

**TOWN OF OLD ORCHARD BEACH  
TOWN COUNCIL MEETING  
Tuesday, September 16, 2014  
TOWN HALL CHAMBERS  
7:00 p.m.**

**A Town Council Meeting of the Old Orchard Beach Town Council was held on Tuesday, September 16, 2014. Chair O'Neill opened the meeting at 7:00 p.m.**

**The following were in attendance:**

**Chair Shawn O'Neill  
Vice Chair Bob Quinn  
Councilor Malorie Pastor  
Councilor Joseph Thornton  
Councilor Jay Kelley  
Councilor Michael Tousignant  
Town Manager Larry Mead  
Assistant Town Manager V. Louise Reid  
Public Works Director Bill Robertson (Executive Session)**

**Absent: Councilor Kenneth Blow**

**Pledge to the Flag  
Roll Call**

**ACKNOWLEDGEMENTS:**

**COUNCILOR THORNTON:** We would like to welcome a new business owner to Old Orchard Beach – William J. McCormick III, owner of McCormick and Sons Trucking. Welcome to our community.

**ASSISTANT TOWN MANAGER:** Would like to pay tribute to the memory of Irving Merrithew, who served as Commander at the American Legion and a good friend to so many. A burial service for Irving is planned for Thursday, September 25<sup>th</sup> at 1:00 p.m. at the Maine Veterans Cemetery in Augusta. Our respects and love to his wife, Gerry, and to his family. We would also like to acknowledge that next week Bob and Margaret Quinn will celebrate fifty years of marriage and we want to congratulate them both and send our love and best wishes. I would also like to acknowledge that Monsignor Rene Mathieu – thanks the Old Orchard Beach Town Officials for working with the Parish Staff to ensure that the Rev 3 Triathlon allowed our service to proceed without disruption. He congratulated the police officer assigned in from of the church door for three hours directing traffic and pedestrian foot traffic coming from three different directions with great east. Monsignor indicated that the police officer and his three partners had a terrific workout that morning along with the athletes.

**COUNCILOR KELLEY:** Congratulations to Beverly Russell, Chair of the Community Animal Group for the excellent article on the work the Committee does with animal which appeared in the SUN MONTHLY. The article entitled “WHAT WE DO” explains the need for funding to

keep the work going. Donations can be made to the Community Animal Watch and sent in care of the Town Hall.

**COUNCILOR TOUSIGNANT:** He announced about the exciting event scheduled for Sunday, October 12, 2014 at 2:00 p.m. at Loranger Middle School with the presentation of “The General” accompanied on the Old Orchard Beach Mighty Wurlitzer by the incomparable Dennis James. We encourage everyone to attend. The musical presentation will be great. The Memorial Park Committee asked me to express our sincere appreciation and generosity of the Veterans of Foreign Wars for their donation of a new and beautiful flag for the Park. Their donation is so appreciated by all and it is my opportunity to express our appreciation to all who have served our country so well.

**ACCEPTANCE OF MINUTES:** Town Council Workshop of August 28, 2014; and Town Council Meeting of September 2, 2014.

**MOTION:** Vice Chair Quinn motioned and Councilor Pastor seconded to Accept the Town Council Minutes as read.

**VOTE:** Unanimous.

**PUBLIC HEARING:**

The Chair opened this Public Hearing at 7:08 p.m.

**AGENDA ITEM:** Shall we Consider a proposed amendment to Section 412, “Conflicts of Interest”, of the Old Orchard Beach Charter.

**BACKGROUND:**

**Governing law regarding Charter Amendments**

30-A MRSA, Section 2104, Charter Amendments, at Subsection (5)(A) sets out the process for charter amendments initiated by the municipal officers. The subsection requires:

1. The Council to order public hearing on proposed amendment for date certain.
2. The notice of hearing to be published in the paper at least 7 days in advance of public hearing.
3. The notice must include the text of the proposed amendment and a brief explanation of the reason for the change and substance of the amendment.

To consider the following proposed amendment to Section 412 “Conflicts of Interest”, of the Old Orchard Beach Charter by adding the underscored text 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 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 relation.

Explanation: The Town Council recognizes the importance of avoiding conflicts of interest in circumstances involving family or related parties who provide services to the Town. The proposed amendment allows employees with a relative serving as a Town Councilor the opportunity to receive compensation or salary increases commensurate and proportional to such increases received by other Town officials and employees. As a further safeguard to ensure there is no undue influence or conflict of interest in Council decisions directly affecting the compensation or salary of employees with a relative serving on the Town Council, the amendments require a Councilor with a relative serving as Town official or Town employee to recuse him or herself from consideration or action on such compensation or salary matters.

The following individuals made comments during the discussion period. John Bird expressed his opinion as the Chair of the Charter Commission that this should not be on the agenda. He indicated that by moving this forward it is disrespectful to the Charter rules and that this has been part of the Charter for many years and for good reason. He also indicated that he would expect that those Councilors who have family members as employees that they should recuse themselves from voting on this issue. Ernie Young also spoke but in favor of moving this item forward and permitting the citizens to express their opinion by voting yes or no on the issue. He indicated he felt that this part of the charter disenfranchises a lot of individuals.

The Chair closed the Public Hearing at 7:15 p.m.

