

**TOWN OF OLD ORCHARD BEACH
TOWN COUNCIL MEETING
TUESDAY, SEPTEMBER 18, 2007
TOWN HALL CHAMBERS**

A scheduled Town Council Meeting of the Old Orchard Beach Town Council was held on Tuesday, September 18, 2007. Chairman Joseph Kline opened the meeting at 7:03 p.m.

Pledge of Allegiance and Roll Call:

Present were:

**Councilor Roxanne Frenette
Councilor James Long
Chairman Joseph Kline
Vice Chairman Shawn O'Neill
Councilor Robin Dayton**

ACKNOWLEDGEMENTS:

CHIEF JOHN GLASS: I wish to express my appreciation to Water Quality Volunteers in the Maine Healthy Beaches Program. My personal thanks to Joyce Kelly, Pat Kelley, Tom Beyer, Tim Hutchins, and Laura Palkovic for exceptional service to our community. We wish to thank the members of the Rock Church who gave a great barbecue for our first responders and had a petting zoo for the children which the adults enjoyed as well. Chief Kelley and I would like to extend our personal thanks and the thanks of all Public Safety members to Seth and Sue Davis and to the other members of the South Portland Rock Church for their recent outstanding public service appreciation day activities. These church members, along with the support of the Campground Neighborhood Watch Group, provided a barbeque cookout, games, and activities for our children, and a petting zoo for the children provided by Jill Flaherty of Flaherty's Stables. It was a fantastic event for the families of Old Orchard Beach's public servants and we appreciate the efforts of all concerned.

HELENE WHITTAKER: I would like to use this format as a means of expressing my thanks to Sub Station volunteers who served the community well this summer. In February we will be holding a volunteer appreciation dinner at the American Legion at which time we will formally thank them. These individuals certainly stepped up to the plate.

CHIEF KELLEY: On Memorial Day this year our Sub Station was opened and Helene Whittaker organized volunteers and all members of the Community Policing. Thank you all for what you did to make the summer a success.

WIN WINCH: As Vice President of the Ocean Park Association I wish to introduce our new Executive Director, Ed Rea, who we feel will be a real addition to working with the municipal officers and extending a good working relationship with Ocean Park Residents. We have had part time executive managers in the past but we have created this Executive Director position to make our efforts more successful. So in November of 2006 we developed a package and we hired Ed Rea in August and we are pleased to have someone with his credentials. He retired from the Federal government in budgetary positions. He has also been involved in agencies working with individuals needing guidance and support. He is authorized to represent the Association in any efforts for Ocean Park.

ED REA: I am pleased to be here and to represent Ocean Park and I look forward to working with each of you.

COUNCILOR ROXANNE FRENETTE: The Old Orchard Beach Chamber of Commerce Building Dedication in honor of James Pouravelis is scheduled for September 20, 2007 at 4:30 p.m. to which the public is invited. We are thrilled to announce that Kasey Kahne – Driver Number 9 – Nascar Nextel Cup Series will make a special appearance and autograph session at our Blustery Day Race Place, 39 Old Orchard Street, Old Orchard Beach, on Thursday, September 13, 2007 from 7:00 p.m. to 9:00 p.m. Come one, come all and get an autograph.

CHAIRMAN JOSEPH KLINE: Although the weather did not cooperate, our thanks to all those who participated in the Car show this past weekend. A recent fire on Ancona Avenue resulted in a lot of damage to a home and an enormous amount of praise from Mr. Ed Conduct, owner of the home, who called the Assistant Town Manager three times to sing the praises of Chief Glass, the Fire Department, Rescue. and Dispatchers for their prompt, caring and efficient professional handling of the situation. Each time he called back his words got even more praiseworthy but he was very sincere in acknowledging the importance of the work of all concerned. “Hugs of Love – Remember Our Troops” Support Group is being formed by Nancy Kelley with meetings being held the 1st and 3rd Monday of each month from 6:30 p.m. to 7:30 p.m. at her home, 41 Cascade Road. Care Packages, letter writing and family support for our troops will be considered. Call Nancy Kelley for information at 934-2360 or the Assistant Town Manager, Louise Reid, at 934-5714, extension 226.

