

**TOWN OF OLD ORCHARD BEACH
TOWN COUNCIL MEETING
Tuesday, February 19, 2019
TOWN HALL CHAMBERS
6:30 p.m.**

A Town Council Meeting of the Old Orchard Beach Town Council was held on Tuesday, February 19, 2019. Chair Thornton opened the meeting at 6:33 p.m.

The following were in attendance:

**Chair Joseph Thornton
Vice Chair Shawn O'Neill
Councilor Kenneth Blow
Councilor Jay Kelley
Councilor Michael Tousignant
Town Manager Larry Mead
Assistant Town Manager V. Louise Reid**

Absent:

ACCEPTANCE OF MINUTES: Town Council Minutes of February 5, 2019.

MOTION: Councilor Blow motioned and Councilor Kelley seconded to Accept the Minutes as read.

VOTE: Unanimous.

GOOD AND WELFARE:

ACKNOWLEDGEMENTS:

ASSISTANT TOWN MANAGER: It is with great sadness that we learned of the passing of CAROL DAVIS who, for many years, directed the work of the OOB Community Food Pantry. She was a woman of caring and her sensitivity to the needs of our community was well known. Our love and support go out to her husband, Edward; and to her many friends and associates of the Food Pantry.



BALLPARK COMMISSION PRESENTATION

Report spokesperson: Chairman John Gallo

Thank you, Council, for this opportunity to present our quarterly Ballpark Commission report to you in accordance with the Ballpark Ordinance sec. 2-403. Much of this work is organized and coordinated through the Ballpark Manager, Guy Fontaine. This report covers FY19 2nd Quarter, October 1 thru December 31, 2018.

During this timeframe The Ballpark was still open to the public for the 2018 season during October but closed to all events on November 1, 2018. After November 1st, maintenance of the Ballpark and equipment continued when weather permitted.

The Ballpark Commission continued to meet twice each month.

Improvements:

- The last gate leading into the Ballpark was replaced.

Maintenance:

- Major repairs were made to the parking lot lighting system. The damaged underground wiring was located and replaced this resulted in an additional 12 lights now becoming operational in the parking lot entrance. This will also now enable us to add much needed lighting to the side field used for Concerts in the Park.
- Water was drained from all buildings and the piping blown down to prevent freezing damage during the winter months.
- Water was also drained from the field watering system pipes to prevent freezing damage during the winter months.
- The concession stand was cleaned and all equipment stored for winter.
- The leaking roof on the third base side Sky Boxes was repaired.
- The large LPG Water heaters were cleaned and serviced and are ready for the 2019 season.
- All power equipment was moved to the storage maintenance garage in preparation of winter overhaul.

Conversations:

- The Ballpark Operations Manager maintained contact with current and potential customers and updated The Ballpark calendar, website and Facebook accounts regularly. Thanks to the popularity of our venue, customers recognize the importance of getting their requests in early. The Ballpark Manager is already receiving many requests for the 2019 season.
- During the month of October, 18 Baseball games and one three day Tournament. were played by:
 - New Haven Father Son Tournament of Vermont
 - Southern Maine Men's Baseball League
 - New Hampshire Men's Baseball League
 - Maine Woods Baseball league
 - Southern Maine River Rats Youth Baseball League

Looking Forward:

- Blues Festival – We have started planning for the 2019 event. Saturday August 31st has been selected as the event date.
- Parkinson's Ride will be held on September 7th. Last year's donations to The Michael J. Fox Foundation at this event brought in over 1.1 Million dollars. This event will continue to grow.
- With the help of the Rec Dept., four "Concerts in the Park" will be held at The Ballpark this summer. The dates will be August 8th, 15th, 22nd and 29th.

Special Acknowledgements:

The Commission is pleased to have the addition of Pat McDonald who was appointed to the commission on January 15, 2019.

We wish to thank the Town Manager, Larry Mead, and the Town Council for their continued support of The Ballpark. We also wish to acknowledge the support provided by the Public Works and Recreation Departments throughout the year.

PUBLIC HEARING: Community Development Block Grant Funds

CHAIR: I open this Public Hearing at 6:37 p.m.

Shall We Accept the Community Development Block Grant Funds, in an amount not to exceed \$1,000,000, from the State Department of Economic and Community Development for the improvement of water, sewer and storm water infrastructure on portions of Washington Avenue, Fern Avenue, and West Old Orchard Avenue?

BACKGROUND:

The Town received notice from the Maine Department of Economic and Community Development of a Community Development Block Grant award of \$1,000,000 for the improvement of water, sewer and storm water infrastructure on portions of Washington Avenue, Fern Avenue and Old Orchard Street. The grant funding is contingent on Federal budget approval of the CDBG program in the Department of Housing and Urban Development. Project start date Phase II Public Hearing Notice to comply with Title VI Requirements is projected for the Spring of 2020.

Public Hearing Notice
The Town of Old Orchard Beach

The **Town of Old Orchard Beach** will hold a Public Hearing on FEBRUARY 19, 2019, at 6:30 pm, at the Town Office to discuss acceptance of a Public Infrastructure CDBG Grant. The purpose of the grant is to make improvements in water, sewer, and storm water infrastructure on portions of Washington Avenue, Fern Avenue, and West Old Orchard Avenue. Public comments will be solicited at this Hearing and will be submitted as part of the Project Development Phase. All persons wishing to make comments or ask questions about the acceptance of these funds are invited to attend this Public Hearing. Comments may be submitted in writing to: Larry S. Mead, Town Manager at any time prior to the Public Hearing. TDD/TTY users may call 711. If you are physically unable to access any of the Town's programs or services, please call Larry S. Mead, Town Manager, 937-5626, so that accommodations can be made.



Town of Old Orchard Beach
1 Portland Avenue
Old Orchard Beach ME 04064-1460
937-5626

The Town Manager spent some time explaining the Block Grant Award and the importance it is to the Town of Old Orchard Beach. It would affect 3,300 sewer lines, 18 manholes, 200 water mains, and 3,000 road and sidewalks, and is a two million dollar project to being in the spring or fall of 2020.

The Public Hearing closed at 6:42 p.m.

TOWN MANAGER'S REPORT:

Homestead Exemption: with respect to property taxes the Town Manager also wanted to take this time to remind our residents who own their own home and whose primary residence is in Old Orchard beach about the Homestead Exemption. This is property tax relief program that is available to any homeowner who is a full time resident, regardless of age or income. Under the Homestead Program your tax bill is reduced by just over 4300. This can be a significant savings for many of our homeowners, 10% for homes valued at \$200,000. For those who own a mobile home the Homestead Exemption could be a savings of as much as 50% of your tax bill. So if you are a year round homeowner and don't think you are receiving the Homestead Exemption, please call the Assessor's Office at Town Hall to ask about the program, or go to the Assessor's Department page on the Town's website for information. To qualify for the upcoming tax year you have to file an application no later than April 1st. So keep that date in mind, April 1st. This is a onetime application as long as you continue to live at the same property, not something that needs to be done each year. **Memorial Park:** The Town Manager met this week with members of the Memorial Park Committee and with the Consultant doing the design and construction documents for the project to construct a new memorial feature to the Town's Veterans. This improvement will include a path from the center of the Park leading up to where the Veterans monument is currently located. There will be illuminated memory panels along the walkway and a sitting area around a large round granite medallion commemorating the sacrifices and dedication of the Veterans. We reluctantly have decided to push the construction work for the Memorial to the Fall, rather than this Spring, due to personnel changes at the Consulting firm. On the plus side the change to the Fall means that there won't be any conflicts between the construction and the Scottish Festival to be held in the Park in June. **Budget Preparation:** This time of year much of the Town Manager's schedule is devoted to preparation of the upcoming Municipal Budget, meetings with the various departments and staff to review their budget requests. The Town Manager will be presenting the FY20 budget to the Council at the March 19th meeting. **Finance Committee:** The Finance Committee will meet at the Police Department to review the Capital Improvement requests of the Waste Water and Recreation Departments. **OOB365:** OOB365 will be sponsoring its vacation week WINTER CARNIVAL on Saturday in the downtown on Old Orchard Street. The Public Works Department will be hauling snow in this week to make a sledding hill starting in front of Town Hall. The sledding party begins Friday at 4:00 p.m. to 8:00 p.m. and activities start again on Saturday at 9:00, including sledding all day, Pony rides from Noon to 3:00 p.m., music, marshmallow toasting and hot chocolate. **Career Fair:** The Human Resource Department is holding a Job Fair on Saturday, March 16 from 9:00 to 2:00 here in the Town Council Chamber. The Career Fair is for both summer and year round employment. Seasonal positions include Recreation Camp Counselors, Reserve Police, and Public Works and Parks seasonal employees. We will offer immediate interviews for most positions not including summer Reserve Police officer or Per Diem Firefighters. For information go to the Town website or call 937-5632.

NEW BUSINESS:

7318 Discussion with Action: Accept the Community Development Block Grant Funds, in an amount not to exceed \$1,000,000, from the State Department of Economic and Community Development for the improvement of water, sewer and storm water infrastructure on portions of Washington Avenue, Fern Avenue, and West Old Orchard Avenue.

BACKGROUND:

At the Public Hearing this evening comments from the public and Council will be received and then this item will be addressed under New Business.

MOTION: _____ motioned and _____ seconded to Accept the Community Development Block Grant Funds, in an amount not to exceed \$1,000,000, from the State Department of Economic and Community Development for the improvement of water, sewer and storm water infrastructure on portions of Washington Avenue, Fern Avenue, and West Old Orchard Avenue.

VOTE: Unanimous.

7319 Discussion with Action: Amend Town Council Policy 07-01 on Parking Permits, by authorizing both the \$50 and \$75 residential permit holders to park in the Town Hall lots after business hours; to purchase the \$75 permit, the applicant must provide a Maine Driver's License with an Old Orchard Beach address in addition to the current requirements; the \$150 non-resident permit will no longer restrict parking on July 3rd, 4th or 5th in the Milliken Street parking lot; and all permits are subject to availability in their respective lots.

BACKGROUND:

The staff met to discuss the parking permits.

-Both the \$50 and \$75 permits will now include the Town Hall front and back parking lots;

-The above resident parking permits will allow parking after hours; including meeting nights (there is nothing in the Ordinance prohibiting it currently, just permission for the Police Chief/Designee to reserve spaces for meetings.)

-Anyone applying for the \$75 permit shall provide a valid Maine Driver's License with the Old Orchard Beach address in which they are applying.

- Remove the restriction of no parking in the Milliken Street Lot on July 3rd, 4th, and 5th, from the \$150 non-resident permit.

-Nothing was needed to be changed in the Memorial Park/Milliken Street Parking Lot and Town Hall Parking Lot Ordinances.

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 (municipal lots): 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, **the rear parking lot across from Town Hall, the front parking lot of Town Hall and parking in Veteran's Square**, 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. **Parking in the rear parking lot of Town Hall, the front parking lot of Town Hall and in Veteran's Square is limited to after Town Hall business hours.**

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.

Resident Parking Permits (including parking meters and pay stations): Permits for parking in Municipal Parking lots and parking meters and pay stations may be issued only to Town residents. The cost for a Municipal Parking Permit for the municipal lots located on Milliken Street, Memorial Park, the rear parking lot across from Town Hall, the front parking lot of Town Hall and parking in Veteran's Square, as well as all parking meters and pay stations on public property will cost \$75.00 per permit. There will be a limit of two (2) Municipal Parking Permits per household. Parking at meters and pay stations will be limited to two (2) hours on Old Orchard Street and four (4) hours at all other parking meters and pay stations. Parking in the rear parking lot of Town Hall, the front parking lot of Town Hall and in Veteran's Square is limited to after Town Hall business hours.

Resident Permits are limited to a total of (2) permits.

Each applicant for a \$75 parking permit shall provide a valid Maine Driver's License with the Old Orchard Beach address in which they are applying for the resident permit.

Resident Eligibility for the Resident Parking Permit including all parking meters:

- (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 that pay real estate taxes and live in their homes year-round.

Non-Resident Parking Permits: All individuals who do not qualify for a municipal resident parking permit may purchase a non-resident parking permit for \$150. There will be a maximum of 100 Non-Resident Parking Permits, and they will be available at a first-come, first-served basis. These permits will authorize parking in the Milliken Street Municipal Parking Lot only. ~~These permits will authorize parking in the Milliken Street Municipal Parking Lot only and are not valid for July 3rd, July 4th or July 5th.~~ [amended this section 2/7/12].

Overnight Parking Permits: There will be a maximum of 30 parking permits for overnight parking in the Milliken Street parking lot only, at a cost of \$300 per permit, available on a first-come, first-served basis. [amended this section 10/21/14]

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.

Permits: Permits shall be in the form of hang tags to be affixed to the rear view mirror. All permits for which a fee is charged shall be issued by the Town Clerk's Office. The Municipal Parking Permits, Non-Resident Parking Permits, and overnight permits are valid from the Friday before Memorial Day through Labor Day of each year. Colors of the permits are to be determined by the Town Clerk. Permits 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. [amended this section 10/21/14].

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]. (Amended by adding this section 9/18/07).

General Information: Stickers/permits do not allow overnight parking in any location, except the overnight parking permits. All Permits are non-replaceable. ~~All permits are subject to availability in the parking lots~~[amended this section 10/21/14].

NOTE: Parking Meters and Pay Stations shall be considered the same for the purposes of this policy.

Adopted: February 6, 2007
Amended: September 18, 2007
Amended: February 7, 2012
Amended: October 21, 2014
Amended: March 7, 2017
Amended: January 16, 2018

MOTION: Vice Chair O'Neill motioned and Councilor Blow seconded to Amend Town Council Policy 07-01 on Parking Permits, by authorizing both the \$50 and \$75 residential permit holders to park in the Town Hall lots after business hours; to purchase the \$75 permit, the applicant must provide a Maine Driver's License with an Old Orchard Beach address in addition to the current requirements; the \$150 non-resident permit will no longer restrict parking on July 3rd, 4th or 5th in the Milliken Street parking lot; and all permits are subject to availability in their respective lots.

7320 Discussion with Action: Approve the bid from FlowBird Urban Intelligence (formerly Cale), in the amount of \$17,970, for the purchase of eighteen (18) single and dual space parking meters, from Account Number 52002-50884 – CIP – Parking Control Machine Expense, with a balance of \$18,850.52.

BACKGROUND:

This was approved in the CIP budget during the 2018/2019 CIP budget discussions. The purchase will replace eighteen (18) older model parking meters with updated units that accept credit cards.

MOTION: _____ motioned and _____ seconded to Approve the bid from FlowBird Urban Intelligence (formerly Cale), in the amount of \$17,970, for the purchase of eighteen (18) single and dual space parking meters, from Account Number 52002-50884 – CIP – Parking Control Machine Expense, with a balance of \$18,850.52.

VOTE: Unanimous.



Flowbird - Confidential Quotation
For: Old Orchard Beach

Quote Issued: February 11, 2019

Quote Expires: March 27, 2019

Quote Name: OO Beach (Complete MAX)

Quote ID: 506

General Information

Bill To:
Old Orchard Beach
16 E. Emerson Cummings Blvd.
Old Orchard Beach, Maine 04064

Contact:
Old Orchard Beach

Prepared By:
Natalie Pick

Prepared For:
Joseph Levasseur

Equipment

Product Name	Quantity	Unit Price	Year One Total	Year Two Total	Year Three Total
Miscellaneous Hardware Product <i>Upper Mech Lock, Lower Vault Key, Upper Mech Key, Lower Vault Key, Coin Canister</i>	18	\$140.00	\$2,520.00		
CivicSmart Meter Housing	18	\$210.00	\$3,780.00		
MAX (Single Space) <i>Retrofit onto existing meter. Includes top hat and mechanism. Color: Black Power: Solar Payment Methods: Warranty: 13-month Hardware Warranty</i>	5	\$475.00	\$2,375.00		
MAX (Dual Space) <i>Retrofit onto existing meter. Includes top hat and mechanism. Color: Black Power: Solar Payment Methods: Warranty: 13-month Hardware Warranty</i>	13	\$625.00	\$8,125.00		
Annual Total			\$16,800.00	\$0.00	\$0.00

General Services

Product Name	Quantity	Sales Price	Year One Total	Year Two Total	Year Three Total
Estimated MAX Shipping	18	\$25.00	\$450.00		
MAX Installation <i>Flowbird will insert mechanism and secure top hat to existing meter and provide training, review preventative maintenance and trouble shooting. Removal of top hat and mechanism is not included.</i>	18	\$40.00	\$720.00		
Annual Total			\$1,170.00	\$0.00	\$0.00

Total Costs

Year One Total	Year Two Total	Year Three Total
\$17,970.00	\$0.00	\$0.00

7321 Discussion with Action: Approve the proposal from Loading Dock Door Equipment for the purchase and installation of two (2) garage doors, in the amount of \$5,000 from Account Number 20161-50330 – Waste Water Equipment Replacement, with a balance of \$8,651.79.

BACKGROUND: One of the garage doors in the Administrative Building at Waste Water has a broken spring and is inoperable. Upon site visit one door company recommended replacing the entire door due to the condition of the door. The other door is in similar condition and also has been recommended for replacement. Three quotes were received for the replacement of both doors and associated equipment.

Loading Dock Equipment of Maine, Inc.	\$5,000
Overhead Door Company of Portland	5,795
Door DSI Services, Inc.	5,215

MOTION: Councilor Blow motioned and Councilor Kelley seconded and Councilor Tousignant abstained to approve the proposal from Loading Dock Door Equipment for the purchase and installation of two (2) garage doors, in the amount of \$5,000 from Account Number 20161-50330 – Waste Water Equipment Replacement, with a balance of \$8,651.79.

**VOTE: Yea: Chair Thornton, Vice Chair O'Neill, Councilor Blow, And Councilor Kelley.
Abstain: Councilor Tousignant**

Loading Dock Equipment of Maine, Inc.
MATERIAL HANDLING SALES AND SERVICE

1994

2019

**P.O. BOX 235
OLD ORCHARD BEACH MAINE, 04064**

**TEL : 207 - 934 - 9492
FAX : 207 - 934 - 4251
CELL : 207 - 286 - 4916**

SERVING MAINE & NEW HAMPSHIRE

DATE: 02/01/2019

ATTN: Chris White / Mike Hersey

Quote two replace two garage doors at the waste water facility

**Two Richard Wilcox model weather breaker 175 r-16
12'2" x 10'6"
One row of glass
Omit track
Hardware for 3" track
Weather seals
Torsion springs
Operator brackets**

Project to consist of removing the two existing garage doors. & installing two new doors

**Existing door tracks will be reused.
New door kits will be installed and hooked back up to existing door openers.
New weather seals will be installed.
Waste will be removed by other.**

Project total \$ 5,000.00

**Please feel free to contact me with any questions.
Thank you for the opportunity to quote your project.**

**Michael tousignant: president
Loading Dock Equipment of Maine Inc.
207-286-4916**

OVERHEAD DOOR COMPANY OF PORTLAND

533 Riverside Industrial Parkway
 Portland, Maine 04103
 Tel: - 1-800-287-6734
 Tel: - 207-797-6734
 Fax: - 207-797-0642

BRANCH OFFICES
 Augusta, ME. 04330
 Portsmouth, N. H. 03801
 Londonderry, N. H. 03053
 MJT-Office

The Genuine. The Original.



Proposal #: 1-42136
 Q 74092

PROPOSAL SUBMITTED TO: Old Orchard Waste Water Treatment				Date 2/6/2019		Attention Chris White			
STREET 1 Portland Avenue				Job Name OOB WWTP Office Building					
City Old Orchard Beach		State ME	ZipCode 04064		Job Location Old Orchard Beach				
Phone Number 207-934-4416			Fax Number		Job Phone 207-934-4416				
ITEM #	QTY	SERIES	DOOR WIDTH	DOOR HEIGHT	OPENING WIDTH	OPENING HEIGHT	OPERATION	HEAD ROOM	JAMB TYPE
1	2	592	12' 2"	10' 6"	12' 0"	10' 5"	Re Connect	18 inches	Wood

FURNISH AND INSTALL:

A. SCOPE OF WORK : REMOVE AND DISPOSE. ALL DOORS ON THIS PROPOSAL MUST BE SHIPPED AT THE SAME TIME TO RECEIVE THIS PRICE.

FURNISH & INSTALL THE ABOVE SERIES 592 THERMACORE OVERHEAD DOOR(S), AS MANUFACTURED BY THE OVERHEAD DOOR COMPANY, EACH TO INCLUDE : EXTRA HEAVY DUTY CONSTRUCTION, HEAVY DUTY HARDWARE, DOUBLE END STILES, 17.50 R VALUE, 1" SOLID COUNTERBALANCE SHAFT, 2" COMMERCIAL TRACK, 10,000 CYCLE SPRINGS, (3) 25"X11" DOUBLE THERMAL ACYRLIC WINDOW(S) IN THE THIRD ROW, (1) HS-2 STRUT(S), STANDARD WINDLOAD, INSIDE SLIDE LOCK, DOOR COLOR WHITE, FULL PERIMETER VINYL WEATHERSEALS, RECONNECT EXISTING OPERATORS. REUSE EXISTING TRACK.

B. EXCLUSIONS: N/A

C. PROPOSAL PRICE: INCLUDES MATERIALS, SHIPPING, INSTALLATION.....\$5,795.00

D. PRICING OPTIONS:

1. UPGRADE TO FULL VIEW SASH SECTION WITH INSULATED STILES AND RAILS AND 1/2 INCH INSULATED DSB GLASS, ADD TO BASE PRICE...\$300.00

E. DELIVERY : APPROX 3 WEEKS

F. PRICING VALID FOR 30 DAYS

G. TERMS : NET 10 DAYS

H. WARRANTY: OVERHEAD DOOR PROVIDES A BEST IN THE INDUSTRY, 1 YEAR PARTS & LABOR ON MANUAL DOORS OR A 3 YEAR, 20,000 CYCLE WARRANTY ON OPERATORS & DOORS WHEN ORDERED TOGETHER, ON ALL COMPONENTS EXCEPT THE SPRING. SECTIONS HAVE A 10 YEAR WARRANTY FOR RUST THROUGH & DELAMINATION, AND IF THE KYNAR PAINT OPTION IS SELECTED, A 20 YEAR FINISH WARRANTY FOR CRACKING, PEELING OR FADING. SEE WARRANTY FOR EXCLUSIONS.

I. PRODUCT DETAILS:

The above sized 592 series "Thermacore" sectional door(s), as manufactured by the Overhead Door Corporation. Door standard features to include the following:
 .016" thick roll-formed hot-dipped galvanized, ribbed face steel sections, with metal/foam/metal sandwich, foamed-in-place homogeneous CFC/HCFC free polyurethane insulation. Insulating values: R = 17.50, U = .057 Section thickness 2", all sections to be fitted with tube seals to weatherstrip each joint. Air infiltration of .08 cfm per sq. ft. of door at 15 mph, and class 26 sound transmission. End stiles will be 16 ga. steel and incorporate a thermal break; hinges and fixtures will be galvanized steel. EPDM thermal break to be provided between interior and exterior skins to prevent thermal transmission. Patented water channel is provided for a drip free opening. The polyurethane foam insulation is fully encapsulated in non-permeable materials for no loss of thermal efficiency. Limited 10-year warranty against panel delamination of foam and steel skins.

PROPOSAL TO INCLUDE THE FOLLOWING:

Item 1 above to feature the following:

- (1) Baked-on polyester white exterior and interior (STD).
- (1) EPDM bulb-type bottom weatherstrip and joint seal between sections (STD).
- (1) Foamed-in-place polyurethane insulation laminated to steel skins (STD).
- (1) Ship-lap meeting rails with thermal break (STD).
- (3) 25" X 12" Double Thermal Acrylic Oval (408779.0039).
- (6) Double End Stiles (Including Hinges).
- (1) Strut, HS-2 (.052 X 2.25) Per Strut.
- (1) Drawbar Plate, 24".
- (1) Leaf Bumpers #409952-0001.
- (12.17) Solid Shaft, 1" In Lieu Of Tubing.
- (127.75) Color, White.
- (2) Angle prepunch, 2"x2"x12 ga., 10 ft galv..
- (33.17) Vinyl Stop/ Seal, White.

We hereby propose to complete in accordance with above specification, for the sum of:

Five Thousand Seven Hundred Ninety Five Dollars and No Cents

5,795.00

Signature Eric True -Sales Engineer Direct Dial: 207-797-6734

TERMS AND CONDITIONS
Payment to be made as follows: Prices subject to change if not accepted in 30 days. BY OTHERS: Jambs, spring pads, all wiring to motors and control stations, unless otherwise stated above, are not included. Purchaser agrees that doors shall remain in Seller's possession until paid in full. In the event Purchaser breaches or defaults under the terms and provisions of this Agreement, the Purchaser shall be responsible for the costs of collection, including reasonable attorneys' fees. The Seller shall be entitled to full and final payment on the Purchase Order. There shall be a 1 1/2% service charge per month for all payments due and owing after 30 days. (Agreements are contingent upon strikes, accidents, or delays beyond our control.) Authorization is given for credit inquiries as needed for this contract.

ACCEPTANCE: Terms, Price, and specifications on all pages of this proposal are hereby accepted and the work authorized.		
Purchaser: _____		
Signature	Title	Date of Acceptance

PROPOSAL

Professional distributor, retailer, wholesaler and installer of sectional and rolling steel doors, electric operators and construction specialty products.

PORTLAND
31 Diamond Street
P.O. Box 8772
Portland, ME 04104
207-797-5696
Fax 207 878-5156

PRESQUE ISLE
6 Buck Street
Mapleton, ME 04757
207 -764-3060
Fax 207-764-5754

DOOR DSI SERVICES, INC.

2/5/2019 9:19:06 AM Letter 4
Contact's Fax

COMPANY / LAST NAME	FIRST NAME	DATE	REVISED DATE	TELEPHONE
Old Orchard Beach Waste Water Fac.		2/1/2019	2/5/2019	
PO BOX		HOME #		FAX #
		(207) 934-4416		
STREET		JOB NAME		
1 Portland Avenue				
CITY	STATE	ZIP CODE	JOB LOCATION	
Old Orchard Bea	ME	04064-	24 Manor Ave. Ocean Pk.	
ATTENTION	EMAIL	FILE NAME/NUMBER	JOB PHONE	
Mike Hersey	mhersey@oobmaine.com	35970		
TYPE	DATE REQUIRED	YEAR	PRODUCT TYPE	COMMENTS
Comm.	Feb	2019	Comm Sectional	

Furnish & Install :

2 - Clopay Commercial 3717 Sectional Steel Insulated Doors - WHITE
Size - 12'-2" x 10'-6" , 15" radius (RE-USE EXISITNG 3" TRACK) NEW 3" ROLLERS, torsion springs, struts, weatherstripping
1 - Row of (4) 24" x 12" insulated lites,
Removal of existing doors (Disposal By Others)
Re-attach existing operators..

Labor & materials = \$5215.00 No Tax

Note - doors have a R-value of 16.2

We propose to furnish material and/or labor-complete in accordance with the above specifications. (Alterations, adds or deducts noted above are not included in the base price noted below.) for the sum of

See Above dollars (\$ See Above)

Payment to be made as follows: Net 30 Days From Invoice Date

Acceptance of Proposal

I understand that by signing this proposal I am entering into a binding contract and the prices, payment terms, specifications and conditions expressed above and as stated at www.dsidoors.com/terms are hereby accepted. Door Services, Inc. is authorized to do the work as specified. If signed in any representative capacity, the buyer's obligations hereunder are unconditionally and personally guaranteed by the signer. IMPORTANT NOTE: For terms and conditions of sale, visit: www.dsidoors.com/terms. If you are unable to access this website, ask for a printed copy.

For terms and conditions of sale: www.dsidoors.com/terms

Authorized Signature

Kevin McKaquee

NOTE: This proposal can be withdrawn if not accepted within 30 Days

Signature of Buyer

Date

7322 Discussion with Action: Approve the purchase of new flooring from Home Depot for the bathrooms and main offices of the Public Works Building, in the amount \$5,300, from Account Number 50002-50826, (CIP – Public Works Building Improvement, with a balance of \$56,825.08.

BACKGROUND: The Public Works Department is requesting to purchase new flooring for the bathrooms and in the main offices of their building due to delaminating flooring in those areas. Bids were secure from the following vendors by telephone:

	% per sf	Total including mortar and grout
Ben’s Flooring	\$6.30	\$6,300.00
Home Depot	5.30	5,300.00
Lowes	7.53	7,530.00

These were telephone quotes and the purchase is to be made from Home Depot.

MOTION: Councilor Blow motioned and Councilor Kelley seconded to Approve the purchase of new flooring from Home Depot for the bathrooms and main offices of the Public Works Building, in the amount \$5,300, from Account Number 50002-50826, (CIP Public Works Building Improvement, with a balance of \$56,825.08.

VOTE: Unanimous.

PURCHASE ORDER REQUEST FORM

Date: 2/6/2019

Department: Public Works

Vendor #: 2960 (is vendor active in Munis? If not a vendor packet needs to be completed prior to requesting PO)

Vendor Name: Home Depot

Account (Org/Obj): 50002-50826

Current Account Balance: \$ 56,825.08

Amount Requested: \$ 5,300.00

- Copies of quotes if required, are they attached? Yes No
- Copies of bids if required, are they attached? Yes No
- Items to purchase \$5000 and over approved by Council? Yes No
 - Agenda Item # _____
 - Date approved _____

General Description: _____

Estimate, Quote or Itemized list included (enter items on attached table): Yes No

- Quantity
- Cost for each
- Description of item
- Freight charge

add

2/6/19

7323

Discussion with Action: Convey eighteen (18) tax acquired properties of The Village at Pond View Woods LLC: as indicated below and on the Official Tax Maps for the Town of Old Orchard Beach to the former owner – The Village of Pond View LLC, for the total amount of outstanding taxes, FY19 taxes, and accumulated interest, penalties, and legal costs due on the effective date of conveyance.

00103-00001-00406	\$1112.64	12 CASEY LN
00103-00001-00407	\$1112.78	14 CASEY LN
00103-00001-00408	\$1140.87	16 CASEY LN
00103-00001-00409	\$1147.61	17 CASEY LN
00103-00001-00410	\$1111.08	15 CASEY LN
00103-00001-00411	\$1107.73	4 BOUCHARD CT
00103-00001-00412	\$1110.98	6 BOUCHARD CT
00103-00001-00413	\$1107.73	8 BOUCHARD CT
00103-00001-00414	\$1110.98	10 BOUCHARD CT
00103-00001-00415	\$1164.13	15 BOUCHARD CT
00103-00001-00416	\$1112.54	13 BOUCHARD CT
00103-00001-00417	\$1135.90	11 BOUCHARD CT
00103-00001-00418	\$1135.90	9 BOUCHARD CT
00103-00001-00419	\$1159.08	7 BOUCHARD CT
00103-00001-00420	\$1124.27	5 BOUCHARD CT
00103-00001-00421	\$1155.84	3 BOUCHARD CT
00103-00001-00427	\$3887.13	8 PAIGE AVE
00103-00001-00431	<u>\$3927.00</u>	5 CASEY LN

TOTAL \$25,864.19

BACKGROUND: Eighteen (18) parcels within the Village at Pond View Subdivision were automatically foreclosed on by the Town in December due to outstanding property taxes. The Owners and Developers immediately contacted the Town to seek correction of what was an oversight so that the properties could be returned to their ownership. The Town and the Owners, Village at Pond View, LLC., have reached an Agreement for the sale of all parcels back to the original owners. The Agreement provided security to the Town for completion of all approved infrastructure within Phase 1 or the Subdivision, as well as guarantees associated with the replacement of the Brick Home at 206 Portland Avenue with a new structure that replicates the architectural style of the former house and that includes masonry brick siding.

The Town Manager discussed under which the property will be addressed and having consulted with the Town's Attorney with regard to the terms and conditions of the sale of these properties. This included the Purchase Agreement, the Escrow Agreement, Junior Mortgage Deed, Personal Guaranty and the Municipal Release Deed as a result of the Town being the owner by virtue of a tax lien foreclosure

MOTION: Councilor Kelley motioned and Councilor Blow seconded to Convey eighteen (18) tax acquired parcels to the The Village at Pond View Woods LLC: subject to the terms and conditions contained in the Tax Acquired Property Purchase Agreement, and to authorize the Town Manager to execute the required documents to execute the same.

VOTE: Unanimous.

MUNICIPAL RELEASE DEED

TOWN OF OLD ORCHARD BEACH, a Maine municipal corporation and body politic having a mailing address of 1 Portland Avenue, Old Orchard Beach, ME 04064 ("Grantor"), FOR GOOD AND VALUABLE CONSIDERATION, quitclaims and releases unto **THE VILLAGE AT POND VIEW WOODS, LLC**, a Maine limited liability company having a mailing address of P.O. Box 1078, Portland, ME 04104 ("Grantee"), all Grantor's right, title and interest in and to certain real estate and improvements situated in the Town of Old Orchard Beach, County of York, State of Maine and more particularly described as follows.

<u>PARCEL #</u>	<u>LOCATION</u>	<u>TAX LIEN CERTIFICATE BOOK & PAGE</u>
00103-00001-00406	12 CASEY LN	Book 17755, Page 629 Book 17498, Page 226
00103-00001-00407	14 CASEY LN	Book 17755, Page 630 Book 17498, Page 227
00103-00001-00408	16 CASEY LN	Book 17755, Page 631 Book 17498, Page 228
00103-00001-00409	17 CASEY LN	Book 17755, Page 632 Book 17498, Page 229
00103-00001-00410	15 CASEY LN	Book 17755, Page 633 Book 17498, Page 230
00103-00001-00411	4 BOUCHARD CT	Book 17755, Page 634 Book 17498, Page 231
00103-00001-00412	6 BOUCHARD CT	Book 17755, Page 635 Book 17498, Page 232
00103-00001-00413	8 BOUCHARD CT	Book 17755, Page 636 Book 17498, Page 233
00103-00001-00414	10 BOUCHARD CT	Book 17755, Page 637 Book 17498, Page 234
00103-00001-00415	15 BOUCHARD CT	Book 17755, Page 638 Book 17498, Page 235
00103-00001-00416	13 BOUCHARD CT	Book 17755, Page 639 Book 17498, Page 236
00103-00001-00417	11 BOUCHARD CT	Book 17755, Page 640 Book 17498, Page 237

00103-00001-00418	9 BOUCHARD CT	Book 17755, Page 641 Book 17498, Page 238
00103-00001-00419	7 BOUCHARD CT	Book 17755, Page 642 Book 17498, Page 239
00103-00001-00420	5 BOUCHARD CT	Book 17755, Page 643 Book 17498, Page 240
00103-00001-00421	3 BOUCHARD CT	Book 17755, Page 644 Book 17498, Page 241
00103-00001-00427	8 PAIGE AVE	Book 17755, Page 645 Book 17498, Page 244
00103-00001-00431	5 CASEY LN	Book 17755, Page 647 Book 17498, Page 247

Meaning and intending to convey whatever interest Grantor may have in and to the above-described premises by virtue of the above-referenced tax lien certificates recorded in the York County Registry of Deeds.

Excepting and reserving from this conveyance any liens securing payment of property taxes on the above-described premises as are not currently of record, due and payable.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed under seal by its duly authorized Town Manager as of this _____ day of _____, 2019.

7324 Discussion with Acton: Approve the services of Ted Berry Company for Pump Station and Wet Well Cleaning in the amount of \$10,530, from Account Number 20161-50342 – Waste Pumping Expenses, with a balance of \$17,877.17.

BACKGROUND: The Wastewater Facility does not have an automated grit removal system. Much of the grit goes through the treatment system and creates excessive wear on pumps and equipment. The Department attempts to mitigate this by cleaning out some of the tanks at the Facility and Pump Stations twice a year. For three days of services Ted Berry Company has quoted \$9,790 to address pump station and wet well cleaning. Ted Berry will provide all the equipment necessary to perform the task. Additional disposal expenses expected to be paid directly by the Town to Eco Maine. These expenses will depend on the amount of waste removed. Prior years indicate these additional costs will be \$8,000 to \$10,000.

MOTION: Councilor Kelley motioned and Councilor Blow seconded to Approve the services of Ted Berry Company for Pump Station and Wet Well Cleaning in the amount of \$10,530, from Account Number 20161-50342 – Waste Pumping Expenses, with a balance of \$17,877.17.

VOTE: Unanimous.



Chris White
Town of OOB Wastewater Department
1 Portland Avenue
Old Orchard Beach, ME 04064

February 8, 2019

Greetings Chris,

Subject: **Spring 2019 Pump Station Maintenance Proposal M-19-00056**

Thank you for giving us the opportunity to provide you with the following proposal for cleaning pump stations and conducting the confined space entry program. As you know the Ted Berry Company has been performing pump station cleaning in OOB for a number of years and has the intimate understanding of the individual pumping systems and components and upon your request would be willing to take on additional responsibilities associated with the cleaning and confined space management.

Scope of work: Work to be done during the spring and fall of each year at the request of the collection system manager

- A. Confined Space Entry, including continuous air monitoring and retrieval system
- B. Lock Out Tag Out Pump Stations
- C. Plug inlet line to stop incoming flow as needed
- D. Perform pump station cleaning at the following locations, as requested by the customer:
 1. Comfort St. Pump Station
 2. Portland Avenue
 3. Ross Road
 4. ½ way grit chamber
 5. West Grand Pump Station
 6. East Grand Pump Station
 7. Dune Grass Pump Station 100 & 200
 8. Primary Influent Launder
- E. Remove and dispose debris at Eco Maine, paid by customer

Project Responsibilities

Old Orchard Beach Wastewater Department: To help achieve a smooth and successful project, you will be considered the owner of the project and it will be your responsibility to perform the following:

- Provide a designated contact person
- Provide all access to all pump stations
- Provide access to lockout/tagout locations
- Operate Pump Stations as needed
- Provide disposal site or payment for disposal at an approved site – EcoMaine

Ted Berry Company, Inc.

TED BERRY

COMPANY Inc.

- Provide a designated project manager
- Provide a written work plan prior to start of work
- Provide all traffic control per MUTCD regulations as required to complete the project.
- Provide a cleaning team with all necessary tools and equipment
- Provide confined space entry equipment and permit. All personnel are confined entry trained within the previous 12 months.
- Provide disposal of all materials in accordance with state, local and federal regulations at an approved disposal site.

Ted Berry Company, Inc. Employees

- Project Manager (Off Site)
- Project Crew Supervisor
- Jet/Vac CDL Operator
- Technician – confined space entry trained (2) technicians may be required for individual pump stations and will be charged individually.

Ted Berry Company Inc. Equipment

- Combination Jet/Vac Truck
- Service Truck
- Various size Plugs as needed
- Portable Air Compressor
- Confined Space Equipment

Differing conditions

1. **Flows at the pumping station higher than anticipated by the owner** - If flows at the wastewater pumping station are higher than anticipated a modification to the pumping or work plan may be required and shall be paid by the Owner at no additional expense to TBCI.

Delays

1. Delays caused by circumstances outside of the control of the Ted Berry Company shall be compensated fully by a standby rate that is defined in the contract terms and conditions. Items outside of the control of the Ted Berry Company include but are not limited to.
 - 1) Delays caused by "others"

Terms and Conditions

All quotes are good for 30 days from date of inquiry.

Payment is due Net 30 from the date the project is completed.

TED BERRY

COMPANY Inc.

Billable Units for Each Biannual Cleaning

Item Description	Day Rates	Estimated Days	Estimated Cost
Municipal Vactor Truck with Supervisor & CDL Operator	\$2,400.00/Day	3 Days	\$7,200.00
Support Truck	\$100.00/Day	3 Days	\$300.00
Confined Space Technician	\$760.00/ Day	3 Days	\$2,280.00
Confined Space (each day)	\$250.00/Each day	3 Days	\$750.00
Total Estimated Project Cost			\$10,530.00

Old Orchard Beach Waste Water Department will pay EcoMaine for debris disposal fees.

The total cost is based upon an estimated 3 days of work.

The invoice will be based on the actual number of days of cleaning and disposal.

We appreciate the opportunity to provide you with this proposal and look forward to working with you this year on the town's pump station maintenance. Please sign and return signed copy upon acceptance of this proposal.

Sincerely,

Paul Pomerleau
Project Manager/Team Leader

No job is so important and no service is so urgent that we cannot take the time out to perform or work safely.

Accepted by:

Print name:

Title: _____ PO# _____

Date: _____

7325 Discussion with Action: Set a Public Hearing date of March 5th, 2019 to Amend the Town of Old Orchard Beach Code of Ordinances, Section 54-187, Restrictions and Prohibitions, amending parking on First Street by removing the four 15-minute parking spaces in front of the Chamber of Commerce, and changing a word from “excepting” to “except”.

BACKGROUND: The Chamber of Commerce has asked the Police Chief to review a proposal they have been working on, that would add eight parking spots, four of which would have charging stations for electric vehicles, on property they own. The property is adjacent to the northern side of the Chamber building, and abuts the railroad tracks. Currently, there are four (4) Town owned, Pay to Park spaces on First Street that run parallel to the location where they want to create the additional parking. In order for them to have access to the eight new spots, the four paid spaces would have to be removed. In exchange for the Town agreeing to remove the four paid spaces, the Chamber would be willing to relinquish the four 15 minute parking spaces, that are currently located in front of the Chamber. They were originally provided to allow dedicated parking spaces for those needing to conduct business with the Chamber. The Chambers proposal would include a new sidewalk, plantings, and paving of an area that is currently somewhat of an eyesore. They are working with Planning on getting the project approved. I do not believe there is any downside for the Town with their proposal, and would ask that the Council consider scheduling a Public Hearing to consider removal of the four 15 minute spaces on First Street.

MOTION: Councilor Kelley motioned and Councilor Tousignant seconded to Set a Public Hearing date of March 5th, 2019 to Amend the Town of Old Orchard Beach Code of Ordinances, Section 54-187, Restrictions and Prohibitions, amending parking on First Street by removing the four 15-minute parking spaces in front of the Chamber of Commerce, and changing a word from “excepting” to “except”.

VOTE: Unanimous.

NOTICE OF PUBLIC HEARING
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 March 5th, 2019 at 6:30 p.m. to consider the following:

Shall the Town Council of the Town of Old Orchard Beach amend the Code of Ordinances, Chapter 54, Traffic and Vehicles, amending Section 54-187, Restrictions and Prohibitions, amending First Street, by adopting the underscored language and deleting the strikethrough as follows:

First Street. No parking on First Street on either side from Union Avenue to Heath Street, excepting parking shall be allowed on the side abutting the railroad tracks from Union Avenue to Atlantic Avenue. No vehicle shall be parked on First Street from Old Orchard Street to Staples Street. Angle parking only is allowed from Staples Street to Heath Street, except for bus stop, drop off area, two handicap spaces, and taxi stands located on the ocean side of the

street in front of the municipal passenger railroad platform. ~~Four 15-minute parking spaces shall be located in front of the entrance to the chamber of commerce building, which will not include parking meters.~~ Two handicap spaces will be located to the left of the chamber of commerce building.

7326 **Discussion with Action: Approve the Special Event Permit Application for the Town of Old Orchard Beach to hold the annual Memorial Day Parade on Monday, May 27th, 2019 from 8 a.m. (set up in Memorial Park) to 4 p.m. (takedown); line-up on E. Emerson Cummings Blvd at Noon, parade to begin at 1:00 p.m.; ceremony in Memorial Park; allow horses in the parade to walk on the beach, with bags, from Ocean Park to Union Avenue, to the starting point of the parade, and back to Ocean Park following the parade.**

MOTION: Councilor Kelley motioned and Councilor Blow seconded to Approve the Special Event Permit Application for the Town of Old Orchard Beach to hold the annual Memorial Day Parade on Monday, May 27th, 2019 from 8 a.m. (set up in Memorial Park) to 4 p.m. (takedown); line-up on E. Emerson Cummings Blvd at Noon, parade to begin at 1:00 p.m.; ceremony in Memorial Park; allow horses in the parade to walk on the beach, with bags, from Ocean Park to Union Avenue, to the starting point of the parade, and back to Ocean Park following the parade.

VOTE: Unanimous.

7327 **Discussion with Action: Authorize the Town Manager to enter into a Letter of Agreement with the City of Saco to pass through funds from a Maine Department of Environmental Protection grant for the joint Goosefare Watershed Restoration Project, in an amount not to exceed \$12,000.**

MOTION: Councilor Blow motioned and Councilor Kelley seconded to Authorize the Town Manager to enter into a Letter of Agreement with the City of Saco to pass through funds from a Maine Department of Environmental Protection grant for the joint Goosefare Watershed Restoration Project, in an amount not to exceed \$12,000.

VOTE: Unanimous.

**Letter of Agreement
between Town of Old Orchard Beach (OOB) and City of Saco**

A. Purpose. The Town of Old Orchard Beach will provide grant funding assistance to the City of Saco to implement the Private Property Stormwater Retrofit Matching Grant Program within the Goosefare Brook Watershed in the City of Saco. This work is needed to achieve the goals of: Nonpoint Source Pollution Control Project - #20190008 Goosefare Brook Watershed Restoration Project, Phase II.

Task/Program Description:

The City of Saco's Site Plan Ordinance requires stormwater quantity and quality control measures be provided for all new and redevelopment projects that result in 1 acre or more of disturbed area and/or 10,000 square feet of new or redeveloped impervious surface. These development thresholds are stricter than the State

Stormwater Law; however, smaller projects that do not exceed these thresholds are not required to provide formal stormwater controls. The Private Property Stormwater Retrofit Matching Grants will be a voluntary program with the explicit goal of providing financial assistance to at least two private property owners to implement stormwater best management practices on existing untreated impervious surfaces within the Goosefare Brook watershed that are not otherwise required by ordinance. This program is carried forward from phase I and will continue to be administered by the City's Planning and Engineering Departments as part of the City's Site Plan Review process.

Matching grants would be targeted towards priority retrofit sites identified in the WBMP or other properties with high pollutant loading (e.g., high vehicle traffic). The goal of the program will be to provide matching grants to qualifying private development projects at a cost not to exceed \$14,000 per acre of existing impervious area treated. The grant funding allocation will be tiered in general accordance with the DEP's designation for Redevelopment Land Uses contained in Chapter 500. Landowners must then provide at least 40% match through cash, materials or labor contributions and agree to maintain the projects as recommended. The landowners will be required to provide annual inspection and maintenance reports of the BMPs to the City of Saco. Candidate site selection is subject to change, pending satisfactory completion of landowner agreements, engineering design and permit approval. An NPS Site Report will be submitted for each matching grant site.

B. Town of Old Orchard Beach agrees to:

- 1. Reimburse the City of Saco for **the cost of the matching grants, not to exceed \$12,000**, after verification that the BMP(s) was/were installed in accordance with the design and specifications approved by the City of Saco Engineering and Planning Departments and ME DEP.*

C. City of Saco agrees to:

- 1. Oversee the construction / installation of the proposed BMPs. If the property owner/operator hires a contractor, preference will be given to contractors with staff certified in Erosion Control Practices by DEP. If working in Shoreland Zone, then owner must use a contractor with staff certified in Erosion Control Practices by ME DEP.*
- 2. If needed, require the property owner / operator to obtain any local, state or federal permits to install / construct BMPs; and comply with such requirements if applicable.*
- 3. Complete all construction / installation work by **December 31, 2020**.*
- 4. Require the property owner / operator to submit a brief Operation & Maintenance Plan describing how to properly maintain the installed BMPs. Landowners must agree to maintain the BMP as recommended and will be required to provide annual inspection and maintenance reports of the BMPs to the City of Saco. Operation and maintenance includes actions needed to keep the completed practice safe and functioning as intended, work to prevent*

deterioration of the practice, repairing damage, or replacement of the practice to its original condition if one or more components fail.

5. Provide documentation to Town of OOB to substantiate the costs (expenses and/or in-kind services) to construct / install the BMP project after completion of the work or as requested.

6. Allow the Town of OOB or other project staff to access to the site area to inspect the BMP or show the BMP to others at a mutually convenient and pre-arranged time for a period of five years.

D. Payments

1. The City of Saco agrees to pay costs for the Private Property Stormwater Retrofit Matching Grant Program to the landowners / property operators.

2. The Town of OOB will reimburse the City of Saco for the costs of the Program matching grants at the rate specified in B.1. after verification that the BMPs were installed according to the design and specifications.

E. Changes

If necessary, the parties may mutually agree to change this Agreement. Changes to this Agreement must be documented in writing, signed by both parties and attached to this Agreement.

7328 **Discussion with Action: Authorize the Town Manager to enter into an Agreement with the Cumberland County Soil and Water Conservation District (CCSWCD) to provide services for the Goosefare Brook Watershed Restoration Project, in an amount not to exceed \$27,780. Funding for these services is from the proceeds of a grant to the Town from the Maine Department of Environmental Protection.**

MOTION: Councilor Blow motioned and Councilor Kelley seconded to Authorize the Town Manager to enter into an Agreement with the Cumberland County Soil and Water Conservation District (CCSWCD) to provide services for the Goosefare Brook Watershed Restoration Project, in an amount not to exceed \$27,780. Funding for these services is from the proceeds of a grant to the Town from the Maine Department of Environmental Protection.

VOTE: Unanimous.

MEMORANDUM OF AGREEMENT
Between
The Town of Old Orchard Beach
and
York County Soil and Water Conservation District

Termination Date: December 31, 2020

This Memorandum of Agreement (hereinafter called *Agreement*), made this ____ day of _____, year 2019, is made by and between the Town of Old Orchard Beach (OOB) and the York County Soil & Water Conservation District (hereinafter called *YCSWCD*).

The principal office of the YCSWCD is located at: 21 Bradeen Street, Suite 104, Springvale, Maine 04083

The Employer Identification Number of the YCSWCD is: 01-0351432.

Witnessed, that for and in consideration of the payments and agreements hereinafter mentioned, to be made and performed by the Town of OOB, the YCSWCD hereby agrees with the Town to furnish all qualified personnel, facilities, materials and services in conjunction with the Town of OOB to perform the services, study or projects described in Exhibit A. All services provided pursuant to this Agreement shall be in conformance with the Grant Agreement between the Town of OOB and the Maine Department of Environmental Protection, effective _____, 2019, for the Goosefare Brook Watershed Restoration Project, Phase II #20190008.

The following attachments are hereby incorporated into this Agreement by reference:

- Exhibit A – Specifications of work to be performed & proposed budget
- Exhibit B – Payment and other provisions
- Exhibit C – Insurance and Indemnification

In Witness Whereof, the Town of OOB and YCSWCD, by their representatives duly authorized, have executed this Agreement in two originals, as of the day and year first above written.

The Town of Old Orchard Beach

By: _____ Date: _____

(Printed name) Title: _____

York County Soil and Water Conservation District

By: _____ Date: _____

(Printed name) Title: _____

EXHIBIT A - Memorandum of Agreement

SPECIFICATIONS OF WORK TO BE PERFORMED

For assistance with the project known as the *Goosefare Brook Watershed Restoration Project Phase II*, in order to implement recommendations made in the Goosefare Brook Watershed Management Plan, the Town of OOB will contract with YCSWCD for project management and technical assistance services. This project will be guided by the Goosefare Brook Restoration Committee. Local partners include the City of Saco, OOB Conservation Commission, Ocean Park Conservation Society, MHB, and the Loranger Memorial School. These partners, along with the Town, will provide local match funds through in-kind services, volunteer contributions, equipment use, and labor. The Town of OOB intends to purchase engineering and construction services using appropriate competitive procurement procedures that conform to applicable federal requirements. Through this project, the Town of OOB will design, coordinate and install Best Management Practices (BMPs) at 5 priority stormwater retrofits, 3 erosion sites and 2 buffer sites within the watershed. Outreach activities will include the installation of educational signage at retrofit sites, the installation of stream crossing signage at key road crossings, press releases and news articles, website updates, and a buffer workshop with students from the Loranger Memorial School and Jameson School in OOB.

OOB will administer the project according to the grant agreement with DEP. Sub-agreements with YCSWCD and the City of Saco will be provided for DEP review. The YCSWCD Project Manager will act as Project Coordinator to track progress, expenses, local match, and oversee the completion and submittal of semi-annual progress reports, deliverables and the final project report. The City of Saco will coordinate all aspects of Task 5 and will also participate in Steering Committee meetings and outreach/education initiatives as outlined under Tasks 2 & 3.

YCSWCD RESPONSIBILITIES

Task 1: Project Management

The YCSWCD Project Manager will act as Project Coordinator to track progress, expenses, local match, and oversee the completion and submittal of semi-annual progress reports, deliverables and the final project report. YCSWCD will continue use of the NPS Site Tracker spreadsheet to efficiently accumulate and record information about NPS sites observed during this project to enable continued activity in future years to maintain existing BMPs and address new NPS sites.

Task	Hours @ \$60/hr.	Total
YCSWCD will draft subcontracts.	5	\$300
YCSWCD will track and document local match funds and project financials.	24	\$1,440
YCSWCD will complete (4) semi-annual progress reports.	12	\$720
YCSWCD will complete all grant invoicing & associated forms.	21	\$1,080
YCSWCD will complete one final report at the conclusion of the grant.	41	\$2,460
YCSWCD to manage and update the NPS site tracker tool.	10	\$600
YCSWCD to assist with identifying additional sites for phase III.	10	\$600
All materials will be submitted to the Town for submission to MDEP and EPA.		
TOTAL		\$7,200

Task 2: Goosefare Brook Restoration Committee Meeting Coordination and Participation

The Goosefare Brook Restoration Committee will continue to guide the implementation of the watershed plan. The committee will meet 5 times throughout the course of the project and will consist of representatives from key watershed stakeholder groups including: YCSWCD, Town of OOB, City of Saco, OOB Conservation Commission, Ocean Park Conservation Society, MHB, Loranger Middle School, ME DEP, and interested watershed residents and landowners. YCSWCD will be responsible for meeting coordination, facilitation and summarization while project partners and citizen volunteers will be responsible for meeting participation and input. YCSWCD will also be responsible for facilitating communications with members that occur outside of scheduled meetings and provide the meeting agenda and minutes to members.

Task	Hours @ \$60/hr.	Total
YCSWCD will organize & facilitate five (5) Restoration Committee meetings.	40	\$2,400
YCSWCD will complete meeting minutes & follow up correspondence with committee members.	15	\$900
TOTAL		\$3,300

Task 3: Outreach and Education

This project includes an education and outreach component that aims to engage and educate the local community, students, partner organizations and watershed stakeholders. As part of the Goosefare Brook Watershed Restoration Project, phase II, the following activities will be conducted:

- At least four (4) press releases will be written and distributed to local news outlets prior to outreach / education events throughout the course of the project.
- Annual Goosefare Brook Cleanup Day (1 per year) will be organized in both OOB & Saco.
- A planting workshop at the parking area behind Loranger Memorial School and the Jameson School will be coordinated by YCSWCD with assistance from the Restoration Committee members.
- An art contest with Loranger Memorial School students will be organized by project staff. The winning artwork will appear on the stream crossing signs to be installed at key road crossings on Goosefare Brook within the Town of OOB.
- Stormwater retrofit signage will be designed and installed to inform and educate the public about the installation, the grant project, Goosefare Brook, and NPS pollution.

Task	Hours @ \$60/hr.	Total
YCSWCD will complete and submit four (4) press releases	12	\$720
YCSWCD will organize and attend annual stream cleanups.	80	\$4,800
YCSWCD will design and coordinate production of stream crossing signage.	20	\$1,200
YCSWCD will design and coordinate production of SW retrofit signage.	12	\$720
YCSWCD will organize and facilitate a planting workshop for students at Loranger and Jameson Schools.	36	\$2,160
TOTAL		\$9,600

Task 4: BMP Installations at NPS Sites

The Town of OOB will coordinate engineering services and oversee the construction of the proposed stormwater retrofit and erosion sites. YCSWCD will assist in overall management of BMP installation, assist with permitting, and provide site design plans for sites that do not require engineering. YCSWCD will also complete and submit all required DEP reports. The project will address 5 priority stormwater retrofits, 3 erosion sites, and 2 buffer sites. YCSWCD will submit final design, specifications, and construction plans for NPS abatement projects involving \$5,000 or more in grant funds to DEP for review and approval before construction commences.

Task	Hours @ \$60/hr.	Total
YCSWCD will provide project management & technical assistance for five (5) SW retrofit projects and three (3) erosion sites.	44	\$2,640
YCSWCD will complete and submit NPS Site Reports, annually.	20	\$1,200
YCSWCD will conduct site visits, create buffer planting plans, secure landowner agreements, complete permitting, and coordinate the installation of two (2) buffer projects.	48	\$2,880
TOTAL		\$6,720

Task 7: Pollutant Load Reductions

YCSWCD, with assistance from OOB DPW staff, will estimate NPS pollutant load reductions and resources protected under this project. During design or installation of conservation practices at NPS sites, appropriate field measurements will be recorded to prepare estimates of pollutant load reductions. Estimates will be prepared for all NPS sites, unless there is not an applicable estimation method. Methods to be used are the EPA Region 5 Load Estimation Model <http://it.tetrattech-ffx.com/steplweb/> and/or the U. S. Forest Service WEPP Road Model at <http://forest.moscowfs1.wsu.edu/fswepp/> Results will be provided using DEP's "Pollutants Controlled Report" (PCR), which will be submitted to the MDEP, by December 31st of each project year.

Task	Hours @ \$60/hr.	Total
YCSWCD will complete and submit annual PCR Report to ME DEP.	16	\$960
TOTAL		\$960

EXHIBIT B - Memorandum of Agreement
PAYMENT AND OTHER PROVISIONS

Contract Price

The contract price shall not exceed **\$27,780** for staff time excluding mileage. Mileage shall be reimbursed at the state reimbursement rate of \$0.44/mile and will not exceed **\$330 or 750 miles**.

Mileage Reimbursement

YCSWCD must document the date of travel, the beginning location, the ending location; and the purpose of the trip. Measurement of mileage shall be from the YCSWCD offices located at 21 Bradeen St, Springvale, ME 04083.

Invoices and Payments

The YCSWCD shall invoice for actual costs. Payment shall be made by the Town of OOB within thirty (30) days after receipt of an approved invoice submitted by the YCSWCD upon the YCSWCD's standard billing form or business letterhead. Payment is predicated upon the Agreement Administrator's approval and acceptance of all completed tasks and work products.

Project Extension beyond Agreement Termination Date

If a project extension is granted to the project grantee, and work continues beyond the termination date, this contract will be renegotiated to include additional and necessary YCSWCD staff time above the aforementioned Contract Price.

Agreement Administrator

All invoices, progress reports, correspondence and related submissions from the YCSWCD shall be directed to the Project Coordinator for the Town of OOB, as follows:

Joseph Cooper, Public Works Director
Town of Old Orchard Beach Public Works Department
103 Smithwheel Road
Old Orchard Beach, ME 04064
Telephone: 207-934-2250
FAX: 207-934-5323
Email: jcooper@oobmaine.com

**RIDER C - Memorandum of Agreement
INSURANCE AND INDEMNIFICATION**

Prior to the execution of the Memorandum of Agreement, the YCSWCD will procure and maintain both general liability insurance coverage in the minimum amount of \$300,000 per claim for bodily injury, death and property damage and Workers Compensation Insurance Coverage. The YCSWCD shall furnish and thereafter maintain certificates evidencing such coverage.

To the fullest extent permitted by law, the YCSWCD shall defend, indemnify and hold harmless The Town of Old Orchard Beach, its officers and employees, from and against all claims, damages, losses, and expenses, just or unjust, including, but not limited to, the costs of defense and attorney's fees arising out of or resulting from the performance of this Agreement, provided that any such claims, damage, loss or expense (1) is attributable to bodily injury, sickness, disease, or death, or to injury to or destruction of tangible property, including the loss of use there from, and (2) is caused in whole or in part by any negligent act or omission of the YCSWCD, anyone directly or indirectly employed by it, or anyone for whose act it may be liable. This provision is not intended to waive any defenses or immunities that may be available to the YCSWCD pursuant to state law, including but not limited to Maine Tort Claims Act, 14 M.R.S.A. §8181 et. seq.

7329 Discussion with Action: Approve the Special Event Permit application for OOB365 to hold a "Fostering Family Fun Festival and Craft Fair" in Memorial Park on Saturday, May 25th, 2019 from 8:00 a.m. to 7:00 p.m. 10-12 EZ Pop-ups; Maine Crafters and grills for food; petting Zoo by the Basketball Courts and Pony Rides in the Park.

MOTION: Councilor Tousignant motioned and Councilor Blow seconded to Approve the Special Event Permit Application as read.

VOTE: Unanimous.

SHARRI MACDONALD: The Chair of OOB365 spoke about the several events on the Agenda this evening and the benefit of them to the Community and to those they are serving and thanked the Council for their support. These events not only bring business to the community but opens up the Town to not only business opportunities but service opportunities as well. The Council appreciates all that OOB365 does for their community.

7330 Discussion with Action: Approve the Special Event Permit application from OOB365 to hold the 100-year anniversary of the Boy Scouts of America Camporee in Old Orchard Beach on Friday through Sunday, May 17th-19th, 2019, starting at 8 a.m. May 17th. Boy Scouts will be camping overnight on the beach in front the Normandie on Friday and Saturday night. Permission for small cooking apparatus on the beach; set up registration in the Square on Friday, for the weekend; parade on Saturday at 8 a.m. from Memorial Park-Heath St-Saco Ave-Old Orchard Street-to Square; use of Memorial Park on Saturday for Boy Scout demonstrations and obstacle courses; bonfire on the beach Saturday night in front of the Normandie—end by 11 p.m. Banner to be placed on Saco Avenue and Square up to two weeks prior to the event.

MOTION: Councilor Kelley motioned and Councilor Blow seconded to Approve the Special Event Permit as read.

VOTE: Unanimous.

7331 Discussion with Action: Approve the Special Event Permit application for OOB365 to hold a Swap N Shop—Community Yard Sale in the Memorial Park parking lot on Saturday, May 11th, 2019 from 6 a.m. to 5 p.m. Kettle corn, hot dogs and soda/water provided.

MOTION: Councilor Blow motioned and Councilor Kelley seconded to Approve the Special Event Permit application as read.

VOTE: Unanimous.

7332 Discussion with Action: Approve the Special Event Permit application for OOB365 to hold a Scottish Festival on Friday, May 31st, and Saturday, June 1st, 2019. Set –up in the Park Friday night. There will be a bonfire on the beach in front of the Brunswick on Friday until 11 p.m.; parade at 8:30 a.m. Saturday from Town Hall, down Old Orchard Street, First Street to Memorial Park; event in Memorial Park on Saturday from 6 a.m. to 9 p.m. four Downeaster parking spaces to be provided; access available to Chamber of Commerce and Absolute Beach Rentals; accommodations for Shuttlebus riders by assisting them with passage through the event; First Street closed on Saturday from 2 a.m. to 7 p.m.; Any liquor must be on the library property, with permission from the library—Liquor Liability insurance, listing Town as additionally insured, to be provided by the liquor provider, as well as the Liquor provider providing private door security; Applicant to work with Flag Raising Committee for Flag Raising at 6:30 p.m. each night. Week before event applicant to walk the area with Public Works.

MOTION: Councilor Tousignant motioned and Councilor Blow seconded to Approve the Special Event Permit as read.

VOTE: Unanimous.

7333 Discussion with Action: Approve the Special Event Permit Application for OOB365 to hold “Back to the Beach” Corvette Weekend, Saturday, June 8th, 2019, June 13th, 2020 and June 12th, 2021 to include closing Old Orchard Street from 9 a.m. to 1 p.m., with a parade to follow. A 12-foot fire lane must be provided down the center of Old Orchard Street for fire apparatus. Insurance, listing the Town of Old Orchard Beach as additionally insured, to be provided to the Town Clerk’s Office one month before each event. Insurance for 2019 already provided.

MOTION: Councilor Kelley motioned and Councilor Blow seconded to Approve the Special Event Permit as read.

VOTE: Unanimous.

ADJOURNMENT:

MOTION: Councilor Tousignant motioned and Councilor Blow seconded to Adjourn the Town Council 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 thirty-five (35) pages is a copy of the original Minutes of the Town Council Meeting of February 19, 2019.

V. Louise Reid