON

Owner of 42-46 Old Orchard Street, Owner of Dickinson's Candy and Dolche Crème Café

One year prior to the dream of a façade grant becoming a reality in Old Orchard Beach, I attended a meeting in Lewiston-Auburn about downtown revitalization. I did not expect anything discussed at this meeting to become a reality, until Caroline Roldan, our previous planning assistant applied for and received the 2005 CDBG Façade Grant.

I received \$25,000 to improve the front of Dickinson and Toth Property. I removed a run down bar and put in three beautiful store fronts with a Victorian touch. The grant allowed new siding and a new brick sidewalk, planters with fresh flowers, awnings, lights and signage. It was so easy to work with the Town.

Thanks to this amazing grant, Old Orchard has started to shift away from the reputation of being an eye sore of slum and blight... and we need a lot more help to bring Old Orchard Beach

to the next level. Now that business owners have seen the results of the past grant, more of them are on board and are willing to transform their properties. However, they will not be able to do it without funding. They can not do it on their own. It would be a shame to lose the momentum of what is becoming of beautiful downtown Old Orchard Beach. I am in full support of this grant and would love to see others be granted with the same opportunity I had.

ROB LANGLOIS

Property Owner and Business Owner at 8 West Grand Ave.

I am a new commercial retail property owner in Old Orchard Beach and we are pleased with our first year results operating the new Big Licks homemade ice cream shop at 8 West Grand Avenue.

When looking for a commercial investment property and a property to provide the retail frontage I was looking for, my first choice was to be in downtown Old Orchard Beach. In my research, it seemed to be the perfect place for a retail ice cream shop and I can only hope that it will prove to be a wise investment choice as well. When I looked at downtown Old Orchard Beach, I was encouraged by the many recent facade upgrades. There are several property owners on Old Orchard Street that have made significant improvements to their building facades. Dickenson's Candy is one that comes to mind. The Pier also made recent improvements to the front entrance and the Grand Victorian was a beautiful new addition. These improvements are contributing to a more up-scale seasonal and perhaps year-round atmosphere in downtown Old Orchard Beach.

I will tell you candidly that we have spent well into the six figures on our interior building improvements that included steel support beams required to bring the building up to code. It is absolutely our desire and intent to make significant improvements to the exterior of 8 West Grand Avenue in 2009/2010. Those improvements will include new siding, new signage, new roofing, a new 2nd floor deck wall facing West Grand Ave. along with new deck planks and a series of new sliding glass deck doors also facing West Grand Ave. Without CDBG money, I will only be able to do the most urgent of improvements which would be a new roof. As a business owner and property owner, I know it's in my best interest to have my property looking its best. That will not only encourage more summer visitors to come in and patronize us but it will also increase our marketing appeal to other prospective tenants looking at our commercial / retail tenant space.

Mr. Langlois continues to state that he would also like to see this money spent on public downtown improvements. His ideas include the addition of Train Traffic Gate to be installed at Staples Street Extension located to the rear and beside 8 West Grand, as well as a Locator Map Board (much like you see inside the Maine Mall) to be located at the bottom of Old Orchard Street right in the square. This would give tourists an opportunity to see a visual map of all downtown businesses by type, by name and on what street they are located. If the Town of Old Orchard Beach is serious about its desire to be a more year-round tourist and local destination, I think these improvements must be considered.

RICKI LETOWT

Ricki's Place, 69 East Grand Avenue

I received a CDBG grant a couple of years ago and would like to participate in this program again. I have commercial space on Washington Avenue that I am interested in renovating. With regards to streetscape enhancements, this money would be well spent on new sidewalks on Washington Ave if this area is included in the grant.

EILEEN MCNALLY
Edith Belle Libby Memorial Library

Great improvements have been made to our downtown area in recent years. Residents and tourists alike have commented often about how much more attractive our Town is because of them - let's keep the ball rolling by supporting this grant which will help continue the good work that has already had so much positive impact. Because Old Orchard Street looks less like an abandoned ghost town in the off-season, more businesses every year are staying open for an extended portion of the year or even all year. Fewer boarded up buildings makes the main street even more attractive to residents as well as visitors. If those improvements could be extended further the possibility of a true year round town center would be even greater.

SUZANNE D. MAKOGÉ

Will this grant just for improving the immediate downtown area or does it extend to the surrounding neighborhoods? Regardless of how nice you make the downtown area, tourists and others see the rest of town as they travel through to the downtown. She suggests using grant money to improve the sidewalks and provide clean bathrooms. We should also get rid of the telephone poles and put those underground from the Halfway Rotary to the downtown area. The beach and the streets and sidewalks have been very dirty in recent summers. Perhaps this grant money would assist in keeping these clean.

GARY CURTIS

A Dunegrass resident and member of the OOB 125th Anniversary Committee

Thank you so much for the opportunity to weigh in with my support of the Town's plans to apply for additional grant monies to follow-up on the CDBG grant of 2005.