#### **PUBLIC HEARING BUSINESS LICENSES AND APPROVAL:**

**CHAIR:** I open this Public Hearing at 7:15 p.m.

William J. McCormick III dba/McCormick and Sons Trucking, Waste Hauler – one truck; Cameron R. Sheets (205-16-3-3A), 9 Cascade Road, Unit 3A, one year round rental; Pamela Golarz (206-11-4), 11 Cottage Avenue, three year round rentals; Ed & Jeanne Jackson (212-1-3), 20 Melvin Avenue, two year round rentals; Ed & Jeanne Jackson (212-1-4),

18 Melvin Avenue, two year round rentals; Sherry's Place/Sarah Weinstein (304-3-5), 79 East Grand Avenue, one seasonal rental; Sherry's Place/Sarah Weinstein (304-3-6) 75 East Grand Avenue, three seasonal rentals; Cody & Gabriela Huffman dba/Lazy Daisy Beach Rentals (316-13-9), 20 Union Avenue, three year round rentals; Thomas Toohey (320-1-4), 60 Colby Avenue, one seasonal rental and one year round rental; and Beth & Douglass Keene (321-3-6) 11 Ancona Avenue, one seasonal rental.

**CHAIR:** I close this Public Hearing at 7:18 p.m. p.m.

**MOTION:** Councilor Tousignant motioned and Councilor Thornton seconded to Approve the Business Licenses as read.

**VOTE:** Unanimous.

**TOWN MANAGER'S REPORT:**

The Town Manager reported that he began consultation with the Town Attorney on a new ordinance regarding medical marijuana. He met with the Town Planner and the Police Chief to prepare a draft for the Town Attorney's review and they are looking at appropriate zones for the use and also performance standards for Planning Board consideration. He also met with John and Pam Gallo of the Raging Tide and Chris Hall, Commissioner Futures Collegiate Baseball League to discuss options for baseball next season. The Town Hall improvements including windows and siding has been brought to the Design Review Committee because this is a historic building. We are hoping to bring this forward after their review and we are working with the Town Planner and Wright Pierce on the issues. We are hoping this will be a project for next season. We have been in negotiations with the Public Works Department and this will be a discussion during Executive Session scheduled for this evening. We have drafted the contracts for both the Skateboard Park and the Police Storage Building and those contracts have been signed. It was a great weekend in OOB including the Car Show, the Beach Raid, the Chili Festival and the Blues Festival. Congratulations to all those who made these events happen and to all who participated in the events. He also indicated that the Transfer Station is back to the usual hours of Wednesday from 7:30 a.m. to 2:30 p.m. and Saturday from 8:00 to noon. Once the leaves start to fall there will be an extension of hours which will be noted on the Town's web site.

**# 6280 Discussion with Action:** Approve the Mobilization of Primary and Secondary Crushers, loading and stacking Equipment of Superior Crushing Inc., in the amount of \$25,605 less the \$5,000 approved on September 2, 2014, for a total of \$20,605, from Account Number 50002-50506 – Public Works Equipment, with a balance of \$478,591; to crush broken hot top, concrete chunks, bricks and ledge to a 1 ½ crushed gravel material at \$7.50/cubic yard, not to exceed 3,414 cubic yards.

**BACKGROUND:**

The Council voted 7-0 on September 2, 2014 to approve the mobilization costs for Superior crushing in the amount of \$5,000.00. The work has been completed and the additional invoice of \$20,605 is for final payment which the Council needs to approve because the invoice is more than \$5,000.00. There was a total of 3,414 cubic yards of 1 ½" reclaimed

material made at \$7.50 per cubic yard. Thus total cost of \$25,605.00 less \$5,000.00 deposit approved on 09-02-14 for a final invoice of \$20,605.00. It was noted by Councilor Tousignant that this was approved and discussed during the budget process.

**MOTION:** Councilor Tousignant motioned and Councilor Kelley seconded to Approve the Mobilization of Primary and Secondary Crushers, loading and stacking Equipment of Superior Crushing Inc., in the amount of \$25,605 less the \$5,000 approved on September 2, 2014, for a total of \$20,605, from Account Number 50002-50506 – Public Works Equipment, with a balance of \$478,591; to crush broken hot top, concrete chunks, bricks and ledge to a 1 ½ crushed gravel material at \$7.50/cubic yard, not to exceed 3,414 cubic yards.

**VOTE:** Unanimous.

# 6281 Discussion with Action: Approve the services of Ted Berry Company to do the fall cleanings of the wet wells at the WWTF and pump stations in the amount of \$15,000 from Account Number 20161-50342 – Waste Pumping Expenses, with a balance of \$30,000.

**BACKGROUND:**

The OOBWWTF does not have any automated equipment to remove grit/sand/textiles as it enters the WWTF. Instead of removing the textile items, they are 'shredded' by inline grinders. A portion of the grit/sand settles in tanks and wet wells at the WWTF and pump stations. The OOBWW department must periodically clean out the various tanks, channels and wet wells manually. Cleaning is normally performed twice a year. Some of the cleanings require the staff to divert flow, bypass a portion of the treatment process and perform permitted confined space entry(s). This makes some of the cleaning 'time sensitive'.