COUNCILOR ROBIN DAYTON: We offer our congratulations to the two police recruits who were presented scholarships to the Police Academy. They are Recruit officers Eric Fluette and Andrew Redden. The Scholarships were awarded by the Campground Neighborhood Watch to whom we express our appreciation as well as to Lt. Tim Deluca for his guidance and involvement.

ACCEPTANCE OF MINUTES: Town Council Meeting of August 21, 2007; and Entry in Minutes Concerning Postponement of Council Meeting Scheduled for August 23, 2007.

MOTION: Councilor Frenette motioned and Councilor O’Neill seconded to accept the Minutes of the Town Council Meeting of August 21, 2007.

VOTE: Unanimous.

COUNCILOR O'NEILL: The meeting scheduled for August 23, 2007 was postponed by the Chairman under Section 2-53 of the Council's Rules of Procedure. The reason for the postponement was that the only item on the agenda was Item No. 3010 concerning complaints against a municipal employee, and the complainants had advised that they did not wish to go forward that night. See attached letter to Chris Vaniotis, Esquire from Peter L. Edmands, Esquire, dated August 23, 2007, and attached joint statement of James H. Thomas, Rich Redmond and James Albert, dated August 22, 2007. The Chairman postponed the meeting after polling by telephone those members of the Council who were scheduled to participate in the meeting. The Chair and Councilors O'Neill and Frenette were in favor of postponing the meeting; Councilor Long was not in favor. The Assistant Town Manager notified local media via e-mail of the postponement.

MOTION: Councilor Frenette motioned and Councilor O'Neill seconded the reading of the Entry in Minutes Concerning Postponement of Council Meeting Scheduled for August 23, 2007.

VOTE: Yea: Councilors Long, O'Neill, Frenette and Chairman Kline.
Abstain: Councilor Dayton

UNFINISHED TABLED ITEMS:

PUBLIC HEARING: Shall We Amend Chapter 18 (Businesses), Article II (Licenses), Section 18-34, of the Code of Ordinances, Town of Old Orchard Beach, ME.?

CHAIRMAN KLINE: I open this public hearing at 7:15 p.m. This is being proposed by the Town Council Chairman in consultation with the Vice Chair and the Town Manager. The purpose of this change is to strengthen the business license intent of requiring that all businesses are fully inspected and Design Review Committee actions have been completed prior to being brought forward for business license approval.

EXHIBIT:

**AMENDMENT TO CHAPTER 18 (BUSINESSES),
ARTICLE II (LICENSES)
OF THE CODE OF ORDINANCES,
TOWN OF OLD ORCHARD BEACH, MAINE**

Be it hereby ordained by the Town Council of the Town of Old Orchard Beach, Maine, in Town Council assembled, as follows:

Section 18-34 of the Old Orchard Beach Code is amended by adding the underscored text and deleting the text in strikeover type, as shown below:

Sec. 18-34. Notice of new applications; public hearing.

(a) The license administrator shall give notice of all new license applications by posting a list of the applicants and the licenses applied for in the town hall at least seven days prior to the license hearing.

(b) In order to afford adequate opportunity for staff review and comment, an application for a new license shall not be placed on a

council agenda for at least ___ days after the application is received by the license administrator. In addition, an application for a license shall not be placed on the town council agenda for a hearing until the license administrator has found the application complete and has advised the council in writing either that the business and premises are in compliance with all local codes and ordinances or that the business or premises are not in compliance with all local codes and ordinances and that the license administrator therefore recommends denial of the application.

(c) The town council shall conduct a license hearing at which it shall announce the pending license applications, although it may incorporate by reference a previously published list thereof. Any applicant and member of the public shall be permitted to speak with regard to a specific license or applicant; provided, however, that if no one desires to speak in favor of or in opposition to a license application, the town council is authorized to act upon such application without hearing any testimony. The town council is authorized to inquire of any municipal employee, including without limitation the tax assessor, the building inspector, the electrical inspector, the town manager or any representative of the police or fire department regarding any matter within their expertise and pertaining to any such license application.