While many improvements to the "curb appeal" in Old Orchard Beach have been made, a number of others remain to be considered. The businesses that took advantage of the last round of available monies have made a very real contribution to the livability of our town. Storefronts have become more inviting and functional.

I hope that with additional funds available, more thought will be given to "winterizing" the business district so that seasonal business facilities do not detract from the ambiance of a thriving downtown. I hope, also, that opportunities to apply for these grants will energize the "gateway businesses" to improve their facades and client amenities.

As many others, I look forward to the day that the utilities will be underground on Old Orchard Street. The town's parks, while vibrant with volunteer help and vision, would also be a good place for improvement. The gazebo in Memorial park should be painted, and perhaps a runway outer stage could be made available.

I will be following the efforts of the Town of Old Orchard Beach in seeking out these additional grant monies.

MISSY SHUPE

44 Old Orchard Street, Owner of Board Silly

Board Silly Puzzles and Games is located in the Dickinson building at the top of the hill at 44 Old Orchard Street. Four years ago, Mike Dickinson had the vision and determination to revitalize a decrepit old building into one of the town's nicest venues using funds from the CDBG grant awarded to the town of Old Orchard Beach in 2005.

An otherwise blighted building, as depicted in some of the photos, benefited by the grant as it was transformed from an eyesore into a center of family activity and gathering place on warm summer nights, and a place of year round thriving business for residents of Old Orchard Beach.

Many visitors comment on how nice it is to have an alternative to leaving their hometown to shop and to purchase quality gifts and products for their families and friends. Customers visiting our shop more often than not, comment on the curbside changes that have taken place in a town they have been living in or visiting for years if not decades. They are astonished that it was possible to make such a difference in a blighted building.

It is wonderful to hear the compliments of overwhelming appreciation for what Mike Dickinson has accomplished with the help of the 2005 CDBG grant. These comments are often followed by the expression of hope that the change will continue in other areas of town.

COUNCILOR DAYTON: I fully support this grant and compliment Jessica Wagner on her work and thank everyone for coming.

COUNCILOR O'NEILL: There are many business owners here and the letters that we have received are important because it shows that our community is behind this grant.

COUNCILOR FRENETTE: I want to express our thanks to Jessica for the work that she has done in putting the material together to support this grant and also the support that she has received from those in the community who support this as well.

CHAIRMAN LONG: I close this Public Hearing at 7:24 p.m.

CHAIRMAN LONG: I open this Public Hearing at 7:25 p.m.

PUBLIC HEARING: Shall We Consider the Adoption of one of four type Sewer User Fees including the Tax Basis - Ad Valorem, the Water Use Base, the Equivalent User Base System (EDU), or a Hybrid System, effective July 1, 2009?

BACKGROUND: A presentation was given at a recent Workshop by Victors S. Krea, P.E., and Roger G. Bedard, P.E. of Wright-Pierce Engineering and the Waste Water Superintendent, Chris White.

A. Tax Base (and Valorem)

Advantages:

- current system
- simple to administer
 - no separate billing
 - no additional collection costs

Disadvantages:

- considered inequitable (payment is related to property value, not actual usage.
- may disqualify the Town for State/Federal grants.
- does not promote water conservation based on usage.
- all tax payers fund future sewer system improvements, not just users.

Estimated Expenses:

Estimated Expenses which could be covered by user charges included:

FY 2009	
Wastewater facility pump stations	\$ 1,150,000
Collection System	400,000
Existing Debt	0
Future CIP Debt	200,000
System Administration Costs	<u>100,000</u>
	\$ 1,850,000

What Do Other Communities Charge?

	<u>Method</u>	<u>Average Resident Bill</u>	<u>What is Covered?</u>
Saco	Water Use	\$ 288	O&M, bond, administration
OOB	Tax Base	312	O&M, bond, administration
Kennebunkport	EDU	360	O&M & 40% of bond
Biddeford	Water Use	395	O&M, bond, administration
Wells	EDU, water use	480	O&M, bond, administration
Portland	Water Use	509	O&M, bond, administration

All but six Maine communities currently have sewer user charge systems. (Data from 2006)

	Estimate Use GPD	Estimated Charge \$/year	Estimated Taxes to Sewer Budget
Average Home	270	\$ 320	\$ 310
Church (100 seats)	400	470	0
Convenience Store (2 restrooms)	800	950	510
Gas Station (2 sets of pumps)	800	950	510
School (100 students)	900	1,070	0
Hotel/Motel (25 rooms)	2,500	2,960	1,420
Restaurant/Bar/Lounge (100 seats)	3,000	3,540	290
Campground (100 sites)	6,000	7,220	1,250
Laundromat (10 machines)	6,000	7,110	400
Mobile Home Park (100 sites)	12,500	14,810	6,000

Next Steps?