The OOBWW department has worked alongside the Ted Berry Company with all aspects of the cleaning over the past few years. The OOBWW department supplies the safety equipment and runs the permitted confined space entry program that is required to access some of the tanks. Ted Berry Company has previous knowledge of the system and has demonstrated a high level of efficiency. By working closely with Ted Berry the OOBWW staff has reduced the amount of time it takes to complete the cleanings. It is expected that the Ted Berry Company and OOBWW staff will complete the cleanings in three days at a total cost of \$6828. It is estimated that there will be another \$7000 to dispose of the debris at Eco-Maine in Westbrook.

Christopher White,  
Wastewater Superintendent

**Re: General Services Agreement for WWTF Cleaning work 2014**

The Ted Berry Company Inc. is pleased to present the following preferred vendor pricing for 2013.

Founded in 1972 the Ted Berry Company Inc. has deep roots in both the Industrial and Municipal service sectors in New England. Built on service, hard work, trust, and commitment we offer industry leading technology and an extremely knowledgeable staff of over 40 local employees. A family owned and operated business with the owners Jim and Matt Timberlake being intimately

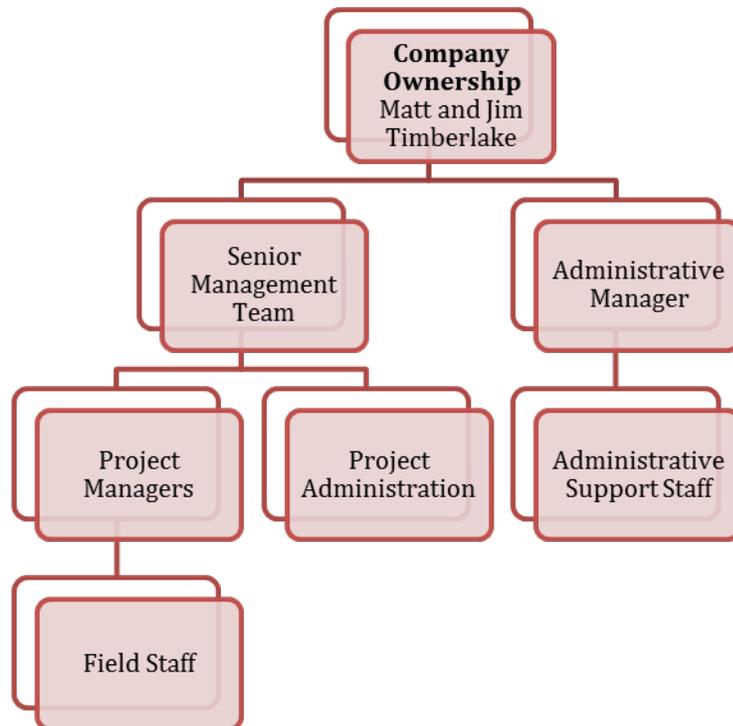
involved in the daily operation and management of the company, The Ted Berry Company is the contractor of choice for municipal waste water collection system managers throughout Maine and New England.

Our company has built great working relationships with of our customers, which in turn, has given the Ted Berry Company the financial stability to continue providing service to our customers and invest in our employees and our fleet of equipment. Owning and operating Maine's largest fleet of municipal sewer cleaning equipment and CCTV inspection vehicles we are strategically positioned in Central Maine with easy access to Maine's largest communities.

Our main office is located at 521 Federal Road in Livermore, Maine less than 65 miles from Old Orchard with strategic partners located in the Greater Portland area which allows staging and storing equipment within 10 miles of the City as an alternative for extended projects.

### Project Team

The Ted Berry Company operates under a structure that allows all team members to participate in our success and be held accountable for safety and project performance. This collaborative effort is not common in today's workplace, however the camaraderie that exists within our company and the pride in work is evident throughout our crews. (See attached resumes for key project team personnel.)



**Management Team** - The Ted Berry Company management team consists of a mix of the ownership, operations staff and administrative staff , and advisors that work collaboratively on achieving defined goals and providing a high level

of service to its customers. The management team consists of (3) critical parts. (1) The ownership and, (2) The Operational Senior Management Team made up of Senior Project Managers and key operational staff and, (3) Board of Advisors which is made up of industry professionals which meets on a quarterly basis. Operating efficiencies and managing overhead are critical functions of the Management Team and there are daily, weekly, quarterly, and annual goals with KPI's that drive critical decision making all while maintaining close working relationships with our key customers.

**Operations Team** - The Ted Berry Company Operations Team consists of the following key positions.

The General Manager oversees the daily operations of the business and company projects, (5) Project Managers who report directly to the General Manager and the Senior Management Team, The Estimator that works at the direction of the Project Managers, the Project Administrator who assists the Project Managers and reports to the General Manager, The Office Manager who reports to the Ownership Team with critical daily financial information, and our Fleet and Equipment Reliability Manager who maintains all company owned and operated equipment.

**Field Operations** - The Ted Berry Company Field Operations Team is made up of over 35 employees which comprises between 8-12 daily work teams dependent on the project responsibilities of any given day. The field staff is a highly trained group who are in direct contact with their direct supervisors on a daily basis. All field staff are tracked with our internal labor utilization reports which allows management personnel to monitor real time where productivity or efficiencies can be gained, there are a number of key performance indicators (KPI's) in regards to individual and service group performance that are viewed daily by senior staff. All Ted Berry Company Field Supervisory staff has 'smart phones' and data packages so communication of critical project data and the company staffing schedule are available real time in the field.

**Emergency Response Staff** - The Ted Berry Company has a comprehensive and redundant emergency response staff that is available 365 days a year 24 hours a day. A Senior Field Operations Supervisor is on call at all times with direct access to Senior Staff and has the ability to make decisions as a situation dictates. The emergency response team consists of at all times a minimum of the following staff. (1) Senior Operations Supervisor, (1) CDL Operator, (1) CCTV Operator, and (3) Technicians. Our team prides itself in being rapid responders and can be prepared for scenarios ranging from simple sewer line plug to large scale overflow with the resources needed within minutes of request. Emergency staff will be able to respond within 3 hours of any afterhour's emergency call and within 48 hours of any request made during normal business hours.

**Execution of projects of a similar nature**

Client	Contact Name	Contact Phone
Portland Water District (PWD)	Gordon Johnson Steve Sloan Charlene Poulin	207-761-8310
The Ted Berry Company is currently involved in a multi-year contract for		

services with the PWD for collection and integration of CCTV data into the districts existing Hansen database which is a high end yet extremely complicated asset management based system. As part of the first phase of the multi-year contract a link had to be created allowing the import and export of data to and from Hansen. To date nearly 250,000lf has been inspected in (6) communities including residential areas, large diameter interceptors, remotely located pipes, busy commercial areas, and work on one of Maine's rugged islands.

<b>Client</b>	<b>Contact Name</b>	<b>Contact Phone</b>
<b>City of Manchester NH EPD</b>	<b>Rob Robinson - City of Manchester Marrisa Buyers-Basso - Brown and Caldwell Engineers</b>	<b>1-603-624-6522</b>

The City of Manchester NH Environmental Protection Department has chosen the Ted Berry Company as a strategic partner in its long term piping assessment program which helps drive the CIP and CSO reduction plan. As the CCTV contractor for general condition assessment, pre-paving evaluations, and hydraulic studies, the Ted Berry Company works closely with the city's consultant Brown and Caldwell and must integrate the CCTV data into an asset based report that is used to develop the annual maintenance and capital budgets. CCTV inspections to date have included large diameter interceptor sewers ranging from 36" to 72" brick pipe, 120" granite combined sewer tunnels, and over 15 miles of remote access pipelines running along the Piscataquog River and the historic Cemetery Brook.

<b>Client</b>	<b>Contact Name</b>	<b>Contact Phone</b>
<b>City of Revere, Massachusetts</b>	<b>Bob Parsons - CDM Engineers Marina Peirera - CDM Engineers</b>	<b>1-617-452-6360</b>

The City of Revere Massachusetts is under a consent order by the US Department of Justice to reduce SSO's throughout the City. A critical step in determining areas of significant I&I was a phased SSES approach to the evaluation of the city's sewer system. Ted Berry Company staff was contracted to perform system cleaning, evaluation, and asset based defect reporting that would be used to determine repairs and rehabilitation improvements and meet reporting requirements under the consent order.

<b>Client</b>	<b>Contact Name</b>	<b>Contact Phone</b>
<b>Verso Paper Androscoggin Mill</b>	<b>Les Pepper</b>	<b>207-897-1954</b>

As a pulp and paper mill in Maine along one of the state's major rivers, the Androscoggin, the Verso Mill (formerly International Paper) has used the Ted Berry Company for nearly 40 years as its contractor of choice for cleanup of spills in the plant, execution of critical plant outages, and inspection of its underground piping system and data management. The Ted Berry Company utilizes comparative reporting data that allows plant managers to directly compare historical data on critical pipelines and present compliance reports

to regulators annually.

Client	Contact Name	Contact Phone
Anson Madison Sanitary District	Pete Elias	207-696-3081

The AMSD has historically had a very proactive maintenance program for its sanitary sewer collection system which receives sewer flow from two towns and an industrial facility. As the district owned equipment aged and operators neared retirement the district looked to take a new approach teaming with the Ted Berry Company to execute its annual maintenance plan. The annual plan has very specific goals and targets in regards to amount of pipe cleaned, inspected, and managing the cost of work so funds are spent where they are most needed. Annual CCTV inspections help determine areas where capital improvements or localized trenchless repairs are needed. The maintenance data is integrated into the district's GIS system and CCTV inspections performed in PACP coding which generates condition assessment ratings for critical areas.

Client	Contact Name	Contact Phone
SAPPI Fine Paper	Jerome Richards	207-238-8005

The SAPPI Somerset Mill has critical inspections that must be completed during annual outages that are required for their operations. SAPPI has utilized other contractors in years past however has chosen the Ted Berry Company as a long term strategic partner for not only field inspections but database management which allows their managers to focus on the business of producing world class paper and have the highest level comparative database available through the Ted Berry Company. Data integration and compatibility with existing systems is critical to usability and future access of staff through many departments.

### Professional References

1. Stephan Broadbent Fuss and O'Neil Engineers (207) 860-0773
2. Michael Courtenay Warren Sanitary District (207) 273-2047
3. Kevin Gagne Superintendent Lewiston Water and Sewer Division (207) 513-3003
4. Tim Haskell Superintendent York Sewer District (207) 363-4232
5. Mark Holt Superintendent Jay Sewer Department (207) 645-4246
6. John Storer Superintendent Auburn Water and Sewerage District (207) 784-6469
7. Mike Rodgers Kittery Water District (207) 451-8316
8. Bob Parsons CDM Engineers (617) 452-6360

### Subcontractor Qualifications

Traffic Control is often a function that is subcontracted by the Ted Berry Company Operations Team. Our subcontractors are required to adhere to all local, state, and federal safety regulations and must have documentation in hand of training required to perform traffic control duties. Traffic subcontractors are most often @Work and Project Flagging. "Flagging" is

governed in the State of Maine by Maine law 23 MRSA707 and includes both the OSHA and MDOT standards.

Any subcontractor that is hired by the Ted Berry Company must comply fully with the Ted Berry Company Safety handbook and all local, state, and federal safety regulations.

**Pipeline Cleaning Capabilities**

Simply put there is no local company that can compare experience or abilities with that of the Ted Berry Company Inc., and no national company that can compare with resources and dedicated staff to the area of Greater Portland. Since 1972 Ted Berry Co has been providing municipal and industrial sewer line cleaning, inspection, and maintenance to customers throughout New England. With a multi-million dollar fleet of Vactor Units and Trailer Jetting Units operated on a daily basis we clean and inspect nearly 1 million feet of pipe per year. From small communities to New England's largest interceptors and remote access sewer lines we have the experience and can back it up with results that are unmatched.

**Unit Cost**

Item Description	Hourly Rate	Day Rate	Estimated duration	Total Estimated cost
Municipal Vactor Truck	NA	\$2,000.00	3 Days	\$6,000.00
Support Truck	NA	\$78.00	3 Days	\$234.00
Technician	\$49.50	NA	12 Hours	\$594.00
Total Estimated Project Cost				\$6,828.00
Disposal	NA	Billed at actual +10%		TBD

Please feel free to contact me or another member of our team at any time to discuss in more detail.

Sincerely,

**Matt Timberlake**  
Vice President

**Dave Beauchamp**  
Municipal Service Group Manager

It was again noted that this project was discussed during the budget process and during previous workshops.

**MOTION:** Councilor Kelley motioned and Councilor Pastor seconded to Approve the services of Ted Berry Company to do the fall cleanings of the wet wells at the WWTF and pump stations in the amount of \$15,000 from Account Number 20161-50342 – Waste Pumping Expenses, with a balance of \$30,000.

**VOTE:** Unanimous.

**# 6282 Discussion with Action:** Approve the PLC/SCADA Project based on time and materials with a not-to-exceed price of \$33,517 from Account Number 50501-50330 – Waste Water Equipment Replacement Account, with a balance of \$80,056.

**BACKGROUND:**

The WWTF individual processes are controlled by a programmed logic controller (PLC) that is located in the process building. This is a single PLC that controls the chemical system, aeration system, dewatering system and alarm screens. The PLC does not allow operators to view operational trends; nor does it record changes made to operational or alarm parameters. It is also an inconvenient location and staff must access the process building in order to view the process or make changes. Currently, alarms from the WWTF come to the SCADA system as a 'general' alarm.

The supervisory control and data acquisition (SCADA) was installed in 2010. It allows operators to view and control most aspects of the remote pump stations. Operators can view history and trend activities anywhere from one hour ago to four years ago. Operational and alarm parameters can be changed from this location. Pump station alarms go out as specific alarms; and allow the responder to be better equipped with information before addressing the issue. Currently, alarms from the process building PLC come to the SCADA system as a 'general' alarm. Access to certain parameters is restricted on a proprietary basis. The WW department is proposing to bring all information from the process building and effluent building PLC's to the SCADA system. Operators will be able to trend operational parameters at the WWTF just as they can from the pump stations. The SCADA system will record changes to parameters and allow staff to view the entire WWTF operation from a central station in the administration building. All changes are logged and recorded. It will show who made the changes and when the changes were made. Access to certain parameters can be restricted on a proprietary basis. The proposal to complete the project is based on time and materials with a not to exceed price. There will not be any outside engineering costs for this project if the project can be done on a time and material basis. The vast majority of the costs will be incurred for software programming purposes. By approving the project in this manner, OOBWW staff will have the option to modify the scope throughout the project. This way staff can look for efficiency's and make changes that we feel best benefits the department. This project was approved and recommended by the Finance Committee as part of the FY15 budget. Results Engineering (RE) designed and installed the SCADA system. The system has worked very well for the staff with minimal cost and trouble. RE is located in Saco, Maine and has been in business for 27 years. RE has addressed all issues with SCADA since it was installed and they are responsible for all annual software upgrades.

Vice Chair Quinn asked for a little more explanation from the Superintendent of Waste Water on what this project will afford the department to which it was explained it will bring the ability in house, all in one place, the information required to do the work and make it more productive and less staff time to have this all in one system in one place.

**MOTION:** Councilor Tousignant motioned and Vice Chair Quinn seconded to Approve the PLC/SCADA Project based on time and materials with a not-to-exceed price of \$33,517 from Account Number 50501-50330 – Equipment Replacement Account, with a balance of \$80,056.

**VOTE:** Unanimous.

# 6283 Discussion with Action: Approve the purchase of two (2) chlorine pumps from Maher Corporation in the amount of \$6,400 from Account Number 20161-50330 – Equipment Replacement, with a balance of \$80,056.

**BACKGROUND:**

The Waste Water Superintendent has indicated that the hypo chlorite pump that supplies chlorine to the effluent for disinfection has failed and is beyond repair. The backup pump is also not operating correctly and is too large for our winter flows. These are the only pumps that can run in an automated mode and dose hypo according to residual and flow. Because of this we will need to run another pump in manual mode. In manual mode the pumps simply dose at whatever we set it at and does not account for residual and flow. None of the existing hypo pumps can be fed directly from the control panel (PLC). They use an intermediate control panel (ICP) that is out of date and expected to fail at some point.

The proposal is to purchase two pumps that can receive the control signal directly from the PLC. Staff will install and coordinate.

**MOTION:** Councilor Tousignant motioned and Councilor Thornton seconded to Approve the purchase of two (2) chlorine pumps from Maher Corporation in the amount of \$6,400 from Account Number 20161-50330 – Equipment Replacement, with a balance of \$80,056.

**VOTE:** Unanimous.

# 6284 Discussion with Action: Approve the purchase of a 2014 Harley-Davidson FLHP Motorcycle for the Old Orchard Beach Police Department from Seacoast Harley Davidson in the amount of \$16,300 with a trade in of \$10,500 for a balance of \$5,800 from Account Number 20131-50330 – Equipment Lease, with a balance of \$9,127.90.

**BACKGROUND:**

The Old Orchard Beach Police Department went out with an RFP for the purchase of a motorcycle. Requests for proposal were provided to the following three companies with the request for a trade-in of a 2012 FLHPI Motorcycle:

<u>Vendor</u>	<u>Cost</u>	<u>Trade-in</u>	<u>Final Amount</u>
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L-A Harley Davidson	17,797	11,500	\$6,297
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They will charge \$3,651.81 to swap lights from old to new bike.  
Note: this bid was for a 2015 model.

**Big Moose Harley Davidson** 17,094 12,500 \$6,553.98  
There is an additional charge of \$1,959.98 for accessories and labor.

Note: This was for a 2015 model.

**Seacoast Harley-Davidson** 16,300 10,500 \$ 5,800  
Note : This was for a 2014 model.

The Police Department is recommending the purchase be from Seacoast Harley-Davidson for the amount of \$5,800.

Mr. John Wells of Ocean Park remarked that during this past summer there seemed to be an extra amount of noise from the Policy motorcycles into the evening hours and that he totally appreciated the Recruits on bikes which provide a quieter atmosphere.

**MOTION:** Councilor Thornton motioned and Councilor Pastor seconded to Approve the purchase of a 2014 Harley-Davidson FLHP Motorcycle for the Old Orchard Beach Police Department from Seaview Harley Davidson in the amount of \$16,300 with a trade in of \$10,500 for a balance of \$5,800 from Account Number 20131-50330 – Equipment Lease, with a balance of \$9,127.90.

**VOTE:** Unanimous.

# 6285 Discussion with Action: Approve the purchase of a SAF-T Liner C2 Body Model 341TS (81 passenger) bus from the Thomas Built Buses, in the amount of \$89,345 to be financed over a three year period through Gorham Savings Bank Leasing from Account Number 20197-50330 – Equipment Replacement /Lease, with a balance of \$88,137.24; to be used by the Recreation Department for their youth and adult programming.

#### **BACKGROUND:**

The Recreation Department's programming has grown over the years to the extent that additional transportation is needed. The Recreation Director went out with an RFP and received only one bid. Additional calls were made to the companies to whom the RFP was sent to encourage them to bid but only one bid was received. This was probably due to the fact that the company we are recommending deals more in retrofitting for those requiring the specifications as indicated.

#### **Invitation to Bid Type-C (Conventional) Extended Length 72 Passenger Body Size MFSAB Bus**

Bid Specification may be obtained in the Assistant Town Manager's Office, third floor, of the Town Hall, Town of Old Orchard Beach, One Portland Avenue, Old Orchard Beach, Maine.

The final date and time for receipt of proposals will be Tuesday, July 29 at 1:00 p.m., local time – at the Assistant Town Manager's Office, third floor, of the Town Hall, Town of Old

Orchard Beach, One Portland Avenue, Old Orchard Beach, Maine, 04064. Bids shall be submitted in a sealed envelope clearly marked, "Recreation Bus Bid."

Proposals will be opened in the Council Chambers, Old Orchard Beach Town Hall, Third Floor., One Portland Avenue, Old Orchard Beach, Maine beginning at 1:00 p.m., local time, on Tuesday July 29, 2007.

The Town of Old Orchard Beach reserves the right to reject any and all proposals and to waive any informalities or irregularities in the Proposals received, and to accept any Proposal which is deemed most favorable to the Town at the time and under the conditions stipulated.

Jason Webber  
One Portland Avenue  
Old Orchard Beach, ME 04064

Tel: 207-934-0860|  
Fax: 207-934-5260  
[jwebber@oobmaine.com](mailto:jwebber@oobmaine.com)

The RFP was sent to the following companies:

Bus & Chassis  
O'Connor Motor Co. C  
W. C. Cressey and Son, Inc.

It should be noted that Thomas Built Buses also provides busses to the Saco and the Biddeford Recreation Departments with the quality of their work being acknowledged. The white bus that the Recreation Department uses was also purchased from this company. This purchased was discussed at all levels including the budget presentation, the CIP Workshop and also review and support from the Finance Committee.

The Recreation Director is asking for approval for the purchase of this bus to be used to support the ongoing program needs of our Recreation Department.

**MOTION:** Councilor Kelley motioned and Councilor Pastor seconded to Approve the purchase of a SAF-T Liner C2 Body Model 341TS (81 passenger) bus from the Thomas Built Buses, in the amount of \$89,345 to be financed over a three year period through Gorham Savings Bank Leasing at 2.6%, with a first annual lease payment in the amount of \$30,549.28, from Account Number 20197-50330 – Equipment Replacement /Lease, with a balance of \$88,137.24; to be used by the Recreation Department for their youth and adult programming.

**VOTE:** Unanimous.

# 6286 Discussion with Action: Approve the Liquor License Renewal for VFW Memorial Post 7997 dba/VFW Memorial Post 7997 (312-14-2-X), m-s-v in a Club. I

**MOTION:** Vice Chair Quinn motioned and Councilor Pastor seconded to Approve the Liquor License Renewal as read.

**VOTE;** Unanimous.

# 6287 Discussion with Action: Approve the Special Event Permit application for Good Shepherd Parish to hold their Youth Ministry Kickoff on the beach by the Square, and in the Square, on Sunday, September 21<sup>st</sup>, from 4 p.m. to 8 p.m., with a rain

date of September 28<sup>th</sup>, 2014. Request for a bonfire and volleyball poles on the beach, and a bouncy house in the square, closing the Square to vehicular traffic.

**MOTION:** Councilor Thornton motioned and Councilor Pastor seconded to Approve the Special Event Permit as read.

**VOTE:** Unanimous.

# 6288 Discussion with Action: Authorize the closing of Town Hall on Friday, September 26, 2014, from 2:00 p.m. to 4:00 p.m. for the Annual Employee Picnic.

**MOTION:** Vice Chair Quinn motioned and Councilor Pastor seconded to Authorize the closing of Town Hall on Friday, September 26, 2014, from 2:00 p.m. to 4:00 p.m. for the Annual Employee Picnic.

**VOTE:** Unanimous.

# 6289 Discussion with Action: Set the Public Hearing date of October 7<sup>th</sup>, 2014 to Amend the Town of Old Orchard Beach Code of Ordinances, Section 54-187, Restrictions and Prohibitions, First Street.

**BACKGROUND:**

Sec. 54-187. Restrictions and prohibitions.

**First Street.** No parking on First Street on either side from Union Avenue to Heath Street, excepting parking shall be allowed on the side abutting the railroad tracks westerly side from Union Avenue Heath Street to Atlantic Avenue. No vehicle shall be parked on First Street from Old Orchard Street to Staples Street. Angle parking only is allowed from Staples Street to Heath Street, except for bus stop, drop off area, two handicap spaces, and taxi stands located on the ocean side of the street in front of the municipal passenger railroad platform. Four 15-minute parking spaces shall be located in front of the entrance to the chamber of commerce building, which will not include parking meters. Two handicap spaces will be located to the left of the chamber of commerce building.

**MOTION:** Councilor Thornton motioned and Councilor Pastor seconded to Set the Public Hearing as read.

**VOTE:** Unanimous.

# 6290 Discussion with Action: Set the Public Hearing date of October 7<sup>th</sup>, 2014 to Amend the Town of Old Orchard Beach Code of Ordinances, Section 54-187, Restrictions and Prohibitions, Heath Street.

**Heath Street.** No vehicle shall be parked on the southeasterly and northeasterly sides of Heath Street (none on either side), except from the intersection of Heath Street and First Street, parking will be allowed on the left-hand side facing the ocean, for a distance of 650 feet westerly.

**MOTION:** Councilor Thornton motioned and Councilor Kelley seconded to Set the Public Hearing as read.

VOTE: Unanimous.

# 6291 Discussion with Action: Set the Public Hearing date of October 7<sup>th</sup>, 2014 to Amend the Town of Old Orchard Beach Code of Ordinances, Section 54-187, Restrictions and Prohibitions, Seaside Avenue.

**Seaside Avenue.** Diagonal parking only shall be allowed on the ocean side of Seaside Avenue, between Colby Avenue and Temple Avenue; each parking space shall have a 30-minute limit and shall be so marked with appropriate signs. No vehicle shall be parked on either side of Seaside Avenue between Randall Avenue and Porter Road. No vehicle shall be parked on either side of Seaside Avenue from Union Avenue to Ancona Avenue. ~~Parallel parking only shall be allowed on the ocean side of Seaside Avenue between Winona and Tunis Avenues. No vehicle shall be parked on the westerly side of Seaside Avenue between Winona and Tunis Avenues. Parking is allowed on both sides of Seaside Avenue from Demeritt Square to Oceana Avenue; parking is allowed on the ocean side only of Seaside Avenue from Oceana to Tunis Avenue; parking is allowed on both sides of Seaside Avenue from Tunis Avenue to Seacliff Avenue. No vehicle shall be parked on either side of Seaside Avenue from Seacliff Avenue to Union Avenue.~~

MOTION: Councilor Thornton motioned and Councilor Pastor seconded to Set the Public Hearing as read.

VOTE: Unanimous.

# 6292 Discussion with Action: Set the Public Hearing date of October 7<sup>th</sup>, 2014 to Amend the Town of Old Orchard Beach Code of Ordinances, Section 54-187, Restrictions and Prohibitions, Union Avenue.

**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 7<sup>th</sup>, 2014, 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 section 54-187, Restrictions and Prohibitions (Union Avenue), of the Town of Old Orchard Beach Traffic Ordinance is amended by adding the underscored language, and deleting the strikethrough language:

Sec. 54-187. Restrictions and prohibitions.

**Union Avenue.** Parking shall be allowed on the right-hand side (side facing the ocean) of Union Avenue from Saco Avenue to First Street. No vehicle shall be parked on the left-hand side (side facing the ocean) of Union Avenue from Saco Avenue to First Street. Ten-minute parallel parking shall be allowed on both sides of Union Avenue from First Street to West Grand Avenue, and parking shall be allowed on both sides the left-hand side of Union Avenue from West Grand Avenue to the seawall.

There were a number of residents and business owners from the Union Avenue area who spoke passionately about their belief that this type of change would affect not only homeowners but business owners as well. Those who spoke included Sherrie Tripp, Nancy Jenosko, Barrie Tripp, and Joel Vincent. Other speakers were John Bird and Jerome Begart. The Council listened carefully to their comments and expressed appreciation for their willingness to come to the meeting this evening. He explained the process of the public hearing in passing an ordinance change. Which includes setting the public hearing at the first Council meeting and then at the next Council meeting giving the public the opportunity and the Council the opportunity to express their concerns and comments relative to the change. And the third and final meeting would be for a possible vote for or against the proposal. It was clearly expressed that overzealous parking enforcement and on street parking changes were identified as having a negative effect and influence on homeowners and business owners. As stakeholders they indicated that both customers of businesses and residents compete for parking spaces as it is and these changes would only compound the situation. There are both short-term and long-term parking needs on Union Avenue. It should be noted that they indicated that both residents and workers are important to the economy but the change here would entirely impact those who need to find a place to park in order to work and to be in their residence. It was pointed out that many residents don't have designated spots and that what are the needs of the residents and business owners in this area are primary concerns. There is little if no private parking availabilities in the area. Naturally the summer is critical because you have the tourists going to the beach and taking places that normally would be filled by resident or business owner customers. The other aspect of the comments of those who attended related to being informed about workshops and what the agenda is for those workshops. This appeared to be one of the reasons of concern was that when this was discussed at a recent workshop, the actual street locations were not given nor any details relative to what the changes would encompass. Workshops are formal opportunities to explore an issue but the issues and what is attempting to be addressed needs to be provided to those who particularly will be affected by the change. It was noted that the Minutes are on the website and that there is streaming of the meeting itself which can be attained through the web site. The Chair apologized that more information had not been disseminated but did indicate that the procedure that is followed has been in place for many years and that perhaps we can address their concerns in future workshops. The Chair indicated that the Council recognizes that workshops can be a very powerful tool for formally educating citizens and receiving citizen input on relative issues of importance. He also indicated that the Council counts on feedback from the citizens but that the Council itself is just now beginning discussions on these various changes and that is the reason for the three tier process – setting the public hearing – having the public hearing – and voting up or down on the changes to the ordinances. He also indicated that he encourages the citizens of the community to become contributing participants in these discussions. Personal involvement and empowerment are the values of workshops and make them a key component of the community outreach and involvement process. The Council agreed that they would in the future attempt to get the information out as much beforehand as possible but also recognizes that there is some responsibility on the citizen to involve themselves in what is happening in the community and get that information that they feel is necessary. The Chair indicated that workshops are unique because they do have the opportunity to involve citizen participation and provide an excellent forum for future planning.

**MOTION: Councilor Kelley motioned and Councilor Thornton seconded to Set the Public Hearing date as read.**

VOTE: Unanimous.

# 6293 Discussion with Action: Set the Public Hearing date of October 7<sup>th</sup>, 2014 to Amend the Town of Old Orchard Beach Code of Ordinances, Section 54-187, Restrictions and Prohibitions, West Grand Avenue.

**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 7<sup>th</sup>, 2014, 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 section 54-187, Restrictions and Prohibitions (West Grand Avenue), of the Town of Old Orchard Beach Traffic Ordinance is amended by adding the underscored language, and deleting the strikethrough language:

Sec. 54-187. Restrictions and prohibitions.

***West Grand Avenue.*** No vehicle shall be parked on either side of West Grand Avenue from Old Orchard Street to the Saco Line, except that parking shall be allowed on the ocean side of West Grand Avenue from Ocean Avenue to ~~Pavia~~ Ancona Avenue. Also, ten-minute parking shall be allowed for 20 feet on both sides of West Grand Avenue from Union Avenue. Loading and unloading only may be permitted within 50 feet of commercial establishments if not in conflict with other provisions of this chapter. Signs shall be erected and will define such areas at the designation of the chief of police. Parking shall be allowed on the ocean side of West Grand Avenue from Staples Street to Fourth Street commencing on September 15 and ending on May 1 of each year.

John Bird spoke at length on this particular West Grand Avenue change indicating that it is too narrow and would drastically affect the safety of those parking in that area and those who ride bicycles. He referred to the role of the Conservation Commission and PACTS and that this agenