

**TOWN OF OLD ORCHARD BEACH
TOWN COUNCIL MEETING
Tuesday, May 17, 2016
TOWN HALL CHAMBERS
6:00 p.m.**

A Town Council Meeting of the Old Orchard Beach Town Council was held on May 17, 2016. Chair O'Neill opened the meeting at 6:30 p.m.

The following were in attendance:

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

**Pledge to the Flag
Roll Call**

CHAIR: May I have a motion to add an Emergency Item to the Agenda this evening, per Section 404.1 of the Town Charter:

MOTION: Vice Chair Thornton motioned and Councilor Kelley seconded to add Emergency Item Agenda Number 6692 following Business and Amusement Licenses: Discussion with Action: Appoint William Farley as Interim Fire Chief and Emergency Management Director, effective May 17, 2016.

VOTE: Unanimous.

ACKNOWLEDGEMENTS:

COUNCILOR TOUSIGNANT: A reminder that Saturday, April 23rd from 10:00 a.m. to 2:00 p.m. in front of Rite Aid in Old Orchard Beach will be a yard sale for the benefit of the Children's Miracle Network. Also on Saturday, May 21, 2016 at the Saco Grange, 168 North Street in Saco, the Community Animal Watch will be holding a Rummage Sale with many clothes, many donated by Heart's Desire of Saco, Maine. Admission is free. There will also be a bake sale, and a raffle table. They will also be selling tickets on a cat bunkbed.

VICE CHAIR THORNTON: We would remind the public that the Old Orchard Beach Police Department is looking for seasonal housing for its summer Reserves. Fine young men and women need housing accommodations during their summer assignments in Old Orchard Beach. If you know of some rental opportunities would you please call Sgt. Chart at the Old Orchard Beach Police Department – 934-4911.

In addition I would like to welcome some new businesses to our community. Welcome and good luck to Urban Farm Vintage at 64 Saco Avenue; Carney's Customs

at 1 Old Orchard Street; Ven-A-Lem at 2 Old Orchard Street; and the New Oceanic Inn at 43 West Grand Avenue – under new ownership.

ASSISTANT TOWN MANAGER: On behalf of The Salvation Army I would like to commend members of the U. S. Postal service, the Old Orchard Beach Fire Department, the Rotary Club and citizens for the help unloading 211 bins of food that was collected by postal delivery staff and provided to The Salvation Army to be distributed to the community food pantries here in Old Orchard Beach, Saco and Biddeford. To all citizens who left food by their mail boxes and to the great postal delivery member who lugged it all back to their trucks – a million thanks. Remember also Luminary Night – Sunday, May 29th from just before dark at Veteran’s Memorial Park to honor our loved ones and members of the Armed forces. Also reminding you of the first annual benefit concert at the Ballpark on Saturday, May 28th from 11:00 a.m. to 5:00 p.m. Gates open at 10:00 a.m.

PRESENTATION:

The following were present from the Potvin family: Greg and Judy Goodness, Guy Potvin, Paula Bryan, Pau Potvin, Lynne Shaw, Casey Goodness, Patrick Bryan.

APPLE CANE RECIPIENT – 2016

RITA JUNE FITZGIBBON POTVIN
By Arthur Guerin
Harmon Museum

Rita June Fitzgibbon Potvin was born at her family’s home on Olympia Avenue on December 16, 1928. She had two brothers, William and Harold, and one sister, Nellie. She graduated from Old Orchard Beach High School in 1947 and married Paul Potvin soon after. They had four children: Michael, Judy, Guy and Paula – all Old Orchard Beach graduates.

As a teenager she worked on the Pier cooking hot dogs and hamburgers. They were the last to close each evening and she remembers fondly feeding the Policemen that patrolled the Pier. At night they always walked the three girl employees to the trolley station to get their rides home safely. That was the age of the big bands and she remembers Jimmy Dorsey, Vaughn Monroe, Harry James, Nat King Cole, Tony Bennett and Frank Sinatra.

While raising her own family of four, she was primarily a stay-at-home Mom. She did serve on the local Civil Defense Patrol; was a contributing editor for Guy Gannett Publishing Company; was an active member of the AMVETS Merton Staples Post #1; and a Cub Scout Leader. She was an avid reader; loved to knit; and spend warm summer days in Ocean Park.

In 1968 she was elected National Executive President of the AMVETS Auxiliary. She traveled extensively visiting 27 States promoting and relating to the needs of our Veterans. Some of the highlights of her term in office were: having tea with Ladybird Johnson at the White House; meeting with General Westmoreland about the young Vietnam Veterans who were coming home and facing immense difficulties; (also dancing with the General at the White House event); listening to John McCain describe his ordeal as a Prisoner of War; and being very touched by the many patients she met touring the VA hospitals across the

nation; recalling how so very young they were. For years she visited the patients at Togas each week, bringing cookies, personal care items, reading to them, playing games, and simply just sitting and talking to the patients. She was also honored to place the wreath at the Tomb of the Unknown Soldier in 1968 and served on the National Forum on National Security in Washington, DC.

One time period in particular Rita will never forget. She was in Washington following the six days after the assassination of Martin Luther King, Jr. on April 4, 1968. Washington experienced looting, rioting, fires, and violence. She was staying at a Washington hotel at the time and they were ordered into lockdown. The Hotel actually ran out of food. She saw the turmoil from her hotel room as the National Guard worked to control events. She says it was terrifying to see and was very symptomatic of the turmoil we went through in the sixties.

Lobbying for Veterans rights was the focus of her position as National Executive President, but she also encouraged State and Local departments to support the John Tracy Clinic, a private, non-profit education center for infants and pre-school children with hearing loss. It was founded by Louise Tracy, wife of Spencer Tracy, in 1942. The Clinic offers family services, professional education and preschool training. Additionally she asked local and State departments to collect diapers, shoes, and clothing for the children of Appalachia. She still talks about the terrible poverty the children endured. She felt we as a nation sometimes forget the poverty, abuse, and neglect are not just elsewhere – but right here at home.

Given a choice, Rita says that if she could do it all again, she would choose to live in the State of Maine. She says Maine has it all and we are fortunate to call it home.

ACCEPTANCE OF MINUTES:

Town Council Workshop Minutes of April 28, 2016; Special Town Council Meeting of April 28, 2016; Town Council Meeting Minutes of May 3, 2016; Town Council Workshop Minutes of May 3, 2016; Town Council Workshop Minutes of May 11, 2016; and Special Town Council Minutes of May 11, 2016

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

VOTE: Unanimous.

PUBLIC HEARING:

BUSINESS LICENSES AND APPROVAL:

CHAIR: I open this Public Hearing at 6:47 p.m.

Jeanette Dugas (205-8-3), 15 & 15 ½ Wintergreen Street, two year round rentals; Gary Litman (206-7-9) 20 Eden Lane, one year round rental; Lori Hammond dba/Urban Farm Vintage (206-10-7), 64 Saco Avenue, Retail; Zetran dba/Little Miss Cottages (302-6-5), 173 East Grand Avenue, one year round rental; Gary & Cynthia Waterhouse (305-4-1-407), 1 Cleaves Street, #407, one year round rental; AxisAtm dba/Vend-a-Lem (306-6-1-K4), six (6) coin operated machines; Paul Carney dba/Carney's Customs (307-2-1) 1 Old Orchard Street, Suite 7, Retail; ATNTC Prop Presn/Jeff Corbin dba/The New Oceanic Inn (310-6-3),

43 West Grand Avenue, seven (7) seasonal & seven (7) year round rentals; Vivian Savage (311-23-1), 54 Evergreen Avenue, one year round rental; Mary Frances Turner Harrington (321-17-8), 3 Casco Avenue, one seasonal rental; and William Thorburn (322-6-14), 24 Massachusetts Avenue, one seasonal rental.

CHAIR: I close this Public Hearing at 6:48.

MOTION: Councilor Tousignant motioned and Councilor Blow seconded to Approve the business licenses as read.

VOTE: Unanimous.

PUBLIC HEARING: AMUSEMENT PERMITS AND APPROVAL:

CHAIR: I open this Public Hearing at 6:49 p.m.

Last Call Inc. dba/Last Call (206-31-19-A), 4 First Street, Live Bands Amplified, Inside – 11:00 a.m. to 1:00 a.m.; Duffy’s Tavern & Grill OOB Inc. dba/Duffy’s Tavern & Grill OOB (208-1-6), 168 Saco Avenue, Music, Comedy – Inside – 11:00 a.m. to 12:00 a.m.; Oceanside Investment Group dba/Myst Restaurant (306-1-2-I), 1 East Grand Avenue, Acoustical & Amplified Music, Outside & Inside – 12:00 p.m. to 1:00 a.m.; and Surf’s Up Inc. dba/Surf 6 (306-2-9-A), 2 Cortland Avenue, Acoustical & Amplified Music, Outside & Inside – 11:00 a.m. to 1:00 a.m.

CHAIR: I close this Public Hearing at 6:50 p.m.

MOTION: Councilor Tousignant motioned and Councilor Blow seconded to Approve the Amusement Permits as read.

VOTE: Unanimous.

TOWN MANAGER’S REPORT:

The Town Manager reported that paving is continuing with the initial paving at Walnut, Milliken, Usen, St. John, and Free Street. Work is continuing on Milliken from Bradbury to Old Orchard Street. Sewer work has begun on Winona and paving will take place once that has been completed. Memorial Park – the basketball courts were resealed today and will be striped this week. Tennis courts paving is complete; still need to paint and seal and complete fence work. Met several times with the Fire Department Captains regarding departmental operations. He also met with the ladder truck committee in preparation for final inspection and delivery of the new ladder truck later this week or into next week. Will initiate the process of hiring a new Fire Chief. Expect to advertise the position by the end of this week with a goal of having a new Chief on board by the end of September. Attended the Planning Board workshop last week related to the proposal to add year-round units at the Saco and Union locations. Item has been continued to the June meeting. Negotiations have been ongoing with the Fire and Police Unions.

6692 Discussion with Action: Appoint William Farley as Interim Fire Chief and Emergency Management Director, effective May 17, 2016.

The Town Manager introduced Mr. Farley. William Farley, a resident of Old Orchard Beach, and a veteran of more than 45 years of fire service in two Maine communities, will serve as Interim Chief of the Fire Department while the Town conducts a hiring process for a Fire Chief. Bill served for over 30 years with the Falmouth Fire Department, including two years as a District Chief, two years as the part-time Department Chief; and twelve years as Deputy Chief until 1999 when he stepped down upon relocating his residence to Old Orchard Beach. He joined the Old Orchard Beach Fire Department as a call-force member in 2000 and has served as the call-force Lieutenant for the past five years. Chief Farley is well regarded with the Old Orchard Beach Fire Department for his knowledge, experience and dedication. He will work closely with the four department Captains as it relates to department operations, and will be responsible for the administrative oversight of the department on a daily basis, including financial and personnel management. In addition to his many years of fire service Bill owned and operated a local business for 18 years – Radio Communications Management, with its main office in Portland, until his retirement in 2014.

INTERIM CHIEF FARLEY: He spoke of his commitment to the department and the staff and looked forward to working together in a positive manner for the citizens of Old Orchard Beach, Maine.

MOTION: Councilor Blow motioned and Vice Chair Thornton seconded to add Emergency Item Agenda Number 1592 following Agenda Item # 6690: Discussion with Action: Appoint William Farley as Interim Fire Chief and Emergency Management Director, effective May 17, 2016.

VOTE: Unanimous.

6681 Discussion with Action: Approve the purchase of primary clarifier wear parts from Kaman Industrial in the amount of \$13,368 from Account Number 20161-50330 – Equipment Replacement, with a balance of \$43,039.89.

BACKGROUND:

The Wastewater Department is requesting the purchase of wear parts for the primary clarifiers. There are five (5) primary clarifiers at the WWTF that are used on a rotational basis. The quotes include enough parts to rebuild three (3) primary clarifiers. The funds for this purchase were included in the operational budget requests in equipment replacement account #20161-50330 as part of the FY16 budget. Since sources for these parts are limited I was only able to procure two quotes.

Kaman Industrial	\$13,368.00
Motion Industries	14,890.40

Christopher White – Waste Water Superintendent

MOTION: Councilor Tousignant motioned and Councilor Blow seconded to Approve the purchase of primary clarifier wear parts from Kaman Industrial in the amount of \$13,368 from

Account Number 20161-50330 – Equipment Replacement, with a balance of \$43,039.89.

VOTE: Unanimous.

6682 Discussion with Action: Act on Warrant and Notice of Election calling a Regional School Unit No. 23 Budget Validation Referendum for June 14, 2016.

MOTION: Vice Chair Thornton motioned and Councilor Blow seconded to Act on Warrant and Notice of Election calling a Regional School Unit No. 23 Budget Validation Referendum for June 14, 2016.

VOTE: Unanimous.

**WARRANT AND NOTICE OF ELECTION
CALLING REGIONAL SCHOOL UNIT NO. 23
BUDGET VALIDATION REFERENDUM
(20-A M.R.S. §1486)**

TO: Jay Kelley, a resident of Regional School Unit No. 23 composed of the Town of Old Orchard Beach, State of Maine.

In the name of the State of Maine, you are hereby ordered to serve upon the municipal clerk of Town of Old Orchard Beach, an attested copy of this warrant and notice of election. Service shall be in hand within three (3) days of the date of this warrant and notice of election. The municipal clerk of the Town of Old Orchard Beach shall immediately notify the municipal officers. The municipal officers shall meet forthwith and countersign this warrant and notice of election. The municipal officers shall provide below for the municipal clerk to post or have posted this warrant and notice of election.

**TOWN OF OLD ORCHARD BEACH
REGIONAL SCHOOL UNIT BUDGET VALIDATION REFERENDUM
WARRANT AND NOTICE OF ELECTION**

York County, ss.

State of Maine

TO: Kim McLaughlin, Town Clerk of Old Orchard Beach: You are hereby required in the name of the State of Maine to notify the voters of this municipality of the election described in this warrant and notice of election.

TO THE VOTERS OF OLD ORCHARD BEACH:

You are hereby notified that the Regional School Unit budget validation referendum election will be held at the Old Orchard Beach High School, 40 E. Emerson Cummings Blvd. in the Town of Old Orchard Beach on Tuesday, June 14, 2016. Only registered voters of the Town of Old Orchard Beach may vote at the budget validation referendum. The election will be held for the purpose of determining the following referendum question:

Article 1: Do you favor approving the Regional School Unit No. 23 budget for the upcoming school year that was adopted at the latest Regional School Unit budget meeting?

Article 2: Do you wish to continue the budget validation referendum process in Regional School unit No. 23 for an additional three years?

The polls must be opened at 8:00 a.m. and closed at 8:00 p.m.

The Registrar of Voters shall hold office hours while the polls are open to correct any error in or change a name or address on the voting list; to accept the registration of any person eligible to vote and to accept new enrollments.

A person who is not registered as a voter may not vote in any election.

Given under our hand this day, May 10, 2016 at Old Orchard Beach, Maine.

Carol Marcotte [Signature]
Debra D. Violette [Signature]
John J. Palutz [Signature]

A majority of the School Board of Regional School Unit No. 23

A true copy of the Warrant and Notice of Election, attest: Jay Kelley
Jay Kelley, Resident
of Regional School Unit No. 23

Countersigned this _____ day of _____, 2016 at Old Orchard Beach, Maine.

A majority of the municipal officers of the Town of Old Orchard Beach

A true copy of the Warrant and Notice of Election, attest: Kim McLaughlin
Kim McLaughlin, Town Clerk
Town of Old Orchard Beach

6683 Discussion with Action: Set a Public Hearing Date of June 7, 2016 to consider the Community Development Block Grant Program – Police Department.

BACKGROUND:

**COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
2016 SAFE NEIGHBORHOOD GRANT
POLICE DEPARTMENT**

The Safe Neighborhood Program (SNP) provides resources to support new, or expanded local law enforcement and crime prevention programming in designated neighborhoods which will benefit low/moderate income (LMI) persons. These funds will help alleviate illegal drug activity, violent crime and property crime, which will benefit residents. Each applicant is required to hold a Public Hearing to permit comments from the public. The maximum grant amount is \$100,000.

MOTION: Councilor Tousignant motioned and Councilor Kelley seconded to Set a Public Hearing Date of June 7, 2016 to consider the Community Development Block Grant Program – Police Department.

VOTE: Unanimous.

Public Hearing Notice to Comply with Title VI Requirements



**Public Hearing Notice
The Town of Old Orchard Beach**

The Town of Old Orchard Beach will hold a Public Hearing on June 7th, 2016 at 6:30 PM, at the Old Orchard Beach Town Hall to discuss an application being submitted to the State of Maine CDBG program for a Police Department Special Enforcement Team (SET).

The purpose of the grant application is to obtain funding for the Special Enforcement Team to focus on disrupting illegal drug activities and associated crime that negatively impacts residents' quality of life and contributes to unsafe living conditions, especially for low-to-moderate income (LMI) individuals. Public comments will be solicited at this Hearing and will be submitted as part of the application. All persons wishing to make comments or ask questions about the grant application are invited to attend this Public Hearing.

Comments may be submitted in writing to: Police Chief Dana Kelley at any time prior to the Public Hearing. TDD/TTY users may call 711. If you are physically unable to access any of the City's/Town's programs or services, please call V. Louise Reid, Assistant Town Manager, 207-934-5714, ext. 1536, so that accommodations can be made.

State of Maine

Community Development Block Grant Program
2016 Safe Neighborhood Program

Letter of Intent

Due May 6, 2016 by 4:00 p.m.

Letters of Intent may be submitted via email to: ocd.loi@maine.gov
Please enter "SNP LOI" in the subject line.

All communities wishing to apply for a 2016 Safe Neighborhood Program Grant must use this Letter of Intent to document compliance with requirements established by Title I of the Housing and Community Development Act of 1974, as amended and the State of Maine CDBG program. Applicants who submit a completed and approved Letter of Intent will be notified by OCD whether they are eligible to submit a final application. Eligibility to submit a final application does not imply final project approval or funding.

2016 CDBG Program Funds are not expected to be available before July 1, 2016.

APPLICANT ELIGIBILITY

Legal Applicant:

Applicant:	Old Orchard Beach	Phone:	(207) 937-5626
Address:	1 Portland Avenue	Fax:	(207) 934-0755
City, ZIP+4:	Old Orchard Beach 04064- 1460	E-Mail:	lmead@oobmaine.com
Chief Official:	Larry S. Mead		
Census Tracts #(s) Where Proposed Activities Will Occur:	Community-wide (OOB is 51.61% LMI)		
DUNS #: 077 465 714	OCD Development Program Manager Name and Date of Consultation (required to occur before submission of LOI): TerryAnn Holden January 5, 2016		
Applicant DUNS (Dunn & Bradstreet) #:(visit http://fedgov.dnb.com/webform to obtain a number)			

Applying on Behalf of Sub-Grantee if applicable:

Business:	Old Orchard Beach Police Department	Phone:	(207) 934-4911
Address:	16 Emerson Cummings Blvd	Fax:	(207) 937-5626 5714
City, ZIP:	Old Orchard Beach 04064-1460	E-Mail:	dkelley@oobmaine.com
Owner:		Website:	http://www.oobmaine.com/pages/OldOrchardBeachME_Police/index

PROJECT INFORMATION

Provide a concise description of the proposed project below. The scope of work should describe how the new or expanded local law enforcement and crime prevention programming will benefit low and moderate income persons and reduce illegal drug activity and associated crimes.

The Old Orchard Beach Police Department requests \$100,000 to resurrect and expand its historically successful Special Enforcement Team (SET) with a focus on disrupting illegal drug activities and associated crime that negatively impacts residents' quality of life and contributes to unsafe living conditions, especially for low-to-moderate (LMI) individuals.

Old Orchard Beach (OOB) is a coastal resort community located in Northern York County that experiences dueling town dynamics fueled by summertime crowds and a transient winter population. A small number of year-round residents (less than 9,000) routinely host approximately 100,000 diverse vacationers seeking entertainment and shore-side leisure during the peak summer months each year. More than 500 foreign students supplement its summertime workforce, designating OOB the largest employer of foreign students in the state. And with the small year-round population and summer influx, rental properties dominate the community bringing in tourist dollars on which OOB thrives by providing housing for vacationers and foreign students, in addition to inexpensive housing for wintertime renters. OOB's miles of beaches, unique waterfront amusement park (Palace Playland), and affordable downtown area ripe with bars, restaurants, shops and entertainment clubs make it a famed destination spot for individuals and families from all over the United States, Canada, and Europe.

Unfortunately, these dynamics also lead to staggering spikes in summertime "good time" crime including drug trafficking, alcohol violations, drunk driving and prostitution, as well as oftentimes unsanitary and poor living conditions for vulnerable foreign students victim to unscrupulous land-lording practices, and temporary winter housing attractive to non-vetted drug dealers and burglars in search of a provisory home base to conduct illegal business. Due to the fact that OOB is comprised largely of rental properties with rotating tenants, many LMI neighborhoods lack the cohesiveness and social constructions that contribute to a safe community. Predatory landlords, who do little to maintain an aging housing stock and even less to screen potential tenants, contribute to the blight and slum conditions that breed crime.

Moreover, the emerging opiate crisis and lucrative drug market affecting communities across Maine and nationally is poised to have devastating effects on OOB, a town that already is beyond maximum capacity for police support, hiring and training over 30 additional police officers each summer to deal with routine crime spikes. OOB's plan to resurrect and expand the SET will be integrated into a longer-term tri-community coalition (Biddeford, Saco, Old Orchard Beach) strategy to disrupt the growing illegal drug market and deal with existing and emerging substance abuse issues through collaborative efforts between the municipalities.

Increasing law enforcement to investigate and execute search and arrest warrants in OOB to disrupt illegal drug activity is one critical component of the SET's mission; however, research continues to show that criminal penalties for drug offenders has done little to reduce the demand or use resulting in low deterrent values and little impact on recidivism. The well-known statement "we cannot just arrest our way out of this problem" is backed by research and experience. The SET's expanded plan is more encompassing, involving broad conversations with key stakeholders who represent a diversity of backgrounds including policymakers, community-based organizations, service providers, individuals in recovery, parents, teachers and community leaders.

In addition to enhanced efforts to execute search and arrest warrants to reduce the availability of illicit drugs, the SET's innovative and collaborative approach includes: 1) initiating a process to study local dynamics that contribute to the problem; 2) gathering community and stakeholder input through focus groups and; 3) developing community-owned prevention and intervention recommendations that can be integrated into a long-term strategy for decreasing illegal drug activities, addressing substance misuse issues including alcohol violations, and alleviating associated crimes for the betterment of OOB's year-round residents. Key to this project is a strong relationship between OOB's police department, the local Healthy Maine Partnership (HMP): Coastal Healthy Community Coalition (CHCC), and OOB's Community Watch Council (CWC), an active volunteer association that meets monthly to establish goals, objectives and guidelines to assist neighborhood watch groups and community programs as well as to develop new programs to enhance community policing efforts.

COST ESTIMATES & PROJECT FUNDING

Provide the estimated project cost, amount of CDBG-SNP funds to be requested and sources, amounts and dates secured for any anticipated cash matching funds (matching funds are not required). Clearly state the source of the cost estimates.

Total Estimated Project Cost:	\$100,000	CDBG Request:	\$100,000
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Funding Source (match)	Amount	Date Secured
TOTAL:	\$	

D. NATIONAL OBJECTIVE

Check the appropriate box below and attach all required documentation listed in the appropriate box.

BENEFITTING LOW-TO-MODERATE INCOME PERSONS (IMI)	
X	Community-Wide LMI National Objective <input checked="" type="checkbox"/> Attach Census Figures indicating 51% or more of the community is LMI along with a completed Beneficiary Profile OR recent survey materials meeting the requirements set forth in OCD Policy Letter Number 19 and Income Survey Methodology Handbook.)
	<input checked="" type="checkbox"/> Target Area LMI National Objective Attach Census Figures indicating 51% or more of the target area is LMI along with a completed


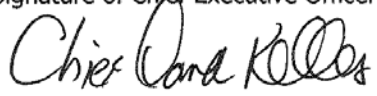
2016 Safe Neighborhood Grant Program Letter of Intent

	Beneficiary Profile OR recent survey materials meeting the requirements set forth in OCD Policy Letter Number 19 and Income Survey Methodology Handbook.)
<input checked="" type="checkbox"/>	Limited Clientele LMI National Objective Attach written documentation that the proposed CDBG activity will serve only LMI persons or a HUD recognized Limited Clientele group as set forth by the United States Department of Housing and Urban Development in 24 CFR Part 570 and the State of Maine CDBG Program.

Applicant Certifications

As an authorized official of the applicant community and/or business, I certify under the penalties of perjury that:

1. To the best of my knowledge and belief, all information contained in this Letter of Intent and all attached documentation is true and correct and current as of the date signed below;
2. This Letter of Intent complies with all applicable State and federal laws and regulations;
3. Parties signing this Letter of Intent are cognizant of the CDBG requirements of this program.
4. Approval of this Letter of Intent by OCD to submit a final application does not imply final project approval or funding.

Signature of Chief Executive Officer: 	Printed or Typed Name: Larry S. Mead, Town Manager
Name of Applicant Community : Old Orchard Beach	Date: 5/6/2016
Signature of Chief Executive Officer: 	Printed or Typed Name: Police Chief Dana M. Kelley
Name of Applicant Sub-Grantee (if applicable): Old Orchard Beach Police Department	Date: 5/6/2016

BENEFICIARY PROFILE

The demographic information is garnered from local survey forms and the Benefit Data Worksheet on Page 23 or, for HUD listed 51% LMI communities or contiguous census tracts, from U.S. Census Data. You may access this data for your community online at <http://www.census.gov/prod/cen2000/dp1/2kh23.pdf>

1. Community: Old Orchard Beach Date: 5/6/2016
2. Name of Target Area: Same as Above (If community-wide, state "same as above")
3. Description of Target Area: Town-wide
4. Census Tracts #(s) contained in Survey Area (whole or partial): Whole, #006102
5. POPULATION
 - a. Total Population 8,856
 - b. Total Persons at or below 80% of county median income 4570.58
 - c. Total Persons above 80% of county median income 4285.41

6. FAMILY RACE (Indicate total estimated persons for each racial group from Benefit Data Worksheet on Page 24; for town-wide surveys or contiguous census tracts use data from U.S. Census web site listed above.)

Racial Group	At or below 80%	80% Plus
White	4,458.07	
Black/African American	25.80	
Asian	21.16	
Native Hawaiian/Other Pacific Islander	1.54	
American Indian/Alaskan Native	12.9	
Asian & White	4527.22	
American Indian/Alaskan Native & White	4529.29	
Black/African American & White	4533.42	
American Indian/Alaskan Native & Black/African American	66.06	
Other	20.12	

7. DEMOGRAPHICS (Indicate total estimated persons for each demographic group from Benefit Data Worksheet on Page 24; for town-wide surveys or contiguous census tracts use data from U.S. Census web site listed above.)

Demographic Group	At or below 30%	80% Plus
Total Number of Elderly	792.72	
Total Number of Severely Disabled	931.56	
Total Female Heads of Households	224.50	

8. Date Submitted: 5/6/2016

Authorized Signature: _____



Title: Town Manager

6684 Discussion with Action: Approve the line item transfer from the Police Department budget; transfer \$5,000 from Account Number 20131-50501 – Operational Supplies, with a balance of \$13,049.45; to Account Number 20131-50230 – Clothing, with a balance of \$4,248.92

BACKGROUND:

This line transfer is requested in order to provide for the purchase of clothing for the summer reserves that need to be ordered at this time to be had by the summer season and arrival of the reserves.

MOTION: Councilor Kelley motioned and Councilor Blow seconded to Approve the line item transfer from the Police Department budget; transfer \$5,000 from Account Number 20131-50501 – Operational Supplies, with a balance of \$13,049.45; to Account Number 20131-50230 – Clothing, with a balance of \$4,248.92

VOTE: Unanimous.

6685 Discussion with Action: Set the date of June 7, 2016 to hold a Public Hearing on the Time Warner Cable Television Franchise Renewal and proposed Franchise Transfer commencing on April 1, 2016 following the expiration of the current franchise; and terminating on March 31, 2028.

BACKGROUND:

Time Warner Cable Northeast LLC, (hereinafter "Franchisee" or "Time Warner Cable") is the duly authorized holder of a franchise to operate a Cable System in the Town of Old Orchard Beach, Maine (hereinafter the "Town"). The Franchisee filed a written request for a renewal of its franchise in conformity with the Cable Communications Policy Act of 1984. There will be a Public Hearing and an opportunity for public comment, and both parties conducted ascertainment regarding the future cable-related needs of the community, as required by Section 626(h) of the Cable Communications Policy Act. The Town Council, as the Franchising Authority, finds that the renewal of Franchisee's franchise is appropriate in light of its past performance and its renewal proposal with the parties having negotiated a mutually beneficial renewal framework as set forth in this Renewal Franchise. After due and full consideration, the Franchising Authority and Franchisee agree that this Renewal Franchise is issued upon the following terms and conditions, as set forth herein. The term of this non-exclusive Renewal Franchise shall be for a period of twelve years and shall commence on April 1, 2016, following the expiration of the current franchise, and shall terminate at midnight on March 31, 2028.

MOTION: Councilor Blow motioned and Councilor Tousignant seconded to Set the date of June 7, 2016 to hold a Public Hearing on the Time Warner Cable Television Franchise Renewal and proposed Franchise Transfer commencing on April 1, 2016, following the expiration of the current franchise; and terminating on March 31, 2028.

VOTE: Unanimous.

6687 Discussion with Action: Approve the Proposal for Engineering Services from Wright Pierce for Design Services for the Process Building and Dewatering Improvements in the amount of \$96,000 from Account Number 331148-50399 – Waste Water Process Building Upgrade Bond, with the balance of \$0.00, until funded with the proceeds in the amount of \$897,000 previously approved from the General Obligation Bond Issue.

BACKGROUND:

The proposal before you is for preliminary and final design services for the Dewatering and Process Building Improvements. The proposal is based on time and materials. Wright Pierce has based their pricing on the preliminary information from the town. Under the preliminary design Wright Pierce will refine the scope of construction, select equipment, select materials, make general arrangements, consider operation/maintenance and develop a preliminary construction cost estimate. This will be submitted to the town in the form of a preliminary design memorandum for town and DEP review. After all comments are received Wright Pierce will work with the town to finalize the project scope and identify any bid alternatives so that the project cost fits within the approved budget. Once these tasks have been completed Wright Pierce will issue final design and specifications. Wright Pierce has already issued its report on the different dewatering equipment that the town conducted pilot tests on last summer and this spring. The report scores the individual pieces of equipment using multiple factors. It is anticipated that preliminary design process will determine which piece of dewatering equipment is best suited for the town's operation. The dewatering equipment will be purchased directly by the town. Once we have chosen the dewatering equipment and received a final price the purchase request will be brought before town council. This equipment can take 4-6 months to deliver. Ordering the dewatering equipment ahead of time will eliminate delays in the project and better control project costs. Once the final design is completed Wright Pierce will issue a proposal for bidding, construction and operational phase. Industry standard for engineering services is 20% of construction costs. Wright Pierce is anticipating that total engineering costs for this project will be within the industry standard once the project is complete.

Chris White, Waste Water Superintendent

MOTION: Councilor Blow motioned and Councilor Kelley seconded Approve the Proposal for Engineering Services from Wright Pierce for Design Services for the Process Building and Dewatering Improvements in the amount of \$96,000 from Account Number 331148-50399 – Waste Water Process Building Upgrade Bond, with the balance of \$0.00, until funded with the proceeds in the amount of \$897,000 previously approved from the General Obligation Bond Issue.

VOTE: Unanimous.

6687 Discussion with Action: Approve the Liquor License Renewals for Last Call Inc. dba/Last Call (206-31-19), 4 First Street, m-s-v in a Class A. Lounge; Duffy's Tavern & Grill OOB Inc. dba/Duffy's Tavern & Grill OOB (208-1-6), 168 Saco Avenue, m-s-v in a Restaurant; Oceanside Investment Group dba/Myst Restaurant (306-1-2-l), 1 East Grand Avenue, m-s-v in a Restaurant/Lounge; Surf's Up Inc. dba/Surf 6 (306-2-9-A), 1 East Grand Avenue, m-s-v in a Restaurant/Lounge; and Venetia Kouzounas dba/Venetia's Restaurant (313-4-3), 93 West Grand Avenue, m-v in a Restaurant.

MOTION: Vice Chair Thornton motioned and Councilor Kelley seconded to approve the Liquor License Renewals as read.

VOTE: Unanimous.

6688 Discussion with Action: Authorize Wright Pierce to provide design, engineering and construction administration services for the Edith Belle Libby Memorial Library for window replacement and adjacent repairs in the original building at a cost of \$13,000 from Account Number 31144-50396 – Library Expense Bond.

MOTION: Councilor Blow motioned and Councilor Kelley seconded to Authorize Wright Pierce to provide design, engineering and construction administration services for the Edith Belle Libby Memorial Library for window replacement and adjacent repairs in the original building at a cost of \$13,000 from Account Number 31144-50396 – Library Expense Bond.

VOTE: Unanimous.

May 9, 2016
W-P Project No. MARCH

Town Hall
1 Portland Ave.
Old Orchard Beach, Maine 04064

Attn: Larry Mead, Town Manager

RE: Proposal for Professional Consulting Services
Window replacement at the Libby Memorial Library

Dear Larry:

It was good to see you again and I appreciate the opportunity to provide you with this proposal for consulting services for the window replacement at the Libby Memorial Library. Based on our meeting on site our proposal includes the design and construction administration for the replacement of 4 window areas within the original building. We observed that the window replacement will also include necessary repairs to the adjacent materials.

The following sections outline our understanding of the project, the proposed scope of work and the proposed compensation. If you have any questions, please do not hesitate to call me.

SCOPE OF SERVICES

Based on our understanding of the project, we recommend the following scope of services:

Phase 1 - Design and Development of Contract Documents:

1. Use drawings obtained from the Town to develop contract drawings for the new work;
2. Conduct a site visit to document the existing conditions and take measurements of the windows;
3. Review options for replacing the windows with the Town;
4. Develop drawings that describe the work;
5. Develop a set of technical specifications for the work;
6. Obtain the Town's requirements to be included in the general conditions of the contract;
7. Develop a set of contract documents suitable for bidding the project.



Phase 2 – Construction Administration

1. Review shop drawings submitted by the Contractor.
2. Conduct six site visits to observe the work in progress.
3. Conduct a final inspection when the work is completed.

In an order to limit the cost of professional services, we recommend that the Town provide copies of the contract documents and undertake responsibility for advertising and bidding the project. If the need arises, Wright-Pierce is available to provide services during bidding as an additional service.

COMPENSATION

Wright-Pierce will complete the above *Scope of Services* for on an hourly basis of engineer's salary cost times a factor of 2.2, plus expenses, not-to-exceed the sum of \$8,500 for Phase 1 – Design and \$4,500 for Phase 2 – Construction Administration. Any additional services performed at the Client's request and authorization will be compensated on an hourly basis of engineer's salary costs times a factor of 2.2 plus expenses.

SCHEDULE

We understand that you would like to have the windows replaced in the fall of this year. Wright-Pierce will complete the design phase, Phase 1 - Design within 90 days after receiving authorization to proceed. If the scope and fee meet with your approval, I will develop a standard OOB-Wright Pierce contract for the project.

We appreciate this opportunity to be of service to you, and look forward to this opportunity to work with you on this project. Should you have any questions or wish to discuss this proposal further, please do not hesitate to contact me, Dan Pratt at 207-798-3706.

Sincerely,
WRIGHT-PIERCE

Daniel I. Pratt, P.E.
Project Manager

Walter J. Flanagan III, P.E.
Title: Vice President

Cc: Lee Koenigs

Town of Old Orchard Beach
 Libby Library
 Window Replacement Project - Scope of Services and Fee Estimate, Revised 3/25/2016

Detailed Scope of Services	CPB	Subs	Exp	Hours	Budget Total	Total
Design						
Concept/Preliminary Design		\$ 5,600.00	\$ 100.00		\$5,700	\$9,350
field measurements, drafting			\$ -	0	\$0	
review options - Paradigm, storefront	8		\$ 50.00	8	\$650	
evaluate structural requirements		\$ 1,200.00	\$ -	0	\$1,200	
develop prelim plans and details, outline spec			\$ -	0	\$0	
develop conceptual budget and schedule	8		\$ -	8	\$600	
Coordination/Communications	16		\$ -	16	\$1,200	
Final Design/Construction Documents		\$ 2,600.00	\$ 500.00		\$3,100	\$6,100
Plans - layout, details, sections, elevations			\$ -	0	\$0	
Specifications	24		\$ -	24	\$1,800	
Review/Coordination/Communications	16		\$ -	16	\$1,200	
Bidding						
Bidding		\$ 2,300.00	\$ 150.00		\$2,450	\$5,950
Coordination	8		\$ -	8	\$600	
Address questions - assumes 2 week bid period	16		\$ -	16	\$1,200	
Pre-Bid Meeting	6		\$ -	6	\$450	
Review and Evaluate bids	8		\$ -	8	\$600	
Prepare Contract Docs for signing	8		\$ 50.00	8	\$650	
Construction Administration						
Construction Admin - assumes 8 weeks		\$ 800.00	\$ 50.00		\$850	\$6,650
Weekly jobsite meeting	32		\$ 400.00	32	\$2,800	
Communications	32		\$ -	32	\$2,400	
Project Closeout	8		\$ -	8	\$600	
Total Budget Hours	190			190		
Labor Cost				\$14,250		
Subs		\$12,500		\$12,500		
Expenses			\$1,300	\$1,200		
					\$28,050	

Budget Assumptions:
 Construction duration is 8 weeks
 CA inspection assumes weekly meeting on-site, travel expenses billed at the federal government rate, 8 hours/wk total

6689 Discussion with Action: Consider abatement of taxes and accumulated interest and penalties as requested by the Tax Collector for tax years 2011 through 2015, in the amount of \$2,248.39 for a 1987 mobile home (Serial Number 1816-0228) located at 28 Goosefare Drive – Old Orchard Village.

BACKGROUND:

Council is being asked to abate taxes and accumulated interest and penalties on a 1987 Skyline model mobile home located at 28 Goosefare Drive, Old Orchard Beach, Maine and on leased land that is part of Old Orchard Village.

The mobile home was purchased by Atlantic Housing Corporation on April 20, 2016, for the amount of \$1; sold "as is, where is" basis with all defects and no representation regarding title or merchantability.

According to the Deputy Assessor, the mobile home basically had no value as a result of the condition in which it was left.

With the abatement of the taxes (2011 to 2015) in the amount of \$2,248.39, Atlantic Housing Corporation will demo the home off site and dispose of it, relieving the responsibility of disposition from the municipality.

MOTION: Councilor Kelley motioned and Councilor Blow seconded to Consider abatement of taxes and accumulated interest and penalties as requested by the Tax Collector for tax years 2011 through 2015, in the amount of \$2,248.39 for a 1987 mobile home (Serial Number 1816-0228) located at 28 Goosefare Drive – Old Orchard Village.

VOTE: Unanimous.

PARCEL: T1290-00000-00000

LOCATION: 28 GOOSEFARE DR OOV

CURRENT OWNER:
 HAINES TINA B
 28 GOOSEFARE DR
 OLD ORCHARD BEACH ME 04064

CURRENT STATUS:
 SQ FT: 0
 LAND VALUATION: 0
 BUILDING VALUATION: 25,100
 EXEMPTIONS: 0
 TAXABLE VALUATION : 25,100

LEGAL DESCRIPTION:

DEED DATE: 04/01/2009 BOOK/PAGE: PARK/LIST INTEREST DATE: 05/17/2016

YEAR	TYPE	BILL INST CHARGE	BILLED	PRIN DUE	INT DUE	TOTAL DUE
2015	LIEN	85				
	1	REAL ESTAT	397.30	397.30	23.32	420.62
		30 DAY FEE	3.00	3.00	.00	3.00
		MAIL	7.23	7.23	.00	7.23
		LIEN COST	51.00	51.00	.00	51.00
		INT.AT LIE	16.35	16.35	.00	16.35
		LIEN CERT	7.23	7.23	.00	7.23
			482.11	482.11	23.32	505.43
			482.11	482.11	23.32	505.43
2014	LIEN	92				
	1	REAL ESTAT	368.46	368.46	47.77	416.23
		30 DAY FEE	3.00	3.00	.00	3.00
		MAIL	7.23	7.23	.00	7.23
		LIEN COST	51.00	51.00	.00	51.00
		INT.AT LIE	14.74	14.74	.00	14.74
		LIEN CERT	7.23	7.23	.00	7.23
		LIEN CERT	14.46	14.46	.00	14.46
			466.12	466.12	47.77	513.89
			466.12	466.12	47.77	513.89
2013	LIEN	94				
	1	REAL ESTAT	237.89	237.89	47.31	285.20
		MAIL	6.83	6.83	.00	6.83
		30 DAY FEE	3.00	3.00	.00	3.00
		LIEN COST	39.00	39.00	.00	39.00
		INT.AT LIE	9.53	9.53	.00	9.53
		DISC XTRA	6.00	6.00	.00	6.00
		LIEN CERT	6.86	6.86	.00	6.86
			309.11	309.11	47.31	356.42

YEAR	TYPE	BILL INST CHARGE	BILLED	PRIN DUE	INT DUE	TOTAL DUE
			309.11	309.11	47.31	356.42
2012	LIEN	96				
	1	REAL ESTAT	286.76	286.76	76.44	363.20
		30 DAY FEE	3.00	3.00	.00	3.00
		MAIL	6.26	6.26	.00	6.26
		LIEN COST	39.00	39.00	.00	39.00
		INT.AT LIE	12.70	12.70	.00	12.70
		LIEN CERT	13.72	13.72	.00	13.72
		DISC XTRA	6.00	6.00	.00	6.00
			367.44	367.44	76.44	443.88
			367.44	367.44	76.44	443.88
2011	LIEN	20117097				
	1	REAL ESTAT	277.15	277.15	93.97	371.12
		30 DAY FEE	3.00	3.00	.00	3.00
		MAIL	6.26	6.26	.00	6.26
		LIEN COST	39.00	39.00	.00	39.00
		INT.AT LIE	3.13	3.13	.00	3.13
		CERTIFIED	6.26	6.26	.00	6.26
			334.80	334.80	93.97	428.77
			334.80	334.80	93.97	428.77
GRAND TOTALS			1,959.58	1,959.58	288.81	2,248.39

6690 Discussion with Action: Approve the Special Event Permit application for the Ocean Park Association to hold S'Mores & More campfires on the beach at the end of Temple Avenue on Tuesday, July 5th; Tuesday, July 19th; Tuesday, July 26th and Tuesday, August 2nd, 2016, from 7:30 p.m. to 9:30 p.m., in Ocean Park. Insurance, listing the Town as additionally insured, to be provided to the Town Clerk's Office at least one month prior to the event.

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

VOTE: Unanimous.

GOOD AND WELFARE:

6691 Executive Session: Personnel Matters (Note: This item discusses privacy issues defined under Title 1 M.R.S.A., Section 405(6)(A), and the Council anticipates the discussion will occur in Executive Session.)

(Executive Session will occur after Budget Workshop – please note the motion is not to Adjourn but rather to Recess.)

MOTION: Vice Chair Thornton motioned and Councilor Kelley seconded to recess the Town Council Meeting of May 17, 2016 and address Agenda Item 6691 following the Budget Workshop.

VOTE: Unanimous.

After the BUDGET WORKSHOP:

MOTION: Councilor Blow motioned and Councilor Kelley seconded to reenter the Town Council Meeting of May 17, 2016 and address Agenda Item #6691 - Executive Session: Personnel Matters (Note: This item discusses privacy issues defined under Title 1 M.R.S.A., Section 405(6)(A), and the Council anticipates the discussion will occur in Executive Session.)

VOTE: Unanimous.

MOTION: Councilor Blow motioned and Councilor Kelley seconded to Exit the Executive Session.

VOTE: Unanimous.

MOTION: Councilor Kelley motioned and Councilor Blow seconded to Adjourn the Town Council Meeting at 9:11 p.m.

VOTE; Unanimous.

ADJOURNMENT

Respectfully Submitted,

**V. Louise Reid
Town Council Secretary**

I, V. Louise Reid, Secretary to the Town Council of Old Orchard Beach, Maine, do hereby certify that the foregoing document consisting of twenty-four (24) pages is a copy of the original Minutes of the Town Council Meeting of May 17, 2016.

V. Louise Reid