- **Select Methodology.**
- **Set budget items for rate setting.**
- **Establish rates.**
- **Enact ordinance.**
- **Implement charges.**

CHAIRMAN LONG: The West Grand PS contains two (2) 40 HP and one (1) 120 HP pump(s). As of Sunday, one of the 40's is inoperative will need about 13K in parts and labor to repair. As you know, this station is in the initial stages of an upgrade and determining the future size of these pumps is 2-4 months away. Changing and resizing the whole pump will be at least double the repair costs and it still may not fit the criteria in final design. Unfortunately, this needed repair is too far ahead of the design stage for the West Grand pump station project....so while it will serve the Town as an insurance policy of sorts through the rainy Spring, these pumps will likely not be useful in the new system design, nor can we purchase a new one at this point with any certainty that it would be sized and specified appropriately. Chris also tells me that the pumps will likely have no re-use or marketable value as a pump other than scrap salvage value upon their removal.

JOHN BIRD: I wonder about the estimated charges – It says the seasonal operators would pay less. Are all these for a 365 day? So a gas station or motel would not necessarily pay near that amount? The water base system is based entirely on the use of water. Is it about \$1.10 a day for 365 days? I am a little confused about some of these systems but I believe we have an oversized waste water system to handle the tourist trade. Do any of these system accommodate that it is an overlarge system because of the summer months? Would that mean that users of the system should pay a base rate because of that additional capacity? Is there has to be a fair way to handle paying for what one uses? If someone is here two months out of the year – water usage is 1/6 of the usual usage but the capacity is the same, correct?

CHAIRMAN LONG: We know that we spend 2 million dollars a year to operate our waste water plant. We know that our system is in need of capital investment. Report says we need over \$45 million for our pump stations; early estimate 5 million within the plant facility itself. Even the agenda item on tonight as an emergency item speaks profoundly of the sensitivity and need for immediately improvements. We cannot risk the system going down and we cannot put the system in jeopardy. The question before the citizens is that we need to raise a lot of money over the next few years and we still have infiltration into the system through the storm water system. We have to make those repairs. The question that the Council has to decide is how much money will we spend each year on the system and who is going to pay for it? We can't always plan on getting grants even though we have had good success but there is not a lot of money around at this point. Do we wait for a catastrophic failure and then have to spend a lot of money in a hurry or to we approach the problem in a systematic manner? It is no different than someone has a 20 year old roof on their house and it has been there for 30 years and hopes that it will not rain. How are we going to pay and assemble the dollars on an annual basis to cover the needs of repair? The voters did vote a bond issue – that is just a start. The safety valve here is that our Charter requires an expenditure over a half a million dollars needs to go to the voters in referendum so there are a lot of checks and balances. How are we going to do this? We are all going to pay and it has to be fair. Our system is built to accommodate peak season and there is not reasonable discount for the off season. We can't shut down parts of the plant in the off season so there is very little savings and the system runs all the time. We have about 350 homes that do not have sewers and yet they are paying the fee. Is that fair? We are asking for an important decision that is going to affect our community in the coming years. It is better to do it with a plan than to have to handle it in an emergency.

COUNCILOR FRENETTE: I don't have sewer where I live and I probably never will. My heart burn is not with paying the amount but it is that there is no possibility for me to have sewer. That is why I support a sewer fee. One of the other things that have bothered other people is that it is tax deductible. It is a business expense; it will only be taken away from the home owners not the business.

COUNCILOR MACDONALD: I support the EDU form. I want this to be allocated specifically to sewer repairs and upgrades. The businesses will know each year the amount and it will be a fixed cost. Flat rate system you will know what you are going to pay each year. This is a budgeted item and people can plan for this and I believe this is a good first start and if it doesn't work we can go back to the water system.

VICE CHAIRMAN O'NEILL: It is not a question and answer period. The workshop was not even televised which is a shame that our citizens did not have a chance to see the workshop. If Council doesn't plan to spend the money on the sewer and wastewater system, then shame on us. There are some facts that were presented tonight and it is not fair to present them tonight without more facts being presented. I don't believe the Council has consensus on this. There are many facts that need to come out and we need more information.

COUNCILOR LONG: This is premature but the presentation is what we heard the other night. No new facts before us, however I believe it serves the public to hear people's opinions on this.

RON BOUTET: I have some basic questions that need to be answered and I think this is an information session. I do have some questions. I don't believe that this decision needs to be decided by the Council. When you turn over a sewer user fee over to another administration district, is it the same so the citizens fall under a sewer user facility. My attitude is if it is adopted can we later get rid of it; and no one has mentioned how many homes are on the sewer system. I can get you all my questions but the two key questions are can we rescind what we choose; and how many people are on it at the present time. I am concerned that a sewage district will have to be formed to administer, collect and control the use of collected funds and do we have to have a district in order to apply for grants. The questions has been raised also if we can vote to do away with the district once it has been formed? Do we know how many residential units are on septic tanks and how many single family, condo's, or multifamily units are on sewer. Something else that I think needs to be considered is about Poland Springs dumping water into our sewage system.

