

**TOWN OF OLD ORCHARD BEACH
TOWN HALL CHAMBERS
TOWN COUNCIL MINUTES
Tuesday, September 3, 2019**

A Town Council Meeting of the Old Orchard Beach Town Council was held on Tuesday, September 3, 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: Councilor Kenneth Blow

CHAIR: I ask for the addition of an Agenda Item.

EMERGENCY ITEM:

MOTION: Vice Chair O'Neill motioned and Councilor Kelley seconded to Add Agenda Item Number # 7755 following Agenda Item # 7754:

Discussion with Action: Approve the Special Event Permit application from Brittney Austin to hold her wedding on the beach at the end of Winona Avenue on Saturday, September 14th, 2019 from Noon to 5:30 p.m., including set-up and takedown. Ceremony will include a DJ, chairs and a wedding arch.

VOTE: Unanimous.

ACCEPTANCE OF MINUTES: Accept the Town Council Minutes of August 22, 2019.

MOTION: Vice Chair O'Neill motioned and Councilor Kelley seconded to Accept the Minutes as read.

VOTE: Unanimous.

GOOD AND WELFARE:

PUBLIC HEARING BUSINESS LICENSES AND APPROVAL:

CHAIR: I open this Public Hearing at 6:32 p.m.

Brianna DeGone (311-20-5), 10 9th Street, one year round rental; King Weinstein dba/OOB Inn dba/OOB Inn, LLC (205-1-23), 6 Portland Avenue, eighteen year round rentals; and Issac Naim (205-4-4), 30 Old Orchard Street, Parking Lot.

CHAIR: I close this Public Hearing at 6:33 p.m.

MOTION: Councilor Tousignant motioned and Vice Chair O'Neill seconded to Approve the Business Licenses as read.

VOTE: Unanimous.

PUBLIC HEARING LIQUOR LICENSES AND APPROVAL - NEW

CHAIR: I open this Public Hearing at 6:33 p.m.

King Weinstein dba/OOB Inn, LLC (205-1-23), 6 Portland Avenue, m-v-s – Hotel, Food Optional (Class 1-A).

CHAIR: I close this Public Hearing at 6:34.

MOTION: Councilor Kelley motioned and Councilor Tousignant seconded to Approve the Liquor License as read.

VOTE: Unanimous.

TOWN MANAGER'S REPORT: A reminder that the Old Orchard Beach Veteran's Memorial Park Committee will be honoring Captain Joel Barnes with a bench in his name at Veterans Park on Wednesday, September 11, 2019 at 6:00 p.m.. Captain Barnes graduated from OOB High School in 2005. He served as a training officer and emergency medical services coordinator at the Berwick Fire Department. He previously worked at South Berwick Rescue, York Ambulance, the OOB Fire Department and as a firefighter and paramedic in Myrtle Beach, South Carolina. He was also a per diem firefighter in Acton. He succumbed to his injuries while fighting a fire on Friday, March 1, 2019. New beginnings this tax year the Town Council has established a new property tax relief program for long term Old Orchard Beach residents who are 70 or older. The Town Council began the program in order to provide tax relief to older, long-term residents who have limited incomes and limited savings. The town council knows that although the value of homes are increasing, incomes of our older residents may not be. In order to qualify, you must meet all the requirements of the following criteria: Received a Property Tax Refund this year from the State of Maine Property Tax & Fairness Credit Program; Received the Homestead Exemptions at the time of the Application; Primary Residence has been in Old Orchard Beach for ten (10) continuous years prior to the date of the Application; You are 70 years of age as of November 1st; and You have no past due Property Taxes as of the date of the Application. Applications are due no later than November 1st. Applications are available on the Town's website on the homepage or may be picked up at the Town Hall at the Tax Office or Assessor's Office. The State Department of Transportation will begin work next week on paving improvements to Rt. 5, Ocean Park Road, and Saco Avenue. The work will be done in two phases; the first phase this fall will be between Union Avenue and the Half-Way Intersection; and the remainder of the work extending to the start of I-95 will take place next spring. Weather and schedule permitting work this fall could include changes to the Half-Way Intersection, including the Old Salt Road T-Intersection with Temple Avenue. Next Saturday, September 14th is the

third and final Household opportunity this year to dispose of a variety of household hazardous waste products. The drop off location is the Biddeford Department of Public Works located at 371 Hill Street from 8:00 a.m. until Noon. Proof of Old Orchard residency is required. This is your chance to dispose of common household chemicals such as solvents, paint thinner, gasoline and petroleum products, drain cleaners, etc. For a list of what you can and cannot bring go to the Town's website on the home page. The annual Chamber of Commerce Car Show will be held next weekend, September 13th and 14th. The last year's show was featured in a 2019 episode of the popular television program – My Classic Car with Dennis Gage. The car showcase on Old Orchard Street begins Friday at 1:00 p.m. until early evening with the Memorial Park showcase starting Saturday at 8:00 a.m. until 2:30 p.m. Don't miss it.

NEW BUSINESS:

7542 Discussion with Action: Convey foreclosed property identified as 10 Little River Road, Parcel Number 00201-00003-00004 to owners of record Melissa Cunningham Allen & Cathleen Cunningham Allen, for the total amount of \$15,455.24 in outstanding taxes and accumulated interest, due on the effective date of conveyance, including FY2018, FY2019 & FY2020 taxes, plus any legal costs incurred by the Town of Old Orchard Beach.

MOTION: Vice Chair O'Neill motioned and Councilor Tousignant seconded to Convey foreclosed property identified as 10 Little River Road, Parcel Number 00201-00003-00004 to owners of record Melissa Cunningham Allen & Cathleen Cunningham Allen, for the total amount of \$15,455.24 in outstanding taxes and accumulated interest, due on the effective date of conveyance, including FY2018, FY2019 & FY2020 taxes, plus any legal costs incurred by the Town of Old Orchard Beach.

VOTE: Unanimous.

7543 Discussion with Action: Authorize the Town Manager to sign an Agreement between Ecomaine and the Town of Old Orchard Beach for Recycling Services for three years commencing on July 1, 2019 unless sooner terminated under the Agreement terms.

BACKGROUND:

The Council is asked to consider entering into an agreement with EcoMaine for the handling and processing of recycled materials collected either curbside or through the silver bullets located at the Public Works Department. The Town's existing agreement expired in April of this year. We have been operating on a month to month arrangement pending the passage of the FY20 municipal budget. The budget appropriation assumes a cost to the Town of \$85 per ton. As discussed during the FY20 budget process the Town is now charged a per ton fee for the handling of recycled materials by EcoMaine. This fee will vary depending on the cost that EcoMaine incurs to transfer the various types of recycled materials to the entity that receives and re-purposes the goods (paper, cardboard, plastic, glass, etc). The monthly charge to the Town will vary depending on the quantity of materials handled and the market price for that month. Sometimes EcoMaine will have to pay to repurpose the materials and sometimes it will receive a payment from a buyer. The term of the agreement is three years and is renewable upon agreement of both parties. However the Town may terminate the agreement at the end of each fiscal year if the Council does not appropriate sufficient funds for this purpose.

MOTION: Vice Chair O'Neill motioned and Councilor Tousignant seconded to Authorize the Town Manager to sign an Agreement between Ecomaine and the Town of Old Orchard Beach for Recycling Services for three years commencing on July 1, 2019 unless sooner terminated under the Agreement terms.

VOTE: Unanimous.

7544 Discussion with Action: Authorize the Town Manager to enter into an Engineering Services Agreement with Wright Pierce for road and utility infrastructure improvements on Fern Avenue, West Old Orchard Avenue and a portion of Washington Avenue as part of an approved Community Development Block Grant project, for an estimated cost of \$81,500; from Account Number 50002-50506 - CIP Road Maintenance Improvement, with a balance of \$352,106.23.

BACKGROUND:

The Town Council has previously approved acceptance of a one million dollar grant from the Maine Department of Economic and Community Development for infrastructure improvements to Fern Ave, W. Old Orchard Ave and a portion of Washington Ave. Council also approved the use of \$500,000 in local capital funding. In addition Maine Water will do at least \$300,000 worth of improvements on these streets. The intention is for this work to begin as soon as possible in 2020. In order to move forward with development of construction and bid documents it is necessary to contract with Wright Pierce for engineering services.

MOTION: Vice Chair O'Neill motioned and Councilor Kelley seconded to Authorize the Town Manager to enter into an Engineering Services Agreement with Wright Pierce for road and utility infrastructure improvements on Fern Avenue, West Old Orchard Avenue and a portion of Washington Avenue as part of an approved Community Development Block Grant project, for an estimated cost of \$81,500; from Account Number 50002-50506 - CIP Road Maintenance Improvement, with a balance of \$352,106.23.

VOTE: Unanimous.

7545 Discussion with Action: Approve the quote from AMCO Instrument Group in the amount of \$10,600 for the purchase of Level Sensors for the Secondary Clarifiers, from Account Number # 20161-50330 - Wastewater Equipment Replacement Expense, with a balance of \$118,594.26.

BACKGROUND:

Level sensors for the secondary clarifiers are used to measure sludge blanket levels. Blanket levels can be reported continuously and trended. This gives staff historical and real time data. Eventually the sensor would be connected to SCADA system and would be part of the long term facility plans. AMCO gave us a unit to try and HACH would not. The AMCO instrument comes with a two year warranty. The HACH instrument does not. A two year warranty would bring the total cost to \$10,793.20 for the HACH unit. The current method of measuring sludge blankets requires staff to insert a long tube into the clarifier. This method is open to interpretation and results can be inconsistent. There is also the chance the tube breaks which requires staff to drain the clarifier to remove the broken tube. This was not submitted in the original budget request.

Two bids were received:

AMCO	\$10,600.00
HACH COMPANY	10,793.20

Both quotes included two year warranties. The Superintendent is recommending accepting the quote from AMCO in the amount of \$10,600.

MOTION: Vice Chair O'Neill motioned and Councilor Kelley seconded to Approve the quote from AMCO Instrument Group in the amount of \$10,600 for the purchase of Level Sensors for the Secondary Clarifiers, from Account Number # 20161-50330 - Wastewater Equipment Replacement Expense, with a balance of \$118,594.26.

VOTE: Unanimous.

7546 Discussion with Action: Set the Public Hearing date of Tuesday, September 17th, 2019 to Amend the Town of Old Orchard Beach Code of Ordinances, Section 54-187, Restrictions and Prohibitions, by prohibiting parking on the right side of Willow Creek Lane from the east side of the property line of 6 Willow Creek Lane (205-19-39) to the dead end, facing west.

BACKGROUND:

A resident at 10 Willow Lane requested consideration of eliminating parking on the right hand side of Willow Lane beginning at Number six Willow Lane and terminating at the end of the roadway which is a dead end. The area was reviewed and there appears to be no objection to the change. The neighbors have been reached for their input.

**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 September 17th, 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, adding Willow Creek Lane, by adopting the underscored language and deleting the strikethrough language as follows:

Willow Creek Lane: There shall be no parking on the right side of Willow Creek Lane from the east side property line of 6 Willow Creek Lane (205-19-39) to the dead end, facing west.

MOTION: Vice Chair O'Neill motioned and Councilor Kelley seconded to Set the Public Hearing date of Tuesday, September 17th, 2019 to amend the Town of Old Orchard Beach Code of Ordinances, Section 54-187, Restrictions and Prohibitions, by prohibiting parking on the right side of Willow Creek Lane from the east side of the property line of 6 Willow Creek Lane (205-19-39) to the dead end, facing west.

VOTE: Unanimous.

7547 Discussion with Action: Accept the bid from Stoneham Motor Co., 211 Main St., Laconia, NH 02180 for the purchase of a 2019 Ford F-250 4X4 with a Fisher XLS Stainless Steel Plow and 1.5 Cubic Yard Poly Sander for the Public Works Department, at a cost of \$37,073.00, to be financed through a Lease Purchase Agreement with Androscoggin Bank at 3.15%; with four annual installments in the amount of \$9,706.52 from Account Number 20197-50330; Debt Service Lease Purchase with a balance of \$393,925.61.

BACKGROUND:

We would like to replace a 2006 GMC 2500 with a 2019 Ford F250. Our current truck known as Truck 10 has outlived its usefulness. We have had body work done in 2017 the frame was welded last year; and the transmission is slipping. We are asking the Town Council to move forward with this item. Truck 10 is used for small parking areas and for plowing/sanding the sidewalk on Old Orchard Street. Because Old Orchard Street is used for businesses we try to keep it plowed during storms. This is the truck our Mechanic uses to help out between repairs. In the chart below you will find the following bids:

2019 Ford – F-250 with Fisher XLS Plow and 1.5 CY Poly Sander

Arundel Ford	\$47,500	
Trade In	2,000	\$ 45,500
	\$42,030	
Trade In	2,000	\$40,030
Irwin Motors	\$37,572.80	
Trade In	2,000.00	\$35,572.80
With extended 4 year warranty		
	\$39,827.80	
Trade In	2,000.00	\$37,827.00
Additional \$4,255 for extended warranty 4/yr. 100k miles		

Stoneham Motors

All six bids include an extended warranty for the Snowplow. Adding a Snowplow to a truck without this additional coverage would cause denial of the warranty claim.

2019 Ford F-250 Reg Cab 4X4 Gas Engine with Fisher XLS Plow and 1.5 CY Poly Sander.

Price	\$39,073	
Trade In	2,000	\$37,073
With four year extended warranty		
Price	\$40,753	
Trade In	2,000	\$38,753

2019 Ford F-250 Reg Cab 4X4 Gas Engine with Fisher SV2 8.5 Stainless Steel V-Plow and 1.5 Poly Caster Sander

Price	\$38,398	
Trade In	2,000	\$36,398

With four year extended warranty

Price	\$40,078	
Trade In	2,000	\$ 38,078

2019 Ford F-250 Reg Cab 4X4 Gas engine with Fisher HDX 8' Straight Blade Stainless Steel Plow and 1.5 CY Poly Caster Sander

Price	\$37,498	
Trade In	2,000	\$35,498

With four year extended warranty

Price	\$39,178	
Trade In	2,000	\$37,178

Deluxe Model – Power Windows and Locks

2019 Ford F-250 4X4 with Fisher XLS Plow and 1.5 CY Sander

Price	\$40,926	
Trade In	2,000	\$38,925

With four year extended warranty

Price	\$42,606	
Trade in	2,000	\$40,606

2019 Ford F-250 Reg Cab 4X4 Gas Engine with Fisher SV2 8.5' Stainless Steel V-Plow & 1.5 Ply Caster Sander

Price	\$40,251	
Trade In	2,000	\$38,251

With four year extended warranty

Price	\$41,931	
Trade In	2,000	\$39,931

2019 Ford F-250 Reg Cab 4X4 Gas Engine with Fisher HDX8' Straight Blade Stainless Steel Plow & 1.5 CY Poly Caster Sander

Price	\$39,351	
Trade in	2,000	\$37,351

With four year extended warranty:

Price	\$41,031	
Trade in	2,000	\$39,031

MOTION: Councilor Kelley motioned and Councilor Tousignant seconded to Accept the bid from Stoneham Motor Co., 211 Main St., Laconia, NH 02180 for the purchase of a 2019 Ford F-250 4X4 with a Fisher XLS Stainless Steel Plow and 1.5 Cubic Yard Poly Sander for the Public Works Department, at a cost of \$37,073.00, to be financed through a Lease Purchase Agreement with Androscoggin Bank at 3.15%; with four annual installments in the amount of \$9,706.52 from Account Number 20197-50330; Debt Service Lease Purchase with a balance of \$393,925.61.

VOTE: Unanimous.

7548 Discussion with Action: Accept the quote from HVAC services in the amount of \$17,450 for the repair of the Police Department's HVAC system from Account Number 52002-50917 – Police Department Capital Building Repair/Maintenance, with a balance of \$40,000.

BACKGROUND:

This repair to the Police Department's HVAC system was discussed during the Fiscal 2019/2020 budget preparations. We currently have a Service Contract with HVAC Services, Inc. to perform all of the maintenance and repairs needed to our HVAC system. The original design of the system was inadequate and has not functioned properly since it was installed almost nine years ago. The company that originally was servicing the system was the same one we had a contract with to provide maintenance to the system. They were never able to get the system to perform as it was designed. The Town Hall was using HVAC Services Inc. to perform maintenance on the Town Hall's HVAC system. We switched to them last fall and so far we are very satisfied with the service they have provided. They have been able to make some adjustments to the system to ensure that the system performs as it was intended. Because this company currently services our system we did not seek additional quotes. We believe it would be difficult to get another company to give us a quote when they know that someone else is servicing the system.

MOTION: Vice Chair O'Neill motioned and Councilor Kelley seconded to Accept the quote from HVAC services in the amount of \$17,450 for the repair of the Police Department's HVAC system from Account Number 52002-50917 – Police Department Capital Building Repair/Maintenance, with a balance of \$40,000.

VOTE: Unanimous.

7549 Discussion with Action: Accept the bid from Arundel Ford for the purchase of a 2019 Ford Ecosport AWD for the Code Enforcement/Planning Department, in the amount of \$17,806; from Account Number 51002-50908 – CIP Town Hall Vehicle, with a balance of \$25,033.

BACKGROUND:

During August 2019 the Town requested bids for a vehicle to be used by the Codes and Planning Department. After review of five bids received, staff is recommending the Town Council select the Ford Escosport from Arundel Ford in the amount of \$17,806. This recommendation is being made because the vehicle is under the \$25,000 budget amount; the vehicle includes all options identified by staff; and the Town Codes staff physically inspected

the two top choices – the Ford Ecosport and the Chevy Trax and found the Ecosport was a better fit for our needs.

MOTION: Councilor Kelley motioned and Vice Chair O'Neill seconded to Accept the bid from Arundel Ford for the purchase of a 2019 Ford Ecosport AWD for the Code Enforcement/Planning Department, in the amount of \$17,806; from Account Number 51002-50908 – CIP Town Hall Vehicle, with a balance of \$25,033.

VOTE: Unanimous.

7550 Discussion with Action: Approve the Special Event Permit application from Brittney Austin to hold her wedding on the beach at the end of Winona Avenue on Saturday, September 14th, 2019 from Noon to 5:30 p.m., including set-up and takedown. Ceremony will include a DJ, chairs and a wedding arch.

MOTION: Vice Chair O'Neill motioned and Councilor Kelley seconded to Approve the Special Event Permit application from Brittney Austin to hold her wedding on the beach at the end of Winona Avenue on Saturday, September 14th, 2019 from Noon to 5:30 p.m., including set-up and takedown. Ceremony will include a DJ, chairs and a wedding arch.

VOTE: Unanimous.

ADJOURNMENT:

MOTION: Councilor Kelley motioned and Vice Chair O'Neill seconded to Adjourn the Town Council Meeting at 6:58 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 nine (9) pages is a copy of the original Minutes of the Town Council Meeting of September 3, 2019.

V. Louise Reid