

**TOWN OF OLD ORCHARD BEACH
TOWN COUNCIL MEETING
TUESDAY, NOVEMBER 20, 2007
TOWN HALL CHAMBERS**

A scheduled Town Council Meeting of the Old Orchard Beach Town Council was held on Tuesday, November 20, 2007. Chairman James Long opened the meeting at 7:00 p.m.

Pledge of Allegiance and Roll Call:

Present were:

**Chairman James Long
Vice Chair Shawn O'Neill
Councilor Roxanne Frenette
Councilor Robin Dayton
Councilor Sharri MacDonald**

ACKNOWLEDGEMENTS:

COUNCILOR FRENETTE: On behalf of the Town of Old Orchard's Code Enforcement Department I would like to express our appreciation to the American Legion for permitting us to use their building for a meeting of contractors and code enforcement officers in a presentation done by FEMA. It was an honor for OOB to be selected to host this event and we congratulate Ken Shupe and his staff for the excellent job they did in pulling this important event together. To Mike Dickinson and Missy Shupe for donating gifts for the visiting dignitaries, we express our thanks as well. I would like to thank Kim McLaughlin and Beth Gilman and all their assistants that made our election run so smoothly.

COUNCILOR DAYTON: I would like to acknowledge the coaches and our football teams and their leaders, Dean Plante, Jason Webber, Pete Pourier and Curt Chretien, Senior High Football Team and Jimmy Perillo and Jerome Plante who reached the 9-0 record. It should be noted that the High School Football Team has not made the play offs since 1996 so we congratulate everyone involved. All the athletes and leaders need to be congratulated for their hard work and enthusiasm.

COUNCILOR SHAWN O'NEILL: We want to take this opportunity to express to Chairman Joe Kline the appreciation of fellow Council members, the Administration, and the citizens of Old Orchard Beach for the ten years of dedicated service to the community as a member of the Town Council. He served from 1995 to 1997 and 1999 to 2007 and acted as Vice Chair during 2003 and 2005 and as Chair in 2001 and 2006. His responsibilities in the Army reserve caused him to decide not to run in the upcoming campaign. This plaque, although just a simple reminder of our thoughts and good wishes symbolizes our gratefulness for many years and hours of dedicated commitment to this community. As the plaque read: May the blessings of good health, the joy of good friends, a loving family, and the contentment of a job well done fill

your life with happiness. To you, Anie and Spencer, our best wishes for continued happiness and contentment.

FORMER CHAIRMAN JOSEPH KLINE: It is very humbling to have this and it is a joy and pleasure to be part of being on the Council and I hope the people in the future will give me this opportunity to serve again. I wanted to give an acknowledgement to our Town Manager before he leaves our community. We have appreciated all that he has done in our community over the past four years and wish him the best in his new appointment. Because we know of his love for quotes we thought this was most appropriate.

**James H. Thomas
Town Manager
August 2003 – December 2007**

“Through the centuries there were men who took first steps, down new roads, armed with nothing but their vision.” (Ayn Rand)

**Presented by
Town Council Chairman
Joseph Kline
November 20, 2007**

TOWN MANAGER: I didn't know about this as I still have a couple of weeks. It is rare for me to be without words but I have thoroughly enjoyed working with the Town Council and as Vice Chairman O'Neill said sometimes there are difference of opinion when we try to craft public policy but we have tried to look out for the best interest of the citizens of Old Orchard Beach. I say from the bottom of my heart that you have a very capable and hard working staff. I am sure whomever you select in the months ahead, they will be grateful for what they have here in Old Orchard Beach. Wherever I go, this has been the fifth community I have worked in, but working here has been a real joy to me. There are some very kind and generous people here in Old Orchard Beach. I wish you all the best in the years ahead.

ACCEPTANCE OF MINUTES: Town Council Meeting of October 16, 2007; Town Council Workshop of October 18, 2007; and Administrative Hearing Minutes of October 22, 2007, with no conditions recommended..

MOTION: Councilor Frenette motioned and Councilor Dayton seconded to accept the Minutes of the Town Council Meeting of the Town Council Meeting of October 16, 2007.

VOTE: Yea: Councilors Dayton, Frenette and Long.
Abstain: Councilors O'Neill and MacDonald.

MOTION: Councilor Frenette motioned and Councilor Dayton seconded to accept the Minutes of the Town Council Workshop of October 18, 2007.

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

MOTION: Councilor Frenette motioned and Councilor Dayton seconded to accept the Minutes of the Administrative Board Hearing with no conditions recommended.

VOTE: Yea: Councilors Dayton, Frenette, O'Neill, Long
Abstain: Councilor MacDonald

PUBLIC HEARING: Shall We Amend the Code of Ordinances, Section 54-187, Restrictions and Prohibitions, by designating Cliff Avenue as a one way Street?

CHAIRMAN LONG: I open this Public Hearing at 7:10 p.m.

TOWN MANAGER: Public Works has rebuild Cliff Avenue from Grove Street to Ivy Street. The entire existing road width was reclaimed, reshaped and paved. The maximum width achieved for the road was twelve feet, paved, with a one foot gravel shoulder on either side. This roadway does not safely accommodate two-way traffic. Public Works has spoken with the majority of homeowners affected by our recommendation to make this roadway a one way traffic flow – from Grove to Ivy. They are in agreement with this change and the direction of flow. Public Works recommends updating the traffic ordinance to reflect a one-way traffic flow for Cliff Avenue from Grove Street to Ivy Street.

**NOTICE OF PUBLIC HEARING
MUNICIPAL OFFICERS OF THE TOWN OF
OLD ORCHARD BEACH**

The Municipal Officers of the Town of Old Orchard Beach, Maine hereby give Public Notice that there will be a Public Hearing held at the Town Hall, Council Chambers, on November 20, 2007 at 7:00 p.m. to consider the following:

Shall the Town Council of the Town of Old Orchard Beach amend the Code of Ordinances, Section 54-187, Restrictions and Prohibitions, by adding the following language:

Cliff Avenue: Cliff Avenue is designated as “one way”. Vehicles shall be allowed to enter Cliff Avenue from Grove Avenue and proceed in a northwesterly direction to Ivy Avenue.

CHAIRMAN LONG: I close this Public Hearing at 7:13 p.m.

CHAIRMAN LONG: I open this Public Hearing at 7:13 p.m.

PUBLIC HEARING: Shall We Amend the General Assistance Ordinance?

CHAIRMAN LONG: Each year the State updates the General Assistance requirements for the giving of assistance to individuals. This is a yearly housekeeping item.

EXHIBIT: **NOTICE OF PUBLIC HEARING
MUNICIPAL OFFICERS OF THE TOWN OF
OLD ORCHARD BEACH**

The Municipal Officers of the Town of Old Orchard Beach, Maine hereby give Public Notice that there will be a Public Hearing held at the Town Hall, Council Chambers, on November 20, 2007 at 7:00 p.m. to consider the following:

Shall the Town Council of the Town of Old Orchard Beach amend the General Assistance Ordinance by changing the dollar amounts allowed for Basic Necessities; Maximum levels of assistance, adopting the underscored amounts, as follows:

Amend Section 6.8 Basic necessities; Overall maximum levels of assistance:

No. in Household	CURRENT WEEKLY	<u>PROPOSED WEEKLY</u>	CURRENT MONTHLY	<u>PROPOSED MONTHLY</u>
1	\$163.00	<u>\$185.00</u>	\$702.00	<u>\$740.00</u>
2	\$194.00	<u>\$220.00</u>	\$833.00	<u>\$880.00</u>
3	\$251.00	<u>\$285.00</u>	\$1079.00	<u>\$1140.00</u>
4	\$316.00	<u>\$359.00</u>	\$1360.00	<u>\$1436.00</u>
5	\$339.00	<u>\$385.00</u>	\$1456.00	<u>\$1539.00</u>