WIN WINCH: I do not know that other communities have a Board or District but that is how it is administered and I think that if you get into one of those systems you can't back out.

PHIL DENISON: The \$200,000 Poland Springs that we receive, is that going into the general fund; but if we adopt a fee would that go into the sewer fund? My experience was using the EDU system but at the time we had little commercial but we felt this system was the fairest.

CHAIRMAN LONG: A new contract with Poland Springs is up in March and I hope that we will be able to get more money. We are not talking about a Sewer District. We are talking about a sewer fee that will be governed by ordinance and anything created by ordinance can be changed. If it is not working the way we want it to work, we can change it.

JOHN MARTINEZ: As a resident I would look at the costs and it appears that the average home is not affected; the ones that appear to be the most affected would be the schools, the churches and mobile home parks. So I would say rather than doing a complete overhaul, we know that we need work done, it seems to me that an increase is necessary is necessary, but I think it needs to be equitably divided among business and residents. It is a town issue and we all need to share in it.

BRIDGITTE MENARD: I believe the fairest way is usage but I have a question and that is whatever system we vote on, does that mean what is on my tax bill would come out?

VICE CHAIRMAN O'NEILL: I believe it is too soon to decide if that would lower or increase our taxes.

COUNCILOR FRENETTE: We agreed that we would not double dip and it is true that businesses will be able to take it as a tax write off but citizens would not. I would lean to the usage system but we do need more information and we do need to know how much each group would be charged. If you want to conserve and save money, then you use less usage and it is in control. I would like to see us purchase that information.

RON BOUTET: If we are going to charge the school system, doesn't that come back to us anyway? The school budget comes back to the Town so is that going to be a savings. It would have to come from the citizens.

RAY DELEO: No matter which way we decide to go, is it going to be fixed every year?

CHAIRMAN LONG: If the plant needed additional fees that would be reflected in the rates. When we passed the budget, it was \$1.8 million dollars to run the plant. It will be raised by what ever formula determined.

RAY DELEO: It really means that we will not have any control over the cost each year. I believe it should be fixed rate.

COUNCILOR DAYTON: Whether on a fee structure or property tax and costs go up, we are going to have to pay for it. From my feeling we have not been paying for the costs and in the future we are going to be in a position that we have to fix it and if the money is designated for the waste water treatment fund it would go specifically dedicated fee to that fund. There will be more control.

COUNCILOR MACDONALD: We can go out for grants and can't do that in the system that we are involved in at this time. That is a very important consideration.

VICE CHAIRMAN O'NEILL: This is the third time this has been brought up. Businesses are going to pay three or four months and the year round person has to bear the cost. I do not support this at all.

COUNCILOR DAYTON: I think that it is appropriate that the Vice Chair said this is the third time this has come up and it reaffirms my opinion that doing nothing is not the solution, has never been the solution and will not be the solution..

PHIL DENISON: The whole motivation seems to me to be able to go for grants. The problem that I see with this is that there will be administrative costs with it. I don't know what the availability of getting grants and what is our possibility of getting grants and I think this is something you might consider.

VICE CHAIRMAN O'NEILL: We received grants to do Cascade Road and East Grand. We can still acquire grants so let's not indicate we can't acquire grants.

CHAIRMAN LONG: I need to emphasize that loans and grants are monitored by the State and required to be put towards the specific project for which they are loaned or granted. Another question asked tonight about the sewer district – a sewer district does not have to be formed to administer the funds nor have any of our discussions with the Council even considered the establishment of a district. Also note that the 10.4% of the budget attributed to Waste Water and Public Works Department covers sewer lines, pump stations, the wastewater facility and past debt. If there are no further comments from the public I will close this Public Hearing at 8:24 p.m.

BUSINESS LICENSES: Kevin & Sue Mulligan (104-2-9-18), 42 Walnut Street, # 18, one year round rental; Mary Ann Conroy (104-2-9-19), 42 Walnut Street, # 19, one year round rental; Jana Boody (104-2-14-602), 135 Portland Avenue, #602, one year round rental; MHC Pinehurst, LLC dba/Pinehurst RV/Mobile Home Community (107-3-8), 7 Oregon Avenue, Amusement/Casino/Automatic Laundry/Coin Operated Amusement Devices/Grocery Store/Public Dance Hall/ T&T, 532 Campsites/Victualers; Kathleen Gannon (203-1-9), 99 Portland Avenue, two year round rentals; George & Faye Hogan (206-12-1), 35 Grove Avenue, one year round rental; Leonidas Lymberopoulos (211-1-14-4), 57 Old Salt Road, # 4, one year round rental; Normand J. Vallee (301-6-1-402), 191 East Grand Avenue, Unit 402, one year round rental; Ken Lafayette dba/Seaview Motel (310-2-4), 65 West Grand Avenue, forty-nine year round rentals/lodging; Kathleen Koveleski (311-13-3), 39 Evergreen Avenue, three year round rentals; and Whittaker Children's Trust (318-8-6-55), 146 West Grand Avenue #55, one year round rental.