COUNCILOR LONG: I did have a discussion with our Planner and would ask that he make his recommendation of this before we vote on it.

CHAIRMAN KLINE: I close the Public Hearing at 7:20 p.m.

3010 Discussion with Action: Concerning Complaints Against a Municipal Employee (this Item may be Discussed in Executive Session Pursuant to 1 M.R.S.A. Section 405(6)(A)).

MOTION: Councilor O'Neill motioned and Councilor Frenette seconded to remove without prejudice.

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

BUSINESS LICENSES: Mad Hatter Associates, Inc. (205-3-4), 50 Old Orchard Street, four year round rentals; William & Nancy Bauer (319-8-4), 7 Tripoli Avenue, one seasonal rental; Lisa Beesley (210-2-4), 26 Smithwheel Road, four year round rentals; Charles & Linda Sulkala (319-7-6), 10 Tunis Avenue, two seasonal rentals; Elle Levenson (311-8-4), 17 Sixteenth Street, one year round rental; Mary Jane Bishop dba/New Foundations Nursery School (208-3-4), 183 Saco Avenue, Day Care; and Tim & Kathy Smith (105-1-16), 2 Whispering Pines Drive, two year round rentals.

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

VOTE: Unanimous.

NEW BUSINESS:

3011 Presentation by Danielle Perreault of The Deep Blue on Comments by Local Residents and Visitors Regarding Changes in Old Orchard Beach.

TOWN MANAGER: It is unfortunate that Danielle could not be here this evening as an emergency situation came up. We would ask this be tabled until the next meeting.

MOTION: Councilor Long motioned and Councilor O'Neill seconded to table the agenda item as read.

VOTE: Unanimous.

3012 Presentation by Chairman Joseph Kline on Utilization of the Ballpark.

CHAIRMAN JOSEPH KLINE: The ballpark which has been vacant and overgrown for years is getting cleaned up for use as a community baseball diamond. Mr. Tom Lechance has asked to use the ballpark for baseball and one of our citizen developer asking to remain anonymous has agreed to give \$10,000 in in-kind services toward cleaning out the field for the youngsters to be able to use the ballpark. The developer has also done a free assessment of the buildings in the ballpark. Added security, lighting and alarms will be installed on the property. There is a plan to dismantle the wooden structure that was destroyed in the recent fire. We want to be able to use the buildings which are structurally sound and you will see some security being put in place to avoid vandalism.

3013 Discussion with Action: Appoint Gary Curtis as Alternate to the Regional Planning Committee in conjunction with School Consolidation.

MOTION: Councilor O'Neill motioned and Councilor Frenette seconded to approve the Appointment of Gary Curtis as Alternate to the Regional Planning Committee in conjunction with School Consolidation.

VOTE: Unanimous.

3014 Discussion with Action: Authorize the Town Manager to Close Town Hall only on Friday, December 26, 2008 with Town Hall Employees taking either a vacation day or floating holiday.

MOTION: Councilor Long motioned and Councilor Frenette seconded to Close Town Hall only on Friday, December 26, 2008 with Town Hall Employees taking either a vacation day or floating holiday.

VOTE: Unanimous.

3015 Discussion with Action: Cancel the Town Council Meetings of Tuesday, January 1, 2008 and Tuesday, November 4, 2008.

MOTION: Councilor Long motioned and Councilor Frenette seconded to Cancel the Town Council Meetings of Tuesday, January 1, 2008 and Tuesday, November 4, 2008.

VOTE: Unanimous.

3016 Discussion with Action: Set a Public Hearing Date of October 2, 2007 to Amend the Code of Ordinances, Business Licenses, Section 18-28 – Violations & Penalties.

CHAIRMAN KLINE: There are Real Estate Brokers, Associate Real Estate Brokers, Real Estate Sales Agents or Property Managers who have been known to rent an unlicensed rental unit on behalf of the Unit's owner. This amends the Ordinance subjecting them to fines imposed by this Section as well as fines imposed upon the unit owner.

**MUNICIPAL OFFICERS OF THE TOWN OF
OLD ORCHARD BEACH**

The Municipal Officers of the Town of Old Orchard Beach, Maine hereby give Public Notice that there will be a Public Hearing held at the Town Hall, Council Chambers, on October 2, 2007, at 7:00 p.m. to consider the following:

**AMENDMENT TO CHAPTER 18 (BUSINESSES),
ARTICLE II (LICENSES)
OF THE CODE OF ORDINANCES,
TOWN OF OLD ORCHARD BEACH, MAINE**

Be it hereby ordained by the Town Council of the Town of Old Orchard Beach, Maine, in Town Council assembled, that Section 18-28 of the Code of Ordinances of the Town of Old Orchard Beach (Violation and Penalties under the License Ordinance) is amended by adding the following new subsection (c):

c. Any person, including without limitation a real estate broker, associate real estate broker, real estate sales agent, or property manager, who rents an unlicensed rental unit on behalf of the unit's owner commits a violation of this ordinance and is subject to the fines imposed by Section 18-28(a) above, which fines may be imposed in addition to any fines imposed upon the unit owner.

MOTION: Councilor Long motioned and Councilor Frenette seconded to Set a Public Hearing Date of October 2, 2007 to Amend the Code of Ordinances, Business Licenses, Section 18-28 – Violations & Penalties.

VOTE: Unanimous.

3017 Discussion with Action: Amend Town Council Policy 07-01, by adding a section prohibiting re-sale of parking permits.

CHAIRMAN KLINE: The parking permits are not transferable. If the Town Clerk determines that a permit has been sold or otherwise transferred the permit becomes void and fee will not be refunded.

TOWN OF OLD ORCHARD BEACH
Town Council Policy 07-01
Parking Permits

The Town Council has established the following policy for the issuance of and charges for Municipal Parking permits.

Resident Parking Permits: Permits for parking in Municipal Parking lots may be issued only to Town residents. The cost for a Municipal Parking Permit for the Milliken Street and Memorial Park Municipal Lots, inclusive, will cost \$50.00 per permit. There will be a limit of two (2) Municipal Parking Permits per Household. Permits for individual lots may not be purchased separately.

Resident Eligibility: Only the following shall be considered residents who are eligible for Municipal Parking permits:

- (1) Individuals who register their car in Old Orchard Beach, who presently live in Town.
- (2) Individuals who register their car in Old Orchard Beach and who pay real estate taxes.
- (3) Individuals who pay real estate taxes, and who live in their homes for the summer season.

Non-Resident Parking Permits: All individuals who do not qualify for a municipal resident parking permit may purchase a non-resident parking permit for \$300.

Employee and Staff Permits: Staff permits may be issued, at no cost, to Town employees, Staff and Town Councilors for parking in the Employees parking area and Veterans Square area.

Visitor Parking: No permit will be required for parking in the upper Town Hall Parking lot. Temporary permits for parking in Veterans Square may be issued by the Town Manager's office.

Permits: Permits shall be in the form of hang tags to be affixed to the rear view mirror. All stickers for which a fee is charged shall be issued by the Town Clerk's Office. The Municipal Parking Permits and Non-Resident Parking Permits are valid through Labor Day of each year. Colors of the stickers are to be determined by the Town Clerk. Stickers shall be numbered consecutively. Staff parking stickers shall be issued by the Town Manager's office and shall be valid only while the individual is employed.

Permits Not Transferable: Permits issued under this policy are personal and not transferable. If the Town Clerk determines that a permit has been sold or otherwise transferred, the Clerk shall immediately void the permit and the permit fee shall be forfeited to the Town. This provision does not prevent the temporary use of a permit by a member of the permit holder's household or a guest of the permit holder [with the written permission of the permit holder].

General Information: Stickers/permits do not allow overnight parking in any location.

Adopted: February 6, 2007

MOTION: Councilor Frenette motioned and Councilor O'Neill seconded to Amend Town Council Policy 07-01, by adding a section prohibiting re-sale of parking permits.

VOTE: Unanimous.

3018 Discussion with Action: Appoint Gary Lamb as Alternate Old Orchard Beach Representative to the Eastern Trail Alliance.

CHAIRMAN KLINE: The Eastern Trail Alliance is an important part of our community and the request is being made for the Director of Community Development and Planner to serve as the Primary representative on this Board. The Chair and also Councilor James Long have served before in this position.

MOTION: Councilor O'Neill motioned and Councilor Long seconded to Appoint Gary Lamb as Alternate Old Orchard Beach Representatives to the Eastern Trail Alliance.

VOTE: Unanimous.

3019 Discussion with Action: Award bid to Gorham Sand and Gravel for Installation of two 42 inch Culverts Crossing at 150 Temple Avenue for the amount of \$47,899 from Account Number 20203-50508 – FY08 Sewer Maintenance Capital Account with a balance of \$192,101.

MARY ANN CONROY: Public Works solicited bids for installation of two 42" HDPE culverts crossing at 150 Temple Avenue and all related work. The homeowner at 150 Temple Avenue had asked Public Works to look into this improvement before the last storm due to the back up of storm water into their yard during heavy rainstorms. DPW had completed a review of the surrounding drainage infrastructure and had been watching this area during all storms. After the Patriot's Day Storm a full hydrology study, FEMA permit by rule and design was completed in preparation for submitting this project to FEMA. This area currently has four separate culverts crossing at this location. One of the culverts had caved in after the Patriot's Day Storm. Because this damage did not cause the road to cave in (yet), the FEMA representatives did not approve the replacement of this infrastructure only clearing of debris on either end. DPW does not support simply clearing the debris, but recommends full reconstruction of this drainage infrastructure. DPW is not recommending the low bidder due to the inexperience with this contractor and the vast difference in pricing (usually indicates that he may have underestimated the amount of work involved in this project.). We are supportive of hiring this contractor for a smaller project to gain experience with them first. We are very confident in using the next lowest bidder, Gorham Sand and Gravel, for a project of this magnitude and complexity. The following bids were received:

Gorham Sand and Gravel

\$47,899.00

Leavitt Earthworks	\$57,012.00
Andre Picard Excavating and Blasting	\$28,280.00

Public Works recommends accepting the bid from Gorham Sand and Gravel in the amount of \$47,899.00 to be paid from FY08 Sewer Maintenance Account #20203-50508, leaving a balance of 192,101.00

MOTION: Councilor Long motioned and Councilor Frenette second to Award bid to Gorham Sand and Gravel for Installation of two 42 inch Culverts Crossing at 150 Temple Avenue for the amount of \$47,899 from Account Number 20203-50508 – FY08 Sewer Maintenance Capital Account with a balance of \$192,101.

VOTE: Unanimous.

3020 Discussion with Action: Award bid to McDonald Excavation for Installation of a 4 foot Catch Basin, two 24 inch times 24 inch Field Inlets, 175 Linear feet of 12 inch Storm Drain Pipe, and Reconstruction of the Roadway Intersection of Echo and Sherwood Avenue for the amount of \$23,400 from Account Number 20203-50508 – FY08 Sewer Maintenance Capital Account, leaving a balance of \$168,701.

MARY ANN CONROY: Public Works solicited bids for installation of a 4 foot catch basin, two 24 inches by 24 inches field inlets, 175 linear feet of 12 inch storm drain pipe, reconstruction of the intersection at Echo and Sherwood Avenue and all other related work. This intersection has suffered from flooding issues for many years. The poor condition of the roadway and substandard drainage structures created a flooded intersection in the warm months and very icy conditions in the winter months. DPW researched several different design options to drain the water from this area before settling on this final design. DPW recommends installing all new structures within a newly graded intersection for maximum storm water management and protection of personal property. The following bids were received from two locations:

McDonald Excavation	\$23,400
Andre Picard Excavating and Blasting	29,133
Leavitt Earthworks	33,875.

Public Works recommends accepting the bid from McDonald Excavation in the amount of \$23,400 to be paid from VY08 Sewer Maintenance Account Number 20203-50508, leaving a balance of \$168,701.

MOTION: Councilor Frenette motioned and Councilor O’Neill seconded to Award bid to McDonald Excavation for Installation of a 4 foot Catch Basin, two 24 inch times 24 inch Field Inlets, 175 Linear feet of 12 inch Storm Drain Pipe, and Reconstruction of the Roadway Intersection of Echo and Sherwood Avenue for the amount of \$23,400 from Account Number 20203-50508 – FY08 Sewer Maintenance Capital Account, leaving a balance of \$168,701.

VOTE: Unanimous.

3021 Discussion with Action: Award Contract to Wright-Pierce Engineers to Evaluate the Storm Water Management Alternatives for West Grand Avenue and the Surrounding Area for the amount not to exceed \$25,000 from Account Number 10013-30100 – Undesignated Fund Balance with a balance of \$4,151,621.

MARY ANN CONROY: Public Works is working with Wright-Pierce Engineers on several storm water management projects throughout Old Orchard Beach. To date the focus has been on the north side of the community, this proposal is directed toward mitigation for the West Grand Avenue and surrounding area. Given the size and highly developed nature of this drainage area, as well as the lack of differential in grade along West Grand Avenue, an effective solution can be expected to be both complex and expensive. DPW would like to get underway on preliminary design alternatives to further define the project scope and cost to the community. The preliminary study will include mapping, topographic survey, hydrologic/hydraulic modeling, and brainstorming a range of mitigation scenarios, including diversion of storm water flows to optimize use of the existing outfall lines. This work is not budgeted in the Capital 2008 Budget although it was identified as a capital need for the past two years. Public Works recommends accepting the attached proposal from Wright-Pierce Engineers in the amount not to exceed \$25,000 to be paid from the Undesignated Account.



August 21, 2007
W-P Project MTB07

Attn: Ms, Mary Ann Conroy
Director of Public Works
Town of Old Orchard Beach
1 Portland Avenue
Old Orchard Beach, Maine 04064

Subject: Professional Services Proposal associated with Evaluation of
Stormwater Management Alternatives: West Grand Avenue and Adjacent Areas

Dear Mary Ann:

Thank you for the opportunity to submit a proposal for engineering services associated with evaluating alternatives for management of stormwater that contributes to flooding in the area of West Grand Avenue and adjacent neighborhoods. Recent study efforts have focused on potential options associated with mitigation of flooding impacts on the north side of the community, but implementation of all or a portion of the identified improvements will have no impact to the area around West Grand Avenue which have been plagued by flooding for years. Given the size and highly developed nature of the drainage area, as well as the lack of differential in grade along West Grand Avenue, an effective solution can be expected to be both complex and expensive.

Based on our understanding of the Town's goals, we offer the following thoughts with respect to a Scope of Services:

Scope of Services:

We envision the following work tasks:

Develop specific project area mapping based on the Town's GIS database reflecting the layout, size and nature of the existing stormwater conveyance systems serving the project area, as well as those in proximity to the area.

Conduct topographic survey to supplement existing data relative to elevations of stormwater system components in the project area.

Develop a computer-based hydrologic/hydraulic model of the project area to define flowrates and capacities of certain components of the stormwater system. The analysis will include review of the capacities of existing outfall pipes within the project area under a range of tidal conditions.

99 Main Street • Topsham, Maine USA 04086 • (207) 725-8721 • Fax (207) 729-8414
Offices in Maine, New Hampshire, Vermont, Massachusetts & Connecticut
E-mail: wp@wright-pierce.com
Website: www.wright-pierce.com

MOTION: Councilor Long motioned and Councilor Frenette seconded to Award Contract to Wright-Pierce Engineers to Evaluate the Storm Water Management Alternatives for West Grand Avenue and the Surrounding Area for the amount not to exceed \$25,000 from Account Number 10013-30100 – Undesignated Fund Balance with a balance of \$4,151,621.

VOTE: Unanimous.

3022 Discussion with Action: Accept the bid from Jolly John in the amount of \$14,113.50 for a used 2004 Jeep Liberty Sport for use by the Code Enforcement Department; and a bid in the amount of \$14,863.50 for a used 2005 Jeep Liberty Sport for use by the Assessing Department from Account Number 20201-50887 General Government Vehicle Purchase, with a balance of \$30,000.

KEN SHUPE: The 2008 Budget approved by Town Council appropriated \$30,000 for General Government Vehicle Purchase with the intent of providing \$15,000 each to the Code Enforcement and Assessing Departments for the replacement of town vehicles. The two departments have been using recycled police vehicles, however constant repairs, non-working parts, and low gas mileage have proven to be an extremely expensive option, and two of these vehicles have now been junked. With this in mind an exhaustive search and comparison of both new and used suitable vehicles was completed by the two departments. Both departments agreed that a small to mid-sized 4-wheel drive vehicle would be the most suitable for our uses. Seventeen bids for '07 and '08 new vehicles were received from 4 dealers and ranged from \$16,839 to \$22,009. Eighteen bids for '03 to '06 used vehicles were received from 6 dealers and ranged from \$12,995 to \$17,995. All of the above bids are available for review by all interested parties. The consensus of the two departments was that Jolly John Jeep presented the best all around offer for 2 clean well maintained used Jeep Liberty's (quotation attached). These Jeeps are both white in color (to receive Town lettering) and present a sensibly conservative appearance appropriate for the departments. They both have low mileage and include the remainder of 7 year/70,000 mile drive-train warranties. The Jeep Liberty has an excellent maintenance and reliability rating according to Consumer Reports Buying Guide.

MOTION: Councilor Long motioned and Councilor Frenette seconded to Accept the bid from Jolly John in the amount of \$14,113.50 for a used 2004 Jeep Liberty Sport for use by the Code Enforcement Department; and a bid in the amount of \$14,863.50 for a used 2005 Jeep Liberty Sport for use by the Assessing Department from Account Number 20201-50887 General Government Vehicle Purchase, with a balance of \$30,000.

VOTE: Unanimous.

3023 Discussion with Action: Affirm the Appropriations totaling \$746,840.00 in Account 10013/30101, Designated Fund Balance as of June 30, 2007 as follows: Account 21002/50866 Public Safety Radio System \$34,611.00; 21003/50800 CDBG Grant Town Share \$25,000.00; 21003/50803 East Grand Project Capital Expense \$37,775.00; 21003/50833 Temple/Manor Improvements Expense \$60,000.00; 21003/50845 Milliken/Walnut Flood Mitigation \$20,036.00; 21003/50862 Smithwheel Outlet Project \$47,610.00; 21003/50881 Summit St Drainage \$20,319.00; and

21003/50885 PWD Catch Basin/Vac All \$134,500.00; 21003/50886 Little River/Jones Creek Watershed \$41,989.00; 21004/50871 WWTP Capital \$325,000.00.

HELENE WHITTAKER: I am hoping that the Council will approve this budget because as I mailed Chairman Kline and indicated to him that we are having a really great problem with the odor coming from the Wastewater Plant. It desperately needs to be updated.

MOTION: Councilor Frenette motioned and Councilor Long seconded to affirm the Appropriations as read.

VOTE: Unanimous.

3024 Discussion with Action: Transfer \$144,000.00 from Account 10013/30300, Undesignated Fund Balance to Account 10013/30301, Designated Fund Balance as of June 30, 2007 for the following accounts and purposes: 21002/50861 SCBA Equipment & Upgrades \$20,000.00; 21002/50865 Police Security Cameras \$24,000.00; 21004/50872 WWTP Capital \$100,000.00.

HELENE WHITTAKER: I believe this is for odor control and would ask the Council to please address this issue.

MOTION: Councilor O'Neill motioned and Councilor Frenette seconded to transfer Funds as read.

VOTE: Unanimous.

MOTION: Councilor Long motioned and Councilor O'Neill seconded to adjourn the meeting at 7:45 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 thirteen (13) pages is a true copy of the original Minutes of the Town Council Meeting of September 18, 2007.

V. Louise Reid