

**TOWN OF OLD ORCHARD BEACH
TOWN COUNCIL MEETING
Tuesday, August 16, 2016
TOWN HALL CHAMBERS
6:30 p.m.**

A Town Council Meeting of the Old Orchard Beach Town Council was held on Tuesday, August 16, 2016. Chair O'Neill opened the meeting at 6:30 p.m.

The following were in attendance:

Chair Shawn O'Neill
Councilor Kenneth Blow
Councilor Jay Kelley
Councilor Michael Tousignant
Town Manager Larry Mead
Assistant Town Manager V. Louise Reid
Human Resource Manager Fran Beaulieu

ABSENT: Vice Chair Joseph Thornton

ACKNOWLEDGEMENT:

COUNCILOR KELLEY: We encourage everyone to participate in the Chamber of Commerce BEACH OLYMPICS scheduled for Friday, August 19th through 21st with opening ceremonies scheduled at 7:00 p.m. on the Friday night. Games and Competitions on Saturday from 10:00 a.m. to 3:30 p.m. including a Silent Auction and daily entertainment with Dray Cote from 12 noon to 3:00 and Golden Oldies High Ryder Show at 7:30 p.m. Sponsored by Saco & Biddeford Savings Institution. Any questions call the Chamber of Commerce at 934-2500. Special thanks to the Town of Old Orchard Beach and the Old Orchard Beach Police Department.

ACCEPTANCE OF MINUTES:

Discussion with Action: Accept the Town Council Minutes of August 2, 2016.

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

VOTE: Unanimous.

PUBLIC HEARING:

CHARTER CHANGES

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

Public Hearing on Proposed Amendments to the Town Charter regarding Section 201 and 1002.2 related to Town Council Term Limits; Section 409 related to Disposing of Real and Personal Property; Section 412 related to Conflicts of Interest; and Section 904 related to the Public Bulletin Board and Advertising of Agendas; with possible action to follow including ordering the Clerk to place the proposed Amendments on the Ballot for the election to be held on November 8, 2016.

BACKGROUND:

Sec. 201. - Town Council, Town Clerk.

Sec. 201.1. Town Council. The Town Council shall be composed of five (5) members, with two-year terms, each of whom shall be elected by the registered voters of the entire Town, and each of whom shall serve until a successor is elected and qualified. The two-year terms of the Town Council shall be staggered, and expire at two year intervals. All terms shall expire on the third Monday in November of the term year. No Town Councilor is eligible to serve more than seven years consecutively.

Sec. 409. - Enumeration of Powers.

Sec. 409.14. Dispose of real and personal property acquired through nonpayment of taxes, when deemed in the best interest of the Town, by sealed competitive bids, by competitive bid, including, but not limited to auction or use of a brokerage firm. except that the Council, in its discretion, may sell the property to the former owner for a sum not less than the total of all back taxes, interest, and costs;

Sec. 409.15. Sell, or offer to sell, by sealed competitive bids, competitive bid, including, but not limited to auction or use of a brokerage firm, surplus property of the Town provided that no real property acquired in any manner other than through nonpayment of taxes may be offered for sale, leased for more than three years, or otherwise disposed of without a referendum vote or, in the case of condemnations, sold to any other than the original owner without first offering it to the original owner for the price paid minus any expenses incurred by the original owner because of the condemnation. Invitations for bid shall be published at least thirty (30) days prior to the date for the opening of bids. The Town shall give public notice of the process at least 30 days before the deadline for disposition. The Council may, in its discretion, accept or reject any or all bids.

Sec. 412. - Conflicts of Interest.

No relative of a Town Councilor or the Town Manager shall be appointed to any compensated Town office or any position appointed by the Town Council or shall be hired for a position in any Town department under the direct control of the Town Council so long as that Councilor continues to serve on the Town Council. If the relative was serving in any such position at the time of that Councilor's election, the Councilor shall recuse him/herself from voting on any increase in that relative's salary or compensation, relative shall not receive any increase in salary or compensation which is approved during that Councilor's term of office except for salary or compensation increases which are commensurate and proportional to salary or compensation increases received by non-union Town employees or Town employees covered under a collective bargaining agreement. A Councilor with a relative serving in a compensated Town office or position shall recuse him or herself from consideration or acting on matters directly related to the compensation or salary of their relative.

No Town Councilor may vote on any contract while employed by the contractor or subcontractor or in which the member or a relative has a financial interest. Any question of whether a particular issue involves a conflict of interest sufficient to disqualify a member from voting on that issue must be decided by a majority vote of those members present and voting, excluding the member being challenged.

As used in this section, the term "relative" means related by blood, marriage, or law, including spouses, children, grandchildren, great-grandchildren, parents, brothers,

sisters, nephews, nieces, grandparents, uncles, aunts, first cousins or domestic partner relationships.

(Ref. of 11-4-2014, eff. 11-18-2014)

Editor's note— The amendment to section 412 was approved by the voters at the November 4, 2014 Election, and the council voted on November 18, 2014 for it to take effect on November 18, 2014.

Sec. 904. - Public Bulletin Board.

There shall be an official public bulletin board located outside the Town Clerk's Office in the Town Hall. The agenda of each meeting of the Town Council, and all other boards, committees, and commissions shall be posted, or cause to be posted, on this bulletin board and on the town internet web site by the Town Clerk, at least three (3) working days prior to the meeting. and a copy of the agenda shall be printed as a legal advertisement in a newspaper of general circulation in the Town at least twenty-four (24) hours prior to the meeting.

No action shall be taken on agenda items which have not been posted and published in accordance with this section, unless the Council, commission, committee or board determines that an emergency exists. The declaration of emergency by the Council, commission, committee or board shall be conclusive. Dates, times, and meeting places of all regular and special meetings, public hearings and workshops shall also be posted on the bulletin board in accordance with this section.

A failure or malfunction in the town internet website shall not require the postponement of any hearing or action by the Town Council or any other board, committee or commission provided the agenda was posted on the official public bulletin board as required by this section.

Sec. 904.1. Public Access to Meetings. All regularly scheduled meetings and budget workshops of the Town Council shall be video recorded and broadcast on a local cable access channel pursuant to Federal laws governing local access. Additionally, in the event an issue arises causing significant public interest or significant community changes which will be discussed at a meeting other than a regularly scheduled meeting, all reasonable attempts will be made by the Town Council Members to have the meeting video recorded and shown as soon as possible on a local public cable channel. Two copies of all meetings so videorecorder, shall be given to the Town Clerk, to be maintained as an archival record of said meetings and available to the public for review.

Sec. 1002.2. - Term Limits.

Term limits shall go into effect with the 2012 election. Council seats elected prior to November, 2012 shall not calculate into the term limit formula.

**TOWN OF OLD ORCHARD BEACH
WARRANT AND NOTICE OF ELECTION
GENERAL MUNICIPAL ELECTION**

York County, ss.
State of Maine

To: Kim McLaughlin, Town Clerk of the Town of Old Orchard Beach:

You are hereby required in the name of the State of Maine to notify the voters of the Town of Old Orchard Beach of the General Municipal Election described in this Warrant and Notice of Election.

TO THE VOTERS OF THE TOWN OF OLD ORCHARD BEACH:

You are hereby notified that a General Municipal Election in this municipality will be held at the Old Orchard Beach High School, 40 E. Emerson Cummings Blvd. in Town of Old Orchard Beach on November 8, 2016, for the purpose of determining the following questions:

CHAIR: I open this Public Hearing at 6:36 p.m.

Question #1: Shall the Town approve the Charter amendment reprinted below?

Section 409 of the Old Orchard Beach Town Charter, which enumerates the powers of the Town Council, is amended by deleting the language in strikeover type and inserting the underscored language in subsections 14 and 15 related to disposing of real and personal property, as shown below:

Sec. 409. - Enumeration of Powers.

Sec. 409.14. Dispose of real and personal property acquired through nonpayment of taxes, when deemed in the best interest of the Town, by sealed competitive bids, by competitive bid, including, but not limited to auction or use of a brokerage firm. except that the Council, in its discretion, may sell the property to the former owner for a sum not less than the total of all back taxes, interest, and costs;

Sec. 409.15. Sell, or offer to sell, by sealed competitive bids, competitive bid, including, but not limited to auction or use of a brokerage firm, surplus property of the Town provided that no real property acquired in any manner other than through nonpayment of taxes may be offered for sale, leased for more than three years, or otherwise disposed of without a referendum vote or, in the case of condemnations, sold to any other than the original owner without first offering it to the original owner for the price paid minus any expenses incurred by the original owner because of the condemnation. Invitations for bid shall be published at least thirty (30) days prior to the date for the opening of bids. The Town shall give public notice of the process at least 30 days before the deadline for disposition. The Council may, in its discretion, accept or reject any or all bids.

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

There were no comments about this suggested Charter change.

CHAIR: I open this Public Hearing at 6:38 p.m.

Question #2: Shall the Town approve the Charter amendment reprinted below?

Sections 201 and 1002.2 of the Old Orchard Beach Town Charter, which stipulates Town Councilors cannot serve more than seven years consecutively, are amended by deleting the language in strikeover type to eliminate term limits, as shown below:

Sec. 201. - Town Council, Town Clerk.

Sec. 201.1. Town Council. The Town Council shall be composed of five (5) members, with two-year terms, each of whom shall be elected by the registered voters of the entire Town, and each of whom shall serve until a successor is elected and qualified. The two-year terms of the Town Council shall be staggered, and expire at two year intervals. All terms

shall expire on the third Monday in November of the term year. No Town Councilor is eligible to serve more than seven years consecutively.

Sec. 1002.2. - Term Limits.

Term limits shall go into effect with the 2012 election. Council seats elected prior to November, 2012 shall not calculate into the term limit formula.

Question #3: Shall the Town approve the Charter amendment reprinted below?

Section 412 of the Old Orchard Beach Town Charter, which regulates conflicts of interest, is amended by deleting the language in strikeover type and inserting the underscored language regarding a Town Councilor's recusal from voting on a relative's increase in salary or compensation, as shown below:

JEROME BEGERT: He presented an explanation justifying the term limits and asking the Town Council to keep these limits in place.

CHAIR: I close this Public Hearing at 6:45 p.m.

CHAIR: I open this Public Hearing at 6:46 p.m.

Sec. 412. - Conflicts of Interest.

No relative of a Town Councilor or the Town Manager shall be appointed to any compensated Town office or any position appointed by the Town Council or shall be hired for a position in any Town department under the direct control of the Town Council so long as that Councilor continues to serve on the Town Council. If the relative was serving in any such position at the time of that Councilor's election, the Councilor shall recuse him/herself from voting on any increase in that relative's salary or compensation, relative shall not receive any increase in salary or compensation which is approved during that Councilor's term of office except for salary or compensation increases which are commensurate and proportional to salary or compensation increases received by non-union Town employees or Town employees covered under a collective bargaining agreement. A Councilor with a relative serving in a compensated Town office or position shall recuse him or herself from consideration or acting on matters directly related to the compensation or salary of their relative.

No Town Councilor may vote on any contract while employed by the contractor or subcontractor or in which the member or a relative has a financial interest. Any question of whether a particular issue involves a conflict of interest sufficient to disqualify a member from voting on that issue must be decided by a majority vote of those members present and voting, excluding the member being challenged.

As used in this section, the term "relative" means related by blood, marriage, or law, including spouses, children, grandchildren, great-grandchildren, parents, brothers, sisters, nephews, nieces, grandparents, uncles, aunts, first cousins or domestic partner relationships.

JEROME BEGERT: He spoke on this change having been a former member of the Charter Commission and although he understood the reasoning for this particular change he is not supporting it because he was also aware of reasoning why it was included in the first place.

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

CHAIR I open this Public Hearing at 6:48 p.m.

Question #4: Shall the Town approve the Charter amendment reprinted below?

Section 904 of the Old Orchard Beach Town Charter, Public Bulletin Board, is amended by deleting the language in strikeover type, thereby removing the requirement to advertise agendas in the newspaper, but all other requirements remain the same, as shown below:

Sec. 904. - Public Bulletin Board.

There shall be an official public bulletin board located outside the Town Clerk's Office in the Town Hall. The agenda of each meeting of the Town Council, and all other boards, committees, and commissions shall be posted, or cause to be posted, on this bulletin board and on the town internet web site by the Town Clerk, at least three (3) working days prior to the meeting. and a copy of the agenda shall be printed as a legal advertisement in a newspaper of general circulation in the Town at least twenty-four (24) hours prior to the meeting.

No action shall be taken on agenda items which have not been posted and published in accordance with this section, unless the Council, commission, committee or board determines that an emergency exists. The declaration of emergency by the Council, commission, committee or board shall be conclusive. Dates, times, and meeting places of all regular and special meetings, public hearings and workshops shall also be posted on the bulletin board in accordance with this section.

A failure or malfunction in the town internet website shall not require the postponement of any hearing or action by the Town Council or any other board, committee or commission provided the agenda was posted on the official public bulletin board as required by this section.

Sec. 904.1. Public Access to Meetings. All regularly scheduled meetings and budget workshops of the Town Council shall be video recorded and broadcast on a local cable access channel pursuant to Federal laws governing local access. Additionally, in the event an issue arises causing significant public interest or significant community changes which will be discussed at a meeting other than a regularly scheduled meeting, all reasonable attempts will be made by the Town Council Members to have the meeting video recorded and shown as soon as possible on a local public cable channel. Two copies of all meetings so video-recorded, shall be given to the Town Clerk, to be maintained as an archival record of said meetings and available to the public for review.

JEROME BEGGERT: He gave a defined listing of reasoning why the advertising of the agenda of the Council and other committees should be advertised including the fact that there are seniors who do not have internet availability. He said it important that the citizens know what is going on before a meeting begins and not after or while a meeting is going on and it is too late for public comment.

V. LOUISE REID: She spoke as a resident and voter and indicated that the enormous cost of advertising these agendas she believes is something that taxpayers would find not acceptable. She mentioned that the cost of a recent agenda for the Council was over \$850 for one single meeting.

It was noted later that the budget for advertising yearly is \$30,000.

CHAIR: I close this Public Hearing at 6:55 p.m.

The voting on Questions 1 through 4 shall be by secret ballot referendum and the polls shall be opened at 8:00 a.m. and closed at 8:00 p.m.

The Registrar of Voters will 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.

The Town Clerk intends to process absentee ballots on Saturday, November 5th, 2016 and Monday, November 7th, 2016, beginning at 9:00 a.m. If a request is made by 9:00 am on November 5th, to inspect absentee ballots and envelopes before they are processed, an inspection period will be provided from 9:00 a.m. until 10:00 a.m. The Town Clerk intends to process absentee ballots on Election Day beginning at 9:00 a.m. and every hour on the hour until all absentee ballots are processed.

Signed and dated at the Town of Old Orchard Beach, August 16th, 2016.

PUBLIC HEARING: CDBG Block Grant – 2016 Safe Neighborhood Grant

Update the Town Council and the Public that the Community Development Block Grant - 2016 Safe Neighborhood Grant has been selected to receive funding.

BACKGROUND:

Phase II 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 August 16th, 2016, at 6:30 p.m. at the Town Office to discuss acceptance of a Safe Neighborhood CDBG Grant. The purpose of the grant is to provide assistance enable the police department to department to resurrect the Special Enforcement Team with a focus on addressing illicit drug activity, and associated criminal activity. 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

MOTION: Councilor Tousignant motioned and Councilor Kelley seconded to accept the Safe Neighborhood CDBG Grant.

VOTE: Unanimous.

7 Town Council Meeting Minutes of August 2, 2016

BUSINESS LICENSES AND APPROVAL:

CHAIR: I open this Public Hearing at 7:03 p.m.

Chad Laverriere (210-2-6-27), 18 Smithwheel Road, #27, one year round rental; Kathleen & Stephen Phillips (104-2-9-31), 42 Walnut Street, Unit #31, one year round rental; Odessa Ave. LLC (319-15-1), 18 Seaside Avenue, two year round rentals; and Ryan Tenny dba/Mosaic Maine, LLC (206-8-2), 7 & 9 Eden Lane, two year round rentals.

CHAIR: I close this Public Hearing at 7:04 p.m.

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

VOTE: Unanimous.

AMUSEMENT PERMITS AND APPROVAL:

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

Joseph's by the Sea dba/Joseph's by the Sea (310-3-3), 55 West Grand Avenue, DJ & Wedding, Music Inside, 12:00 p.m. to 11:00 p.m.

CHAIR: I close this Public Hearing at 7:05 p.m.

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

TOWN MANAGER'S REPORT:

Tax Bills have been sent: First half due on September 8, 2016.

Final tax rate is \$15.46/thousand: increase of \$.28 cents –
1.8% increase combined school/town/county.

\$200,000 home that is primary home homestead exemption: decrease of \$20/\$56
\$300,000 increase of \$8/ /\$84

Majority of homeowners in town will see modest increases of less than \$100.

Some categories of residential properties have experienced strong market growth, including ocean-influenced properties, Dunegrass neighborhood and condominiums. These properties will see increases in their base value and corresponding increases to their property tax. For example, the Town Manager lives in the Dunegrass neighborhood and the valuation of my home increased 3.3%. As a result my tax bill increased 3.9% instead of 1.8%. Our taxable valuation as the Town grew \$38 million, which is over 3%. Strong growth in new residential construction, over \$20 million, including 66 SFR's. Personal property growth, adjustment to values and miscellaneous new values make up the balance of growth. While the Town Manager expects most property owners will be very pleased with the modest increase in the tax rate there will be some questions and

concerns. As always he encouraged residents and property owners with concerns or questions about their tax bills to call the Assessor's office at Town Hall. Planning Board met last week. The Paradise Park expansion of Campground Overlay was postponed to a future meeting. Clarification is needed regarding whether the areas proposed for future expansion can have the campground overlay classification applied to the underlying zones, R1 and GB1. The Planner is working with legal counsel on this. Gave preliminary approval to a 40-unit condominium project at the site of the former seasonal Catholic Church on Saco Avenue. Final review to be scheduled probably in September. Tax office is closed this week from 1:30 until 2:00 to allow for a lunch break for the staff person who is on her own this week due to vacation schedules. CEO Dan Feeney was successful in having the owners of the future Dunkin Donuts site at Saco and Smithwheel do a much needed clean up to the property. That project is scheduled to go forward next year. Paving work will begin in September after Labor Day on Cascade Road. The Town Manager had a meeting with a young man who is a freshman this year at Old Orchard Beach High School to discuss his proposal for an event next year. He is an aviation enthusiast. His idea is to celebrate OOB's historic role as the starting point for early efforts to fly across the Atlantic by bringing back vintage aircraft to the Beach to reenact those late 1920's take offs and landings. He is working with OOB 365 on this proposal. We encouraged him in his efforts and he hopes to bring a proposal to the Council later this year for an event in 2017. He intends to raise money for the Make-a-Wish-Foundation. For that reason he is calling his proposal – Wings for Wishes. It's a pleasure to meet with this young man who has great ideas and great energy.

VOTE: Unanimous.

6758 Discussion with Action: Order the Town Clerk to place the proposed amendments to the Town Charter regarding Section 201 and 1002.2 related to Town Council Term Limits; Section 409 related to Disposing of Real and Personal Property; Section 412 related to Conflicts of Interest; and Section 904 related to the Public Bulletin Board and Advertising of Agendas on the ballot for the election to be held on November 8, 2016.

BACKGROUND:

OLD ORCHARD BEACH TOWN COUNCIL ORDER

Be it ordered: That the following question shall be placed on the ballot of the municipal election to be held November 8, 2016:

Shall the Town approve the Charter amendment reprinted below?

Section 409 of the Old Orchard Beach Town Charter, which enumerates the powers of the Town Council, is amended by deleting the language in strikeover type and inserting the underscored language in subsections 14 and 15 related to disposing of real and personal property, as shown below:

Sec. 409. - Enumeration of Powers.

Sec. 409.14. Dispose of real and personal property acquired through nonpayment of taxes, when deemed in the best interest of the Town, by sealed competitive bids, by competitive bid, including, but not limited to auction or use of a brokerage firm. except that the The

Council, in its discretion, may sell the property to the former owner for a sum not less than the total of all back taxes, interest, and costs;

Sec. 409.15. Sell, or offer to sell, by sealed competitive bids, competitive bid, including, but not limited to auction or use of a brokerage firm, surplus property of the Town provided that no real property acquired in any manner other than through nonpayment of taxes may be offered for sale, leased for more than three years, or otherwise disposed of without a referendum vote or, in the case of condemnations, sold to any other than the original owner without first offering it to the original owner for the price paid minus any expenses incurred by the original owner because of the condemnation. Invitations for bid shall be published at least thirty (30) days prior to the date for the opening of bids. The Town shall give public notice of the process at least 30 days before the deadline for disposition. The Council may, in its discretion, accept or reject any or all bids.

BE IT FURTHER ORDERED: That, if adopted by the voters, this Charter Amendment shall take effect on November 21, 2016.

BE IT FURTHER ORDERED: That, at least two weeks prior to the November 8, 2016 municipal election, the Town Clerk shall have the proposed Charter Amendment printed, make copies available to the voters of the Town Clerk's office, and post and publish the proposed Charter Amendment in the same manner that proposed ordinances are posted and published.

Date: August 16, 2016

Be it ordered: That the following question shall be placed on the ballot of the municipal election to be held November 8, 2016:

Shall the Town approve the Charter amendment reprinted below?

Sections 201 and 1002.2 of the Old Orchard Beach Town Charter, which stipulates Town Councilors cannot serve more than seven years consecutively, are amended by deleting the language in strikeover type to eliminate term limits, as shown below:

Sec. 201. - Town Council, Town Clerk.

Sec. 201.1. Town Council. The Town Council shall be composed of five (5) members, with two-year terms, each of whom shall be elected by the registered voters of the entire Town, and each of whom shall serve until a successor is elected and qualified. The two-year terms of the Town Council shall be staggered, and expire at two year intervals. All terms shall expire on the third Monday in November of the term year. No Town Councilor is eligible to serve more than seven years consecutively.

Sec. 1002.2. - Term Limits.

Term limits shall go into effect with the 2012 election. Council seats elected prior to November, 2012 shall not calculate into the term limit formula.

BE IT FURTHER ORDERED: That, if adopted by the voters, this Charter Amendment shall take effect on November 21st, 2016.

BE IT FURTHER ORDERED: That, at least two weeks prior to the November 8, 2016 municipal election, the Town Clerk shall have the proposed Charter Amendment printed, make copies available to the voters of the Town Clerk's office, and post and publish the

proposed Charter Amendment in the same manner that proposed ordinances are posted and published.

Date: August 16, 2016

OLD ORCHARD BEACH TOWN COUNCIL ORDER

Be it ordered: That the following question shall be placed on the ballot of the municipal election to be held November 8, 2016:

Shall the Town approve the Charter amendment reprinted below?

Section 412 of the Old Orchard Beach Town Charter, which regulates conflicts of interest, is amended by deleting the language in strikeover type and inserting the underscored language regarding a Town Councilor's recusal from voting on a relative's increase in salary or compensation, as shown below:

Sec. 412. - Conflicts of Interest.

No relative of a Town Councilor or the Town Manager shall be appointed to any compensated Town office or any position appointed by the Town Council or shall be hired for a position in any Town department under the direct control of the Town Council so long as that Councilor continues to serve on the Town Council. If the relative was serving in any such position at the time of that Councilor's election, the Councilor shall recuse him/herself from voting on any increase in that relative's salary or compensation, relative shall not receive any increase in salary or compensation which is approved during that Councilor's term of office except for salary or compensation increases which are commensurate and proportional to salary or compensation increases received by non-union Town employees or Town employees covered under a collective bargaining agreement. A Councilor with a relative serving in a compensated Town office or position shall recuse him or herself from consideration or acting on matters directly related to the compensation or salary of their relative.

No Town Councilor may vote on any contract while employed by the contractor or subcontractor or in which the member or a relative has a financial interest. Any question of whether a particular issue involves a conflict of interest sufficient to disqualify a member from voting on that issue must be decided by a majority vote of those members present and voting, excluding the member being challenged.

As used in this section, the term "relative" means related by blood, marriage, or law, including spouses, children, grandchildren, great-grandchildren, parents, brothers, sisters, nephews, nieces, grandparents, uncles, aunts, first cousins or domestic partner relationships.

BE IT FURTHER ORDERED: That, if adopted by the voters, this Charter Amendment shall take effect on November 21, 2016.

BE IT FURTHER ORDERED: That, at least two weeks prior to the November 8, 2016 municipal election, the Town Clerk shall have the proposed Charter Amendment printed, make copies available to the voters of the Town Clerk's office, and post and publish the proposed Charter Amendment in the same manner that proposed ordinances are posted and published.

Date: August 16, 2016

OLD ORCHARD BEACH TOWN COUNCIL ORDER

Be it ordered: That the following question shall be placed on the ballot of the municipal election to be held November 8, 2016:

Shall the Town approve the Charter amendment reprinted below?

Section 904 of the Old Orchard Beach Town Charter, Public Bulletin Board, is amended by deleting the language in strikeover type, thereby removing the requirement to advertise agendas in the newspaper, but all other requirements remain the same, as shown below:

Sec. 904. - Public Bulletin Board.

There shall be an official public bulletin board located outside the Town Clerk's Office in the Town Hall. The agenda of each meeting of the Town Council, and all other boards, committees, and commissions shall be posted, or cause to be posted, on this bulletin board and on the town internet web site by the Town Clerk, at least three (3) working days prior to the meeting. and a copy of the agenda shall be printed as a legal advertisement in a newspaper of general circulation in the Town at least twenty-four (24) hours prior to the meeting.

No action shall be taken on agenda items which have not been posted and published in accordance with this section, unless the Council, commission, committee or board determines that an emergency exists. The declaration of emergency by the Council, commission, committee or board shall be conclusive. Dates, times, and meeting places of all regular and special meetings, public hearings and workshops shall also be posted on the bulletin board in accordance with this section.

A failure or malfunction in the town internet website shall not require the postponement of any hearing or action by the Town Council or any other board, committee or commission provided the agenda was posted on the official public bulletin board as required by this section.

Sec. 904.1. Public Access to Meetings. All regularly scheduled meetings and budget workshops of the Town Council shall be video recorded and broadcast on a local cable access channel pursuant to Federal laws governing local access. Additionally, in the event an issue arises causing significant public interest or significant community changes which will be discussed at a meeting other than a regularly scheduled meeting, all reasonable attempts will be made by the Town Council Members to have the meeting video recorded and shown as soon as possible on a local public cable channel. Two copies of all meetings so video recorded, shall be given to the Town Clerk, to be maintained as an archival record of said meetings and available to the public for review.

BE IT FURTHER ORDERED: That, if adopted by the voters, this Charter Amendment shall take effect on November 21, 2016.

BE IT FURTHER ORDERED: That, at least two weeks prior to the November 8, 2016 municipal election, the Town Clerk shall have the proposed Charter Amendment printed, make copies available to the voters of the Town Clerk's office, and post and publish the proposed Charter Amendment in the same manner that proposed ordinances are posted and published.

Date: August 16, 2016

JEROME BEGERT: He again encouraged the Council to remove three of the four charter suggested changes for the reasons he gave during the Public Hearing.

MOTION: Councilor Blow motioned and Councilor Kelley seconded to Order the Town Clerk to place the proposed amendments to the Town Charter regarding Section 201 and 1002.2 related to Town Council Term Limits; Section 409 related to Disposing of Real and Personal Property; Section 412 related to Conflicts of Interest; and Section 904 related to the Public Bulletin Board and Advertising of Agendas on the ballot for the election to be held on November 8, 2016.

VOTE: Unanimous.

6759 Discussion with Action: Amend the Town of Old Orchard Beach Code of Ordinances, Chapter 2, Administration, Article IV – Boards, Committees, Commissions, Section 2-398 (Ballpark Commission) Appointment, Vacancies, term, Section 2-399, Powers and Duties, Section 2-401, quorum, procedure, officers, and Section 404, Ballpark is land owned by the public but not considered a park.

BACKGROUND:

Ballpark Manager Guy Fontaine had requested that the Council consider making changes to the ordinance in the following areas and this item has been through the Public Hearing process.

1. Allow non-residents to serve on the Ballpark Commission. The Ballpark Commission consists of seven members and two alternates. Currently there are four members with three vacancies (and two alternate vacancies). The proposal is to allow up to three non-residents to serve because the Ballpark needs to reach a regional audience in order to attract economically viable events. The rationale is that the Ballpark benefits when a non-resident is interested in serving and brings a skill-set that can contribute positively to the operations. It was the feeling of the Council that the Commission would benefit from members who bring experience and knowledge about managing and operating an events venue. Expanding Commission membership outside of Old Orchard Beach will help in getting that type of expertise on the Commission.

MOTION: Councilor Tousignant motioned and Councilor Blow seconded to Amend the Town of Old Orchard Beach Code of Ordinances, Chapter 2, Administration, Article IV – Boards, Committees, Commissions, Section 2-398 (Ballpark Commission) Appointment, Vacancies, term, Section 2-399, Powers and Duties, Section 2-401, quorum, procedure, officers, and Section 404, Ballpark is land owned by the public but not considered a park.

VOTE: Unanimous.

6760 Discussion with Action: Vote to Establish a Non-Lapsing Special Revenue Fund to be called the “Museum in the Streets Fund” and to approve the acceptance of donations and contributions to this Fund to be used for the installation of over thirty (30) panels, and for the future upkeep and maintenance of the program.

BACKGROUND:

MUSEUM IN THE STREETS ACCOUNT

A recent presentation was made to the Town Council on this exciting project. The funds will be used to pay for 30 small panels and 2 introductory panels at a lump sum cost of \$21,913. This number is subject to change according to the final contract signed with Patrick Cardon at Museum in the Streets.

The Finance Director explains that to establish a new special revenue fund will be beneficial so that all the contributions and donations that are received stay with the fund year-after-year. She has discussed this with the Auditors and they agree that this is an acceptable purpose for a special revenue fund.

In addition, funds will be used to purchase the metal posts needed to display the panels at a cost of between \$3,000 and \$6,000. It is the hope of the Committee that the panels will be installed by the Department of Public Works to avoid any installation charges. The funds will also be used to pay for brochures used to promote the project at an estimated cost of \$500 per year.

Lastly, the funds will cover the future upkeep and maintenance of panels. The panels are guaranteed to last for ten years and are fortified against graffiti.

Breakdown:

- 30 small panels and 2 large panels (introductory panels): \$21,913
- Cost of Posts: \$3,000 - \$6,000
- Cost of Brochures: \$500/Year
- Future Upkeep and Maintenance: Unknown Cost at This Time

Grand Total for Year 1 of Implementation:

Low Amount: \$25,413

High Amount: \$28,413

JEROME BEGERT: He asked for confirmation that this was indeed the Dedicated Revenue Account and was assured that it as.

MOTION: Councilor Tousignant motioned and Councilor Kelley seconded to Establish a Non-Lapsing Special Revenue Fund to be called the “Museum in the Streets Fund” and to approve the acceptance of donations and contributions to this Fund to be used for the installation of over thirty (30) panels, and for the future upkeep and maintenance of the program. Establish a Non-Lapsing Special Revenue Fund to be called the “Museum in the Streets Fund” and to approve the acceptance of donations and contributions to this Fund to be used for the installation of over thirty (30) panels, and for the future upkeep and maintenance of the program.

VOTE: Unanimous.

6761 Discussion with Action: Accept the bid from Shaw Brothers in the amount of \$253,251; for the Public Works Cascade Mill & Overlay project, from Account Number 50002-50506 - Road Maintenance/Improvement Capital Account, with a balance of \$770,926.16.

BACKGROUND:

TOWN OF OLD ORCHARD BEACH, MAINE

**Request for Proposal
CASCADE ROAD MILL & OVERLAY**

The Town of Old Orchard Beach is accepting bids for the Cascade Road Mill & Overlay – 2016 MPI Project – MAINE DOT PSN 68740. To be a responsive Bidder, the Contractor shall have obtained at least one set of paper plans and specifications from the Town of Old Orchard Beach (Office of the Assistant Town Manager.)

Copies of the Bid Documents will be distributed by the Town Of Old Orchard Beach at a cost of \$25, payable by bank/personal/company check to Town of Old Orchard Beach. To be considered a responsive Bidder, the Contractor shall have obtained at least one set of paper plans and specifications from the Town of Old Orchard Beach. The Bid Documents may be picked up as of June 15, 2016.

Bids must be received by the Town Manager’s Office, 1 Portland Avenue, Old Orchard Beach by 2:00 p.m. on Friday, August 5, 2016; and work must be completed between September 6, 2016 and October 30, 2016. Information on the RFP is on the Town’s website – www.oobmaine.com

Four business owners came in as required for copies of the bid package for the Cascade Road Project including:

Ted Riley – Shaw Brothers
Jason Robinson – Dayton Sand and Gravel
Steven Pikla – Glidden Express
Jason Griffiths – Pike Industries

The following bids were received:

Pike Industries	\$348,980.00
Alternate	50,377.20
Dayton Sand & Gravel	\$256,478.00
Alternate	19,469.00
Shaw Brothers	\$231,733.50
Alternate	21,517.00

The Public Works Director recommended approval of the Shaw Brothers bid.

This project is funded through PACTS with a 50/50% share of expenses. The Town’s share is \$161,756. The town’s share is funded in the FY2016 budget.

There was discussion amongst the Council about the use of the type asphalt and concerns raised and the Public Director addressed the issue. He indicated that the Saco section of Cascade Road has transverse cracks about every 50 feet. Saco’s project he thought was a little thin overlay project; it was probably a ¾ inch overlay with no milling but that he would be checking into this. If they did not use super pave on this project so perhaps the asphalt mix was not the problem. The think overlay was probably the issue. He indicated that the new project will be a mill and overlay project designed by Woodard and Curran.

MOTION: Councilor Kelley motioned and Councilor Blow seconded to Accept the bid from Shaw Brothers in the amount of \$253,251; for the Public Works Cascade Mill & Overlay project, from Account Number 50002-50506 - Road Maintenance/Improvement Capital Account, with a balance of \$770,926.16.

VOTE: Unanimous.

6762 Discussion with Action: Approve the purchase of flail mower equipment attachments for the 2016 MacLean MV2 Sidewalk Machine, in the amount of \$32,600 less trade-in value for the 1999 John Deere TC44H Loader, in the amount of \$32,000, with a balance of \$600, to be paid from Account Number 20151-50501 – Public Works Operating Equipment, with a balance of \$32,255.21.

BACKGROUND:

For use by the Public Works Department, a boom flail is used to cut vegetation behind guardrails, in ditches, and along roadsides generally. Their existing boom flail is used on the old Trackless. The boom flail does not work and cannot be economically repaired. The boom flail that is being recommended is an attachment for the MV2.

MOTION: Councilor Blow motioned and Councilor Kelley seconded to Approve the purchase of flail mower equipment attachments for the 2016 MacLean MV2 Sidewalk Machine, in the amount of \$32,600 less trade-in value for the 1999 John Deere TC44H Loader, in the amount of \$32,000, with a balance of \$600, to be paid from Account Number 20151-50501 – Public Works Operating Equipment, with a balance of \$32,255.21.

VOTE: Unanimous.

#6763 Discussion with Action: Accept the bid from Beauguard Equipment Inc., for the purchase by Public Works of a Case Wheel Loader in the amount of \$174,900.

BACKGROUND:

The Public Works Department went out to bid for one (1) Case 621F Wheel Loader or equivalent. The RFP was advertised in the Journal Tribune, on the MMA website, the Town's website and mailed to the following companies – Beauguard Equipment and Chadwick Ba Ross.

The following bid was received:

Equipment Inc.	Beauguard \$ 174,900
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The Public Works Director is requesting approval for the purchase from Beauguard Equipment Inc. in the amount of 174,900, to be financed through lease purchase for six (6) years with an annual payment in the amount of \$31,422.18.

MOTION: Councilor Blow motioned and Councilor Kelley seconded to Accept the bid from Beauguard Equipment Inc., for the purchase by Public Works of a Case Wheel Loader in the amount of \$174,900.

VOTE: Unanimous.

6764 Discussion with Action: To Approve the Order #2016-2, entitled "Order to Authorize Lease Purchase Case Wheel Loader in the Principal Amount of \$174,900" for six (6) years, with an annual payment in the amount of \$31,422.18, from Account Number 20197-50330 – Equipment Lease Expense, with a balance of \$297,523.76.

BACKGROUND:

Included in the August 16, 2016 Council Agenda are four (4) items for the wheel loader and ambulance.

Since the purchase price for each piece of equipment is over 4100,000 and they will be financed through a lease purchase agreement, there are legal requirements to be followed.

The Bank will require an opinion from Bond Counsel and to do that we will need to include an Agenda Item that the Town Council will act on to approve an Order to authorize a lease purchase agreement.

Therefore, there is one agenda item to approve the bid and one agenda item to approve the Order to authorize the lease purchase agreement.

MOTION: Councilor Blow motioned and Councilor Tousignant seconded to Approve the Order #2016-2, entitled "Order to Authorize Lease Purchase Case Wheel Loader in the Principal Amount of \$174,900" for six (6) years, with an annual payment in the amount of \$31,422.18, from Account Number 20197-50330 – Equipment Lease Expense, with a balance of \$297,523.76.

VOTE: Unanimous.

6765 Discussion with Action: Accept the bid from H. E. Callahan, in the amount of \$53,000 for the Libby Memorial Library Window Replacement from Account Number 31144-50396 – Library Expansion Construction Bond, with a balance of \$162,163.44.

BACKGROUND:

The Town of Old Orchard Beach went out to bid for replacement windows for the Libby Memorial Library. The funding source is the construction bond approved by voters for library expansion.

INVITATION TO BID

**LIBBY MEMORIAL LIBRARY
REPLACEMENT OF WINDOWS
for
OLD ORCHARD BEACH, MAINE**

The Town of Old Orchard Beach is seeking bids for the window replacements at the Libby Memorial Library. Bids for the Libby Memorial Library Window Replacement are due at the

Town Manager's Office at Town Hall, 1 Portland Avenue, Old Orchard Beach, Maine on Tuesday, August 9, 2016 at 2:00 p.m., and opened directly after that time.

The work involves the replacement of several windows with PVC windows, the related framing and trim work and other work indicated on the drawings and in the specifications and work must be completed between September 6th through October 31, 2016.

To be a responsive Bidder, the Contractor shall have obtained at least one set of plans and specifications from the Town of Old Orchard Beach. The bid will not be awarded to a Bidder unless a record for the request of at least one set of paper plans and specifications exists in the office of the Town Manager.

The Town of Old Orchard Beach reserves the right to reject any or all bids, to waive any technical or legal deficiencies, and to accept any bid that it may deem to be in the best interest of the Town.

It should be noted that bid packets were provided to the following vendors:

BID CONTRACTORS CONTACT ED FOR LIBRARY WINDOW REPLACEMENT

Chretien Construction carl-ch@chretienconstructioninc.com
Langford General Contractor grussell@langfordandlow.com
Burnham Painting LLC burnhampainting@roadrunner.com
Clarke Painting, Inc. ClarkePaint@aol.com
Custom Design & Building jmoody2@maine.com
Jacobs Glass Bradley.marin@jacobsglass.net
Great Falls Construction jon@greatfallsinc.com
Wright-Ryan, Inc. cpitman@wright-ryan.com
C.M. Cimino, Inc. acimino@cmciminoinc.com
Ouellet Construction, Inc. David@oaconstruction.com
Landry French Construction monicamorin2010@gmail.com
TBuck Construction mark@tbuckcon.net
Penta Corporation sjkeyser@roadrunner.com
HE Callahan Construction johler@HECallahan.com
Ledgewood Construction pbenard@ledgewoodconstruction.com
Pizzagalli Construction Co. KFreeman@pizzagalli.com
The Sheridan Corporation dwhitney@sheridancorp.com
janderson@sheridancorp.com
The Penobscot Company, Inc. mn@thepencogc.com
Bowman Construction info@bowmanconstructors.com
Arthur Dudley Contractor jgammon@acdcontractor.com
Kinsmen Corp etuttle@lajoiebros.com
Lajoie Bros. Inc. mlarrabee@lajoiebros.com
Dotten's General Contractor Rebecca@dotens.com
TPD Construction tpdcon@gwi.net
Ganneston Construction staceymorrison@gannestonconstruction.com
Construction Summary info@constructionsummary.com
Associated General Contractors smetrano@agcmaine.org
T-Buck Construction, Inc. blevesque@tbuckcon.net
Associated General Contractors plansroom@agenh.org
Rick McLaughlin rsmcbuilder@aol.com
Todd Beaulieu toddpbeaulieu@netcape.net
Marshall Home Professional devin@marshallhomepros.com

Portsmouth Blind and Shades sales@blindandshade.com
Benchmark dhurd@benchmarkconstruction.org

It should be noted that some of the e-mails sent were not responded to which leads us to believe the company is out of business. We advertised in the Journal Tribune and on the MMA website and the Town's website.

The following bids were received:

McLaughlin Builders	\$54,333.00
H. E. Callahan Construction	53,000.00

The Town Manager is recommending approval of the bid from

H. E. Callahan Construction.

MOTION: Councilor Blow motioned and Councilor Kelley seconded to Accept the bid from H. E. Callahan, in the amount of \$53,000 for the Libby Memorial Library Window Replacement from Account Number 31144-50396 – Library Expansion Construction Bond, with a balance of \$162,163.44.

VOTE: Unanimous.

6766 Discussion with Action: Accept the bid from Autotronics for the purchase of a Ford Ambulance, in the amount of \$223,340.

BACKGROUND:

The Fire Department went out to bid for a new 2017 Ambulance with a chassis type Ford F Series 4 x 4. The bid packets were sent to the following companies:

- Greenwood Emergency Vehicles
- Autotronics
- Specialty Vehicles
- Sugarloaf Ambulance/Rescue Vehicles

The RFP was also advertised in the Journal Tribune and on the MMA website. The following bids were received:

Greenwood Emergency Vehicle	\$209,654 (Horton)
Specialty Vehicles, Inc.	228,425 (LifeLine)
Minuteman Fire Apparatus	207,983 (Road Rescue)
Custom Truck & Body works	173,279 (Custom Works)

PL Custom Emergency Vehicle	208,118 (Sugar Loaf)
American Emergency Vehicle	193,011 (Professional Vehicle Corp)
Autotronics	198,250 (Wheeled coach)
Autotronics	211,125 (Braun)

The Interim Fire Chief is recommending the approval of the bid from Autotronics in the amount of \$211,125 with specifications in the amount of \$11,900, for a total of \$223,340.00.

MOTION: Councilor Blow motioned and Councilor Kelley seconded to Accept the bid from Autotronics for the purchase of a Ford Ambulance, in the amount of \$223,340.

VOTE: Unanimous.

BID OPENING FOR

FIRE DEPARTMENT – AMBULANCE

THURSDAY, JULY 28, 2016 – 3:00 P.M.
Town Council Chambers

Present:

William Farley
Firefighter/EMS John Gilboy
Firefighter/Paramedic
Assistant Town Manager - V. Louise Reid
Daniel Brock – Minuteman Fire and Rescue
Karlton Jones – Autotronics
Kyle Daigle – Autotronics
Keith Stuart – Sugarloaf Ambulance

Interim Fire Chief

COMPANY BID

Greenwood Emergency Vehicle	\$209,654 (Horton)
North Attleboro, MA	
Specialty Vehicles, Inc.	\$228,425 (Lifeline)
North Attleboro, MA	

Minuteman Fire Apparatus	(Road Rescue) \$207,983
Walpole, MA	
Custom Truck & body Works	(Custom Works) \$173,279
Woodbury, GA	
PL Custom Emergency Vehicle (Sugar Loaf)	\$208,118
Kingfield, ME	
American Emergency Vehicle	(Professional Vehicle) \$193,011
Rumford, ME	
Autotronics	
(Wheeled Coach)	
Frenchville, ME	\$198,250
Autotronics	(Braun) \$211,125
Frenchville, ME	

6767 Discussion with Action: To Approve the Order #2016-3, entitled "Order to Authorize Lease Purchase of a Ford Ambulance in the Principal Amount of \$223,340 for six (6) years, with an annual payment of \$41,094.56, from Account Number 20197-50330 – Equipment Lease Expense, with a balance of \$297,523.76.

BACKGROUND:

The Finance Director indicated that included in the August 16, 2016 Council Agenda re are (4) Agenda Items for the wheel loader and the ambulance. Since the purchase price for each piece of equipment is over 4100,000 and they will be financed through a least purchase agreement, there are legal requirements that must be followed.

The Bank will require an opinion from Bond Counsel and to do that we will need to include an Agenda Item that Council will act on to approve an Order to authorize a least purchase agreement. Therefore, there is one Agenda Item to approve the bid and one Agenda Item to approve the Order to authorize the lease purchase agreement.

MOTION: Councilor Blow motioned and Councilor Kelley seconded to Approve the Order #2016-3, entitled "Order to Authorize Lease Purchase of a Ford Ambulance in the Principal Amount of \$223,340" for six (6) years, with an annual payment of \$41,094.56, from Account Number 20197-50330 – Equipment Lease Expense, with a balance of \$297,523.76.

VOTE: Unanimous.

6768 Discussion with Action: Accept the bid from Messer Truck Equipment, in the amount of \$37,787, for a hook and lift system, for the Waste Water Facility Heavy Duty Truck, as approved by lease purchase from Account Number 20197-50330 – Equipment Lease Expense, with a balance of \$297,523.76.

BACKGROUND:

This request is for a hook and lift system that will be fitted to the winning truck bid also contained in this agenda. The hook and lift system was approved as part of the FY17 budget process. This system will allow the department to utilize three (3) different bodies on one vehicle. This system includes a 10' dump body, platform body and the skid to accommodate the existing sander body. Staff will have the ability to load and unload these bodies as they are needed. Being able to unload the sander body will allow staff to properly clean the cab and chassis of residual salt. Three vendors were contacted as follows;

**Hews Truck Bodies and Equipment,
Messer Truck Equipment
H.P. Fairfield.**

Biddeford and Saco Public Works were both contacted as both had purchased hook and lift systems from Messer. On all accounts were happy with product and neither indicated service was necessary on either unit. The major difference in the units is the dump and lift capacity. In researching the cubic yard capacity and weight capacity of the individual bodies it was determined that either system can meet Waste Water's needs. Included in the packet are the quotes and the specifications used to refine our needs. It is recommended that we accept the \$37,787 bid from Messer Truck Equipment.

Messer Truck Equipment submitted a quote of \$37,787.00

**Hews Truck Bodies and Equipment submitted
a quote of \$42,500.00**

H.P. Fairfield did not return calls

MOTION: Councilor Kelley motioned and Councilor Blow seconded to Accept the bid from Messer Truck Equipment, in the amount of \$37,787, for a hook and lift system, for the Waste Water Facility Heavy Duty Truck, as approved by lease purchase from Account Number 20197-50330 – Equipment Lease Expense, with a balance of \$297,523.76.

VOTE: Unanimous.

6769 Discussion with Action: Accept the bid from Messer Truck Equipment of one Fisher 9.5 x V2 snow plow, in the amount of \$7,022, for the Wastewater Facility Heavy Duty Truck, as approved by lease purchase from Account Number 20197-50330 – Equipment Lease Expense, with a balance of \$297,523.76.

BACKGROUND:

The Wastewater Department is requesting for a plow that will be fitted to the winning truck bid also contained in this agenda. The Department prefers Fisher plows and therefore restricted bidding to authorize Fisher Plow Dealers. The two authorized Fisher Plow Dealers in the area provided the following bids:

Messer Truck Equipment	\$7,022
Weirs Motor Company	7,075

MOTION: Councilor Blow motioned and Councilor Kelley seconded to Accept the bid from Messer Truck Equipment of one Fisher 9.5 x V2 snow plow, in the amount of \$7,022, for the Wastewater Facility Heavy Duty Truck, as approved by lease purchase from Account Number 20197-50330 – Equipment Lease Expense, with a balance of \$297,523.76.

VOTE: Unanimous.

6770 Discussion with Action: Approve the purchase of one (1) Flowserve Pump from Aqua Solution, in the amount of \$14,700, from Account Number 53002-50846 – Wastewater CIP Account, with a balance of \$72,898.59.

BACKGROUND:

This request is for one pump to replace an existing pump that has been in service since 1985. Staff recently noticed that this pump has lost capacity. There are two (2) pumps. Both serve the same purpose for two (2) individual clarifiers. If approved and once delivered, the configuration department will remove the existing pump and investigate the possibility of rebuilding it. It is being recommended that this be sole sourced as piping, electrical, base and pad were designed around this pump. Purchasing a different brand and model will require modifications that will negate any possible savings. Installation will be performed by OOBWW staff.

MOTION: Councilor Tousignant motioned and Councilor Blow seconded to Approve the purchase of one (1) Flowserve Pump from Aqua Solution, in the amount of \$14,700, from Account Number 53002-50846 – Wastewater CIP Account, with a balance of \$72,898.59.

VOTE: Unanimous.

6671 Discussion with Action: Appoint David Huntington as Election Warden, and Warren “Todd” Bassett and Martha Conlan as Deputy Election Wardens, terms to expire August 16th, 2017.

MOTION: Councilor Tousignant motioned and Councilor Kelley seconded to Appoint David Huntington as Election Warden, and Warren “Todd” Bassett and Martha Conlan as Deputy Election Wardens, terms to expire August 16th, 2017.

VOTE: Unanimous.

6772 Discussion with Action: Approve the Special Event Permit application for Ryan Moulton to hold his wedding ceremony on the beach in front of the Ocean Walk Hotel, 197 East Grand Avenue, on Saturday, August 27th, 2016, from Noon to 11 p.m. Insurance, listing the Town of Old Orchard Beach as additionally insured, to be provided to the Town Clerk’s Office at least one week prior to the event.

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

VOTE: Unanimous.

6773 Discussion with Action: Accept, with regret, the resignation of Laura Bolduc from the Planning Board.

BACKGROUND:

Ms. Bolduc sent an e-mail to the Planner expressing her regrets but that she is moving out of Town.

MOTION: Councilor Blow motioned and Councilor Kelley seconded to Accept, with regret, the resignation of Laura Bolduc from the Planning Board.

VOTE: Unanimous.

6774 Discussion with Action: Approve the Special Event Permit application for Duffy's Tavern to hold a wedding ceremony on the beach in front of the Sandpiper Motel, 2 Cleaves Street, on Saturday, September 10th, 2016; set-up from 12:00 p.m. to 12:30 p.m., wedding 1:00 p.m. to 1:30 p.m. and take down from 1:30 p.m. to 2:00 p.m. Insurance, listing the Town of Old Orchard Beach as additionally insured, must be submitted to the Town Clerk's Office at least two weeks prior to the event.

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

VOTE: Unanimous.

6775 Discussion with Action: Approve the Special Event Permit application for Pier Leasing Co. to hold the Old Orchard Beach Bikefest on Saturday, September 10th, 2016, from 11 a.m. to 10 p.m. in the Square; and a request to close the Square to motorcycles only, leaving the emergency vehicle parking spaces open.

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

VOTE: Unanimous.

6776 Discussion with Action: Approve the Liquor License Renewals for Joseph's by the Sea dba/Joseph's by the Sea (310-3-3), 55 West Grand Avenue, m-s-v in a Restaurant; and VFW Memorial Post 7997 dba/VFW Memorial Post 7997 (312-14-2-X), 76 Atlantic Avenue, m-s-v in a Club.

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

VOTE: Unanimous.

GOOD AND WELFARE:

JEROME BEGERT: He gave a short tribute to his friend, John Bird, and asked that consideration be given to dedicating the Annual Report to John.

6777 Executive Session: Discuss Labor Negotiations: (Note: This item discusses labor contract issues related to the Old Orchard Beach Patrolmen's Association – Maine Association of Police union contract, as defined under Title 1 M.R.S.A., Section 405 (6) (D), and the Council anticipates that the discussion portion will be held in Executive Session.)

MOTION: Councilor Tousignant motioned and Councilor Kelley seconded to enter into Executive Session Discuss Labor Negotiations: (Note: This item discusses labor contract issues related to the Old Orchard Beach Patrolmen's Association - Maine Association of Police union contract, as defined under Title 1 M.R.S.A., Section 405 (6) (D), and the Council anticipates that the discussion portion will be held in Executive Session.)

VOTE: Unanimous.

MOTION: Councilor Tousignant motioned and Councilor Blow seconded to Exit the Executive Session at 8:15 p.m.

VOTE: Unanimous.

ADJOURNMENT:

MOTION: Councilor Tousignant motioned and Councilor Blow seconded to Adjourn the Town Council Meeting at 8:16 p.m.

VOTE: Unanimous.

Respectfully Submitted,

V. Louise Reid
Town Council Secretary

I, V. Louise Reid, Secretary to the Town Council of Old Orchard Beach, Maine, do hereby certify that the foregoing document consisting of twenty-five (25) pages is a copy of the original Minutes of the Town Council Meeting of August 16, 2016.

V. Louise Reid