MOTION: Councilor O'Neill motioned and Councilor Frenette seconded to consider the business license for Mary Ann Conroy (104-2-9-19), 42 Walnut Street, # 19, one year round rental, separately.

VOTE: Unanimous.

MOTION: Councilor Frenette motioned and Councilor Robin Dayton seconded to Approve the Business Licenses as read.

VOTE: Unanimous.

MOTION: Councilor Frenette motioned and Councilor MacDonald seconded to approve the business license for Mary Ann Conroy (104-2-9-19), 42 Walnut Street, # 19, one year round rental.

VOTE: Yea: Councilor Frenette, Dayton, MacDonald and Chairman Long
Abstain: Councilor O'Neill

SPECIAL AMUSEMENT PERMIT: VFW-Memorial Post 7997 (312-14-2), 76 Atlantic Avenue, Entertainment and Dancing.

MOTION: Councilor O'Neill motioned and Councilor Frenette seconded to Approve the Special Amusement Permit.

VOTE: Unanimous.

NEW BUSINESS:

5048 Discussion with Action: Approve the Two-Year Employment Agreement between the Town of Old Orchard Beach and the Town Manager, Stephen Gunty, retroactive to September 3, 2008.

MOTION: Councilor Frenette motioned and Vice Chairman O'Neill seconded to Approve the Two-Year Employment Agreement between the Town of Old Orchard Beach and the Town Manager, Stephen Gunty, retroactive to September 3, 2008.

COUNCILOR DAYTON: I cannot vote for this very generous contract and I believe it could have been negotiated differently. I applaud the Town Manager for his work but some items were much too generous.

VOTE: Yea: Councilors Frenette, O'Neill, MacDonald and Chairman Long
Nay: Councilor Dayton

TOWN MANAGER: I wish to express the hope and optimism that in future negotiations it might be advantageous that we meet face-to-face to avoid sticking points becoming deal breakers. I think that the Council would agree that we found that things got convoluted quickly and often. I will look forward to working with this Council and any future Councilors added to its ranks in November, if we can communicate honestly and with fairness. I have every confidence that we're heading in the right direction.

5049 Discussion with Action: Approve an Order containing the Question set forth below and setting the dates for a public hearing and referendum election on the School Reorganization Plan.

ORDER

Be it Ordered that the Question set forth below be placed on the ballot of a Referendum of the Town of Old Orchard Beach to be held on November 4, 2008, and that an attested copy of this Order be placed on file with the Town Clerk of the Town of Old Orchard Beach:

Question 1: Do you favor approving the school administrative reorganization plan prepared by the Dayton, Old Orchard Beach and Saco Reorganization Planning Committee to reorganize the Dayton School Department, Old Orchard Beach School Department and Saco School Department into a regional school unit, with an effective date of July 1, 2009?

Be it further Ordered that a public hearing be held on October 7, 2008 at 7:00 p.m. on the above Question.

MOTION: Councilor O'Neill motioned and Councilor Frenette seconded to Approve an Order containing the Question set forth below and setting the dates for a public hearing and referendum election on the School Reorganization Plan.

VOTE: Unanimous.

5050 Discussion with Action: Set a Public Hearing Date of October 7, 2008 to Amend Chapter 78, the Zoning Ordinance, Sections 78-1626 and 78-1628 Permitted Signs in All Districts, to include off-premise farm stands.

COUNCILOR FRENETTE: Pine Acres Greenhouse owner Tim Rogers has been advocating for a change to our sign ordinance language regarding the ability of a greenhouse/farm business to put out off premise signs on private property with written permission from the owner. Such signs would advertise seasonal produce grown at the location they are sold. This proposed Ordinance revision is in line with state statute in Title 23 section 1913-A. In the spring of this year, the Council discussed this item at an informal workshop, and the majority consensus indicated the Planning Board should hold a public hearing on the issue and give the Council a recommendation on this matter.

On June 11, 2008, the Planning Board held a public hearing and voted in favor of amending the signage ordinance to allow off premise signage for agricultural producers. The Planning Board used the language from 23 §1913-A. *Categorical signs* as a starting point for amending the ordinance language, and tailored the language to fit the character of Old Orchard Beach.

Proposed Revision:

The Planning Board recommends that Chapter 78, Article VIII, Division 5, signs, of the Code of Ordinances be revised to include the underlined language below:

Sec. 78-1626. Off-premises signs.

No permanent signage shall be erected off premises from the principal business or use advertised by the sign except for the following:

- (1) State department of transportation directional signs, approved by the public works department and erected by the state department of transportation.
- (2) Permanent signs located off premises on land owned in fee by the same record property owner, provided that the sign is located no further than 75 linear feet from the front entrance of the principal building containing the business. The sign area will not exceed sign area available under district requirements.
- (3) Temporary off-premises signage may be permitted by the code enforcement officer as prescribed in section 78-1627.
- (4) Off-premises farm stand signs specified in Sec. 78-1628 (4).
(Ord. of 9-18-2001, § 5.4.5)

Sec. 78-1628. Permitted signs in all districts.

Permitted signs in all districts are as follows:

- (1) Signage not to exceed an aggregate of four square feet painted on mailboxes or attached to the principal structure identifying the occupants of a residential property.
- (2) Temporary signage specified in section 78-1627.
- (3) Outdoor letterboard signs. The square footage of such letterboard shall be deducted from the allowable square footage of signage for the property.
- (4) Off-premises farm signs erected between May 1st and December 31st by a producer of agricultural products, as long as those signs advertise products that are grown, produced and sold on the producer's premise. A producer that grows, produces and sells an agricultural product from a location with frontage on a numbered state highway may not erect a sign under this paragraph adjacent to that highway. Signs must be directional in nature and may advertise only the agricultural product that is available for immediate purchase. The producer erecting the sign shall remove the sign once the agricultural product advertised on the sign is no longer available. A sign may not exceed 8 square feet in size and must be located within 1 mile of where the product is sold. A sign may only be erected on private property after the producer erecting the sign has obtained the landowner's written consent. A sign must be a minimum of 33 feet from the center of a road. A producer may not erect more than 2 signs pursuant to this paragraph.

State Statute vs. OOB Ordinance Revision

The bolded text in the proposed revision show the amendments the Planning Board made to the State statute 23 §1913-A. *Categorical signs* in recommending this language to Town Council. They recommend reducing the distance from the farm the signs may be located and the number of signs allowed per farm. See Below:

Suggested Ordinance Revision	State Statute
must be located within <u>1 mile</u> of where the product is sold	Must be located within 5 miles of where the product is sold
may not erect more than <u>2 signs</u>	May not erect more than 4 signs

MOTION: Councilor O'Neill motioned and Councilor Frenette seconded to Set a Public Hearing Date of October 7, 2008 to Amend Chapter 78, the Zoning Ordinance, Sections 78-1626 and 78-1628 Permitted Signs in All Districts, to include off-premise farm stands.

VOTE: Unanimous.

5051 Discussion with Action: Approve the issuance by the Conservation Commission of an RFP to address drainage issues on the walkways and bathroom area of Memorial Park.

CHAIRMAN LONG: The Conservation Commission, in taking over the directorship of the park this season, has sought to make improvements to the existing components of the park's layout. Our final project this season is to address the drainage problems in the lower half of the park. We plan to eliminate the standing water and saturated grass that continue to disturb residents and visitors at the playground, in front of the dog park, bathrooms, and around the parking lot.

We are sensitive to the cost of such a project. For those of you who haven't been in the park this season, the water issues that we have all tolerated the past few years actually became unbearable this season. Following the July rains, residents called Town Hall to complain about the smell of sewage that was actually rotting vegetation. It is still unclear how much of the garden around the children's playground will be lost next season due to root rot. We hope the Ginkgo – a descendent of the oldest tree on the planet – will be spared. It was the first tree planted in the park, when we began the park's revitalization, in honor of the Ginkgo's noteworthy history.

We realize that CIP projects usually get presented to the council during the budget workshops. Unfortunately this issue would have to wait another season to be addressed this way. In managing the park this year it has been brought to our attention that the Town was never reimbursed for the 2004 Federal Land and Water Conservation Grant. This error occurred during a time when many departments were being restructured and responsible parties were changing. We have contacted the state agency that handles this grant program. Our file remains open until September 30th 2008. After that we forfeit reimbursement. We have been compiling the information and completing the necessary documents to guarantee that the Town will receive a check for 50,000.00 dollars.

What we are proposing is that the council allow us to spend this money coming from the Federal Government to fix the problems with the park's drainage. We would like to get the water under the walkways and down to the catch basins that have already been installed by the driveway. We also want to get a proper swale around the parking lot to keep water from dumping out onto Heath Street causing the lower end of the street to flood. We don't want to wait until Spring to make these improvements, as the ground is so saturated and letting all the water remain trapped in the soil will lead to even greater problems come Spring.

Therefore we are coming before the council to ask that an RFP be advertised and that the construction necessary to address the water drainage problems begin as soon as possible now that summer is coming to a close.

MOTION: Councilor Frenette motioned and Councilor O'Neill seconded to Approve the issuance by the Conservation Commission of an RFP to address drainage issues on the walkways and bathroom area of Memorial Park.

VOTE: Unanimous.

5052 Discussion with Action: Accept with regret the resignation of Dan Blaney as the Business Member of the Business License Administrative Board, effective September 16, 2008.

CHAIRMAN LONG: Dan Blaney has served on this Board for many years and faithfully provided his expertise to the issues that have brought before it for review. Because of business and personal demands he feels it is necessary for him to step down at this time. Our appreciation to Dan for his years of unparalleled service to this community.

MOTION: Councilor Frenette motioned and Councilor O'Neill seconded to Accept with Regret the resignation of Dan Blaney as the Business Member of the Business License Administrative Board, effective September 16, 2008.

VOTE: Unanimous.

5053 Discussion with Action: Appoint Mark Bourassa as the Business Member of the Business License Administrative Board, term to expire 12/31/2010.

CHAIRMAN LONG: Mark has been the Alternate Business Member and has agreed to move into the position that Dan Blaney is vacating. Mark has served this Board well in the past and will continue to do so.

MOTION: Councilor O'Neill motioned and Councilor Frenette seconded to Appoint Mark Bourassa as the Business Member of the Business License Administrative Board, term to expire 12/31/2010.

VOTE: Unanimous.

5054 Discussion with Action: Appoint Ken Lafayette as the Alternate Business Member of the Business License Administrative Board, term to expire 12/31/2009.

CHAIRMAN LONG: As a member of the Chamber of Commerce, Ken Lafayette will represent the business community well.

MOTION: Councilor Frenette motioned and Councilor Dayton seconded to Appoint Ken Lafayette as the Alternate Business Member of the Business License Administrative Board, term to expire 12/31/2009.

VOTE: Unanimous.

5055 Discussion with Action: Authorize the Town Manager to sign the Agreement with the Pine Tree Chapter of the American Theatre Organ Society for the Wurlitzer Theatre Organ located in the Loranger Auditorium.

CHAIRMAN LONG: The American Theatre Organ Society has a world wide membership of about 5,000 individuals. It promotes an annual convention in cities with operating theatre organs. Its mission is the preservation of the theatre pipe organ and its music plus encouraging interested musicians to become proficient theatre organists. The Pine Tree Chapter instrument was donated to the Chapter by RKO in 1969. It was removed and transported to Loranger School. The Chapter meets regularly on the second Sunday of each month at Loranger School and invited interested parties to attend.

MOTION: Councilor Frenette motioned and Councilor O'Neill seconded to Authorize the Town Manager to sign the Agreement with the Pine Tree Chapter of the American Theatre Organ Society for the Wurlitzer Theatre Organ located in the Loranger Auditorium.

VOTE: Unanimous.

5056 Discussion with Action: Approve the Contract from Mechanical Services, Inc. in the amount of \$7,875 from Account Number 20201-50842 - Town Hall Improvements for the upgrading of the current TAC Network/8000 system with a new Enterprise Network Controller (ENC) to allow for communication within the Town Hall system by designated users.

CHAIRMAN LONG: Energy strategies have been the main emphasis of the Town Council to the Administration and a number of efforts have been made by the Administration to stream line effective energy savings not only through policy and procedure but through equipment savings. The Town Manager, Assistant Town Manager and Facilities Manager met with three members of the Maine Controls/ Mechanical Services, Inc. who support the Town Hall equipment service. A proposal has been put forth that shows estimates of runtime saved with tighter scheduling. This will be an upgrade to our system which will permit specific assigned individuals to regulate the heat/cold temperature of the Town Hall on their computers (essentially similar to a programmable setback thermostat, via computer) own Hall is sometimes used seven days a week. We have also asked Mechanical Services to ascertain cost savings at the Fire/Police Department, Waste Water Department and the Public Works facility. The Town Hall has four air handling units (AHU) that all run on different schedules. The lower level served by AHU#1 runs 50.5 hours a week. The first floor served by AHU#2 runs 44.5 hours a week. The second floor offices served by AHU#3 runs 53.5 hours a week. The Council Chambers served by AHU#4 runs 60 hours a week. With the installation of this upgrade the Town will realize energy savings using the scheduling programs. Mechanical Services estimate based on our meeting of August 1st is that the Town eliminates 15 to 20 hours of runtime per week with tighter schedule control done on-site. This would result in approximately 5-7% energy savings. The amount of this upgrade is \$7,875. An additional cost of a phone line will have to be considered as well. There is a one year warranty from the date of start-up, all parts and labor for new equipment provided by Mechanical Services, Inc.

MOTION: Councilor Frenette motioned and Councilor Dayton seconded to Approve the Contract from Mechanical Services, Inc. in the amount of \$7,875 from Account Number 20201-50842 - Town Hall Improvements for the upgrading of the current TAC Network/8000 system with a new Enterprise Network Controller (ENC) to allow for communication within the Town Hall system by designated users.

VOTE: Unanimous.

5057 Discussion with Action: Accept the Bid of \$18,128 from Carpet Town for the purchase and installation of flooring and rugs for offices within the Town Hall from Account Number 20201 – 50842 Town Hall Maintenance - with a balance of \$50,000.

MOTION: Councilor Frenette motioned and Councilor Dayton seconded to Accept the Bid of \$18,128 from Carpet Town for the purchase and installation of flooring and rugs for offices within the Town Hall from Account Number 20201 – 50842 Town Hall Maintenance - with a balance of \$50,000.

VOTE: Unanimous.

5058 Discussion with Action: Approve the Liquor License Renewal for VFW-Memorial Post 7997 (312-14-2), 76 Atlantic Avenue, s-m-v in a Club.

MOTION: Councilor Dayton motioned and Councilor MacDonald seconded to Approve the Liquor License Renewal for VFW-Memorial Post 7997 (312-14-2), 76 Atlantic Avenue, s-m-v in a Club.

VOTE: Unanimous.

5059 Discussion with Action: Order Authorizing the Loan Agreement between the Town of Old Orchard Beach and the Maine Municipal Bond Bank for the issuance of a \$4,100,000 Bond to permanently finance the costs of road, stormwater and sewer improvement projects, as authorized by the voters on June 10, 2008.

CHAIRMAN LONG: This is a housekeeping item in connection with the bond referendum item approved by the voters. As you will notice there is a difference in the bond amount approved by the voters because the Town is financing the West Grand Pump Station Project of \$1,200,000 through SRF funds through the Bond Bank. The SRF Funds are for sewer related projects only and are at a reduced interest rate; therefore it is in the best interest of the Town to split the \$5,300,000 authorized by the voters into two issues. One the \$4,100,000 that is being authorized here is a General Obligation Bond and the \$1,200,000 to come in a couple of weeks will be the SRF Funds.

MOTION: Councilor Frenette motioned and Councilor Dayton seconded Order Authorizing the Loan Agreement between the Town of Old Orchard Beach and the Maine Municipal Bond Bank for the issuance of a \$4,100,000 Bond to permanently finance the costs of road, stormwater and sewer improvement projects, as authorized by the voters on June 10, 2008.

VICE CHAIRMAN O'NEILL: I do not support it as not enough information was provided. The voters were given specific amounts. Nowhere in this repayment schedule is that reflected. Are the voters protected?

COUNCILOR MACDONALD: Was this questions asked before the meeting to the Administration?

COUNCIL SECRETARY: No.

TOWN MANAGER: I believe that on Page 2 of the Loan Agreement which was included in your packet it denotes “The Bank hereby agrees to make the Loan and the Governmental Unit hereby agrees to accept the Loan in the amount of \$4,100,000. As evidence of the Loan made to the Governmental Unit, the Governmental Unit hereby agrees to sell to the Bank the Municipal Bonds in the principal amount of \$4,100,000. The Municipal Bonds shall bear interest from the date of their delivery to the Bank at such rate or rates per annum as will result in an interest cost rate to the Governmental Unit of six and one half per centum per annum (6.5%) (as calculated by the “Interest Cost Per Annum” method) or at such rate or rates per annum as will result in a lesser interest cost rate to the Governmental Unit as determined by the Bank.”

VOTE: Yea: Councilors Frenette, Dayton, MacDonald and Chairman Long.
Nea: Vice Chairman O’Neill

5060 Discussion with Action: Approve the purchase of a rotating assembly for the West Grand Pump Station from Hayes Pump in the amount of \$12,513.89, from Account Number 20204-50846 – Waste Water – Capital, with a balance of \$86,000.

CHAIRMAN LONG: The West Grand PS contains two (2) 40 HP and one (1) 120 HP pump(s). As of Sunday, one of the 40’s is inoperative will need about 13K in parts and labor to repair. As you know, this station is in the initial stages of an upgrade and determining the future size of these pumps is 2-4 months away. Changing and resizing the whole pump will be at least double the repair costs and it still may not fit the criteria in final design.

MOTION: Councilor Frenette motioned and Councilor Dayton seconded to Approve the purchase of a rotating assembly for the West Grand Pump Station from Hayes Pump in the amount of \$12,513.89, from Account Number 20204- 50846 – Waste Water – Capital, with a balance of \$86,000.

VOTE: Unanimous.

GOOD AND WELFARE:

CHAIRMAN LONG: There being no comment from the citizens I ask for a motion to adjourn.

ADJOURNMENT:

MOTION: Councilor Frenette motioned and Councilor O’Neill seconded to adjourn the Town Council Meeting at 9:30 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-five (25) pages is a true copy of the original Minutes of the Town Council Meeting of September 16, 2008.
V. Louise Reid**