Amend Section 6.8 a) Food

No. of Household	CURRENT WEEKLY	<u>PROPOSED WEEKLY</u>	CURRENT MONTHLY	<u>PROPOSED MONTHLY</u>
1	\$36.05	<u>\$37.67</u>	\$155.00	<u>\$162.00</u>
2	\$66.05	<u>\$69.30</u>	\$284.00	<u>\$298.00</u>
3	\$94.88	<u>\$99.07</u>	\$408.00	<u>\$426.00</u>
4	\$120.47	<u>\$126.05</u>	\$518.00	<u>\$542.00</u>
5	\$143.02	<u>\$149.53</u>	\$615.00	<u>\$643.00</u>
6	\$171.63	<u>\$179.53</u>	\$738.00	<u>\$772.00</u>
7	\$189.77	<u>\$198.37</u>	\$816.00	<u>\$853.00</u>
8	\$216.74	<u>\$226.74</u>	\$932.00	<u>\$975.00</u>

Increase Additional persons from \$117.00 to \$122.00 per month.

Amend Appendix E, Personal Care & Household Supplies

No. in Household	CURRENT WEEKLY	<u>PROPOSED WEEKLY</u>	CURRENT MONTHLY	<u>PROPOSED MONTHLY</u>
1-2	\$8.20	<u>\$10.50</u>	\$35.00	<u>\$45.00</u>
3-4	\$9.30	<u>\$11.60</u>	\$40.00	<u>\$50.00</u>
5-6	\$10.50	<u>\$12.80</u>	\$45.00	<u>\$55.00</u>
7-8	\$11.60	<u>\$14.00</u>	\$50.00	<u>\$60.00</u>

For each additional person add \$1.25 per week or \$5.00 per month.

Supplement for Households with Children under 5.

No. of Children	CURRENT WEEKLY	<u>PROPOSED WEEKLY</u>	CURRENT MONTHLY	<u>PROPOSED MONTHLY</u>
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1	\$10.50	<u>\$12.80</u>	\$45.00	<u>\$55.00</u>
2	\$15.10	<u>\$17.40</u>	\$65.00	<u>\$75.00</u>
3	\$20.90	<u>\$23.30</u>	\$90.00	<u>\$100.00</u>
4	\$25.60	<u>\$27.90</u>	\$110.00	<u>\$120.00</u>

CHAIRMAN LONG: I close this Public Hearing at 7:14 p.m.

BUSINESS LICENSES: Henry Ayers (103-1-37), 37-39 Milliken Mills Road, one year round rental; Sandra Hersh & Larry Sime (201-1-8-6C), 219 East Grand Avenue, 6C, one year round rental; William Dederer (316-4-1-4C), 1 Seacliff Avenue, 4C, one year round rental; Lisa Raynes (322-2-2), 15 Connecticut Avenue, one year round rental; Angela Harvey (311-9-8), 1 Maplewood Avenue, one year round rental; Robert S. Stephen (318-8-1), 29 Reggio Avenue, two year round rentals; and Susan Mayer (205-7-9), 10 ½ Imperial Street, one year round rental.

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

VOTE: Unanimous.

SPECIAL AMUSEMENT PERMIT: Michael Mezoian & Gregory Mezoian dba/The Captain's Galley Restaurant (208-1-6), 168 Saco Avenue, Entertaining & Dancing.

MOTION: Councilor Dayton motioned and Councilor O'Neill seconded to approve the Special Amusement Permit as read.

VOTE: Unanimous.

NEW BUSINESS:

3046 Discussion with Action: Accept with regret the Resignation of the Town Manager, James Thomas, effective January 4, 2008.

CHAIRMAN LONG: With the acceptance of a position in Connecticut, the Town Manager, James Thomas, has submitted his resignation to the Council.

October 24, 2007

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

To Members of the Town Council:

With a personal expression of the privilege it has been to serve the citizens of Old Orchard Beach, please accept my resignation from the position of Town Manager, effective January 4, 2008. I intend to take remaining vacation from January 2nd through 4th of 2008.

Please accept my personal appreciation for the professionalism afforded me during my four years here in Old Orchard Beach, my continued support in the two months remaining, and any assistance I might give to the new Town Manager.

Sincerely yours,

**James Thomas
Town Manager**

MOTION: Councilor Dayton motioned and Councilor Frenette seconded to Accept with regret the Resignation of the Town Manager, James Thomas, effective January 4, 2008.

VOTE: Unanimous.

3047 Discussion with Action: Accept Proposal from Maine Municipal Authority (MMA) for Professional Executive Search for the Position of Town Manager in the Amount of \$4,500 from Account Number 20102-50300 – Administrative/Professional/Engineering Services, with a balance of \$16,400.

CHAIRMAN LONG: The Council will authorize the Maine Municipal Authority (MMA) to begin a professional executive research for the position of Town Manager with payment in the amount of \$4,500 from Account Number 10102-040300 – Administrative/Professional/Engineering Services.

MOTION: Councilor Frenette motioned and Councilor Dayton seconded to Accept Proposal from Maine Municipal Authority (MMA) for Professional Executive Search for the Position of Town Manager in the Amount of \$4,500 from Account Number 20102-50300- Administrative/Professional/Engineering Services, with a balance of \$16,400.

VOTE: Unanimous.

3048 Discussion with Action: Amend the Code of Ordinances, Section 58-58, Reimbursement of Costs to Residents.

CHAIRMAN LONG: The Town Ordinance currently reimburses residents with septic tanks up to \$200 every 18 months. There are currently three companies that provide

service to residents of Old Orchard Beach. As of August 21, 2007, their charges are as follows to pump out up to 1,000 gallons:

BBI	\$250
Fenderson Sanitary Service	\$220
Nest & Sons Inc.	\$220

In speaking with BBI, we were advised that a family of 2-4 people usually has their septic tank pumped out every two to three years, unless there is a problem with the pump. During FY2007, 80 residents requested the \$200 reimbursement. Of the 80 residents, 67 used BBI, 11 used Fenderson Sanitary Service and two residents used Nest & Sons Inc. The request is to change the allotted amount from up to \$200 to up to \$250 every 18 months.

**EXHIBIT: NOTICE OF PUBLIC HEARING
MUNICIPAL OFFICERS OF THE TOWN OF
OLD ORCHARD BEACH**

The Municipal Officers of the Town of Old Orchard Beach, Maine hereby give Public Notice that there will be a Public Hearing held at the Town Hall, Council Chambers, on October 16, 2007, at 7:00 p.m. to consider the following:

Be it hereby ordained, by the Town Council of the Town of Old Orchard Beach, Maine, in Town Council assembled, that the following section of the Town of Old Orchard Beach Code of Ordinances, Article II, Section 58-58, is amended by adding the underscored language, and deleting the strikethrough language as shown below:

Sec. 58-58. Reimbursement of costs to resident.

Any town resident who pays a septic waste hauler a charge, which includes the cost of disposal at the treatment plant, may apply to the town treasurer for reimbursement of the amount of that charge, including charges for pumping and transportation, up to a total reimbursement of ~~\$200.00~~ \$250.00. Upon receipt of proof of payment of such charge, the treasurer shall issue to the resident a certificate for the amount of the reimbursement. For one year after the issuance of the certificate, the resident may apply the certificate toward real or personal property taxes or any other amount of money due from that resident to the town. A reimbursement allowed under this section shall be nontransferable, and no resident may receive more than one such reimbursement in any 18-month period, notwithstanding that such resident may own more than one property served by a septic system. (Ord. of 6-18-1996, § 9; Ord. of 9-16-1997; Ord. of 5-20-2003(1))

SEWER ABATEMENTS FY 2007

LAST NAME	AMT ABATED	AMT OF BILL	DATE PUMPED	COMPANY
Spence	\$200.00	\$170.00	4/19/2005	BBI
Walker	\$200.00	\$230.00	7/13/2005	BBI
Patoine	\$200.00	\$240.00	8/23/2005	BBI
Patoine	\$200.00	\$240.00	8/23/2005	BBI
Jalbert	\$200.00	\$240.00	9/7/2005	BBI
Berthiaume	\$200.00	\$240.00	10/6/2005	BBI
Soucy	\$200.00	\$240.00	10/17/2005	BBI
Tierney	\$200.00	\$210.00	10/17/2005	The Fenderson Sanitary Service

McCullum	\$200.00	\$240.00	10/24/2005	BBI	
Nickerson	\$200.00	\$210.00	10/24/2005	The Fenderson Sanitary Service	
Kalinowski	\$200.00	\$240.00	10/24/2005	BBI	
Harder	\$200.00	\$245.00	11/17/2005	BBI	
Beaulieu	\$200.00	\$250.00	12/19/2005	BBI	
McDermott	\$200.00	\$250.00	3/7/2006	BBI	
Goyet	\$200.00	\$250.00	4/12/2006	BBI	
Ponzetti	\$200.00	\$250.00	4/24/2006	BBI	
O'Brien	\$200.00	\$230.00	4/28/2006	Nest & Sons, Inc, Septic Tank Service	
Kinner	\$200.00	\$250.00	5/4/2006	BBI	
Dupuis	\$200.00	\$250.00	5/9/2006	BBI	
McInnis	\$200.00	\$210.00	5/30/2006	Nest & Sons, Inc, Septic Tank Service	
Lacroix	\$200.00	\$250.00	6/8/2006	BBI	
Turcotte	\$200.00	\$210.00	6/12/2006	The Fenderson Sanitary Service	
Mattia	\$200.00	\$250.00	6/14/2006	BBI	
Hamilton	\$200.00	\$210.00	6/19/2006	The Fenderson Sanitary Service	
Lemoine	\$200.00	\$250.00	6/23/2006	BBI	
Sargent	\$200.00	\$250.00	7/6/2006	BBI	
Turner	\$200.00	\$250.00	7/6/2006	BBI	
Clemens	\$200.00	\$225.00	6/16/2006	BBI	
Dubois	\$200.00	\$250.00	7/13/2006	BBI	
Schwickrat h	\$200.00	\$250.00	7/18/2006	BBI	
Pike	\$200.00	\$250.00	7/18/2006	BBI	
Perrone	\$200.00	\$250.00	7/20/2006	BBI	
Junkins	\$200.00	\$250.00	7/22/2006	BBI	
Lamy	\$200.00	\$250.00	7/26/2006	BBI	
Daly	\$200.00	\$250.00	8/7/2006	BBI	
Milligan	\$147.50	\$147.50	8/9/2006	BBI	Condo
Wing	\$147.50	\$147.50	8/9/2006	BBI	Condo
Ross	\$147.50	\$147.50	8/9/2006	BBI	Condo
Guarino	\$200.00	\$250.00	8/10/2006	BBI	
Couturier	\$200.00	\$250.00	8/10/2006	BBI	
Roy	\$200.00	\$250.00	8/10/2006	BBI	
Morin	\$200.00	\$250.00	8/15/2006	BBI	
Murphy	\$200.00	\$250.00	8/15/2006	BBI	
Lake	\$200.00	\$245.00	8/15/2006	BBI	
White	\$200.00	\$250.00	8/18/2006	BBI	
Blecharczyk	\$200.00	\$250.00	8/23/2006	BBI	
Barricelli	\$200.00	\$250.00	8/24/2006	BBI	
LaPierre	\$200.00	\$210.00	8/30/2006	The Fenderson Sanitary Service	
Gordon	\$200.00	\$210.00	8/31/2006	The Fenderson Sanitary Service	
Siudmak	\$200.00	\$250.00	9/6/2006	BBI	
Bradbury	\$200.00	\$210.00	9/7/2006	The Fenderson Sanitary Service	
Bradbury	\$200.00	\$210.00	9/7/2006	The Fenderson Sanitary Service	
Beaudoin	\$200.00	\$210.00	9/16/2006	The Fenderson Sanitary Service	
Libby	\$200.00	\$250.00	9/25/2006	BBI	
Botting	\$200.00	\$245.00	9/29/2006	BBI	
O'Hara	\$200.00	\$250.00	10/5/2006	BBI	
Martinoli	\$200.00	\$250.00	10/11/2006	BBI	

Merrill	\$200.00	\$250.00	10/17/2006	BBI	
Tabone	\$200.00	\$250.00	10/19/2006	BBI	
Manning	\$200.00	\$250.00	10/20/2006	BBI	
Jones	\$200.00	\$250.00	10/20/2006	BBI	
Pratt	\$200.00	\$210.00	10/24/2006	The Fenderson Sanitary Service	
Seamans	\$200.00	\$250.00	10/24/2006	BBI	
Speed	\$200.00	\$250.00	10/26/2006	BBI	
Patry Realty	\$200.00	\$250.00	10/31/2006	BBI	
Ramage	\$200.00	\$250.00	11/6/2006	BBI	
Lasher	\$200.00	\$250.00	11/8/2006	BBI	
Blow	\$200.00	\$250.00	11/16/2006	BBI	
Roux	\$200.00	\$250.00	11/17/2006	BBI	
Rogers	\$200.00	\$250.00	11/17/2006	BBI	
Thibodeau	\$200.00	\$250.00	11/21/2006	BBI	
Lewis	\$200.00	\$220.00	11/22/2006	The Fenderson Sanitary Service	
Bureau	\$200.00	\$250.00	12/7/2006	BBI	
Trempe	\$200.00	\$250.00	12/22/2006	BBI	
McCallum	\$200.00	\$250.00	12/28/2006	BBI	
Watkins	\$200.00	\$250.00	1/3/2007	BBI	
Speed	\$200.00	\$390.00	1/4/2007	BBI	2 500 gallon tanks
Schaafsma	\$200.00	\$250.00	1/4/2007	BBI	
Holt	\$200.00	\$250.00	2/15/2007	BBI	
Allen	\$200.00	\$220.00	2/21/2007	BBI	
TOTAL	\$15,842.50				

11 The Fenderson Sanitary Service
2 Nest & Sons Inc Septic Tank Service
67 BBI

As of 8/21/07, Nest & Sons, Inc charges \$220 to pump out up to 1,000 gallons.
As of 8/21/07, BBI charges \$250 to pump out up to 1,000 gallons.
As of 8/21/07, Fenderson Sanitary Service charges \$220 to pump out up to 1,000 gallons.

MOTION: Councilor Dayton motioned and Councilor O'Neill seconded to Amend the Code of Ordinances, Section 58-58, Reimbursement of Costs to Residents.

VOTE: Yea: Councilors Dayton, MacDonald, Vice Chairman O'Neill, Chairman Long
Abstain: Councilor Frenette

3049 Discussion with Action: Approve the Liquor License Renewal for Michael Mezoian & Gregory Mezoian dba/The Captain's Galley Restaurant (208-1-6), s-m-v in a Restaurant.

MOTION: Councilor Dayton motioned and Councilor Frenette seconded to approve the Liquor License Renewal as read.

VOTE: Unanimous.

3050 Discussion with Action: Set a Public Hearing date of December 4, 2007 to Amend the Code of Ordinances, Section 54-113 – Square on Old Orchard Street.

CHAIRMAN LONG: Section 54-113 currently reads:

Sec. 54-113. Square on Old Orchard Street.

(a) As used in this section, the term "square" means the Old Orchard Street Square which is that portion of Old Orchard Street between East Grand Avenue and West Grand Avenue and the beach.

(b) The square shall be closed to all vehicle traffic during the following periods:

(1) Memorial Day weekend from 6:00 p.m. Friday evening until 2:00 a.m. Monday morning; and

(2) From 6:00 p.m. on July 1 until 2:00 a.m. on Labor Day, daily.

(c) The police chief may open the square to vehicle traffic when he finds that the interest of public safety will not be harmed with the square open, and the police chief may close the square at any time that he finds that the interest of public safety will be met by taking this action.

(d) Notwithstanding subsection (b) of this section, business delivery vehicles shall be permitted to load and unload within the square area, between the hours of 2:00 a.m. and 6:00 p.m., prevailing time.

(Ord. of 6-13-1961, § 5-183; Ord. of 7-8-1974; Ord. of 7-14-1976; Ord. of 8-2-1978; Ord. of 6-18-1980; Ord. of 7-21-1982; Ord. of 4-2-1985; Ord. of 5-20-1986; Ord. of 8-17-1993; Ord. of 9-16-1997)

EXHIBIT: NOTICE OF PUBLIC HEARING

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

The Municipal Officers of the Town of Old Orchard Beach, Maine hereby give Public Notice that there will be a Public Hearing held at the Town Hall, Council Chambers, on December 4, 2007 at 7:00 p.m. to consider the following:

Shall the Town Council of the Town of Old Orchard Beach amend the Code of Ordinances, Section 54-113, Square on Old Orchard Street, by adding the following language:

There shall be one designated handicap parking space, allowing parking for no longer than 30 minutes; three ten-minute parking spaces; and two authorized vehicles only spaces, located at the bottom of the square, for use when the Square is open.

MOTION: Councilor Dayton motioned and Councilor O'Neill seconded to Set a Public Hearing date of December 4, 2007 to Amend the Code of Ordinances, Section 54-113- Square on Old Orchard Street.”

VOTE: Unanimous.

3051 Discussion with Action: Accept the bid of \$23,673 from Account Number 10013-3011 – Undesignated Fund with a balance of \$4,832,604 for the purchase of Ergonomic Console Furniture for Dispatch Operations.

CHAIRMAN LONG: As the present Council will recall approval was given for the Chief of Police to go out for bid for the Work Stations for Dispatch Operations to supplement the purchase of the Dispatch Equipment for updating the present operations. The requested amount was to have been in the area of \$24,000 for Work Stations for Dispatch.

Three bids were received:

XYBIX Systems Inc.	Option 1	\$22,634.00
	Option 2	22,229.00
	Additional	1, 444.00
Dispatch Produce Company		20,272.00
Watson Dispatch		22,873.46

In speaking with Chief Kelley, he is recommending acceptance of the bid from XYBIX Systems, Inc. as he suggests that their presentation and also the personal attention afforded the Police Department in the research and informational approach to the purchase was extremely helpful and beneficial compared to the other two. Staff has suggested Option II (\$22,229) plus additional options in the amount of \$1,444 (with no interest in the Personal Climate Control), for a total of \$23,573.

It should also be noted that in addition to this bid there will be additional costs for electrical work that must be done to make the Dispatch center operational and functional. The floor in the Dispatch Center is in very poor condition and repairs and upgrades to that are being reviewed at the present time in order to substantially support the new Work Stations/equipment.

MOTION: Councilor Dayton motioned and Councilor Frenette seconded to Accept the bid of \$23,673 from XYBX Systems, Inc. from Account Number 10013-3011– Undesignated Fund with a balance of \$4,832,604, for the purchase of Ergonomic Console Work Stations for Dispatch Operations.

VOTE: Unanimous.

3052 Discussion with Action: Set a Public Hearing date of December 4, 2007 to Amend the Code of Ordinances, Section 54-187, Imperial Street.

**NOTICE OF PUBLIC HEARING
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OLD ORCHARD BEACH**

The Municipal Officers of the Town of Old Orchard Beach, Maine hereby give Public Notice that there will be a Public Hearing held at the Town Hall, Council Chambers, on December 4, 2007 at 7:00 p.m. to consider the following:

Shall the Town Council of the Town of Old Orchard Beach amend the Code of Ordinances, Section 54-187, Restrictions and Prohibitions, by adding the underscored language and deleting the strikethrough language:

Imperial Street. No parking shall be allowed on the left right side (facing the ocean) of Imperial Street from Portland Avenue to Milliken ~~Hoffman~~ Street ~~and from Francis Street to Milliken Street~~. Parking shall be allowed on the right left side (facing the ocean) of Imperial Street only from Veteran's Square to ~~Milliken~~ Francis Street.

If the change is made the Ordinance will read:

Imperial Street: No parking shall be allowed on the right side (facing the ocean) of Imperial Street from Portland Avenue to Milliken Street. Parking shall be allowed on the left side (facing the ocean) of Imperial Street only from Veteran's Square to Francis Street.

MOTION: Councilor Frenette motioned and Councilor Dayton seconded to Set a Public Hearing date of December 4, 2007 to Amend the Code of Ordinances, Section 54-187 - Imperial Street.

VOTE: Unanimous.

3053 Discussion with Action: Approve the Special Event Permit Application from the Recreation Department to hold "Arts in the Park" in Memorial Park on Saturday, July 26, 2008, with a rain date of Sunday, July 27, 2008, from 9:00 a.m. to 4:00 p.m.; request for a banner in the square, and a request to waive the fee.

CHAIRMAN LONG: It should be noted there was a conflict in the name of this event which was discovered after the agenda was written.

JASON WEBBER: The first annual Seaside Art Festival will be held on July 26, 2007 (rain date July 27, 2007) at Memorial Park in Old Orchard Beach to benefit the Libby Memorial Library (Old Orchard Beach Free public Library) Building fund. Principal sponsors of the Seaside Art Festival will be the Libby Memorial Library, Saco Bay Artists, the Recreation Department and the Biddeford Savings Institution. The festival will consist of numerous Maine and other New England artists who will display artwork for sale and judging. Each artist will have a designated 12 by 12 area assigned to them to display their wares. The Salvation Army Band and local barbershop quartet will perform during the day. It is hoped that the close access to the railroad station will encourage artists and patrons to use AMTRAK to participate in the event. Art work will consist of fine art and photography. The show will not include nudity, craft material covered by copy write and food concessions.

MOTION: Councilor Frenette motioned and Councilor Dayton second to amend the motion to Approve the Special Event Permit Application from the Recreation Department to hold the "Seaside Art Festival" in Memorial Park on Saturday, July 26, 2008, with a rain date of Sunday, July 27, 2008, from 9:00 a.m. to 4:00 p.m.; request for a banner in the square, and a request to waive the fee.

VOTE: Unanimous.

GOOD AND WELFARE

CHAIRMAN FRENETTE: Happy Thanksgiving to each of you.

COUNCILOR DAYTON: I would encourage the citizens that as we go into the hiring process for a new Town Manager that you contacting any members of Council to voice your concerns or suggestions.

CHAIRMAN LONG: I would like to express my appreciation to those who ran for Council and again my appreciation for being elected Chair. It is my desire to communicate with the Council and the citizens as we work on a progressive plan for our community. I would also like to remind you that we will have a Workshop on Tuesday evening, November 27, 2007 at which time we will discuss plans and concerns for the Memorial Park and the Recreation plans for the Ballpark. We invite you to participate.

CHAIRMAN O'NEILL: I would like to give me best to Mike Tousignant for running for Council and for his constant attendance and participation in the Council meetings and just encourage Mike to continue his desire to serve in the community. He has a great deal to offer and his ability is of great value to the community.

3054 Executive Session pursuant to 1 M.R.S.A. Section 405(6)(E) for Consultation with the Town Attorney regarding pending litigation, Mimi Vattes d/b/a the Galaxy v. Town of Old Orchard Beach.

MOTION: Councilor Frenette motioned and Councilor Dayton seconded to enter into Executive Session pursuant to 1 M.R.S.A. Section 405(6)(E) for Consultation with the Town Attorney regarding pending litigation, Mimi Vattes d/b/a the Galaxy v. Town of Old Orchard Beach.

VOTE: Unanimous.

MOTION: Vice Chairman O'Neill motioned and Councilor Frenette seconded to adjourn the Executive Session.

VOTE: Unanimous.

ADJOURNMENT

MOTION: Councilor Frenette motioned and Councilor Dayton seconded to adjourn the meeting.

VOTE: Unanimous.

Respectfully Submitted,

**V. Louise Reid
Town Council Secretary**

I, V. Louise Reid, Secretary to the Town Council of Old Orchard Beach, Maine, do hereby certify that the foregoing document consisting of thirteen (13) pages is a true copy of the original Minutes of the Town Council Meeting of November 20, 2007.

V. Louise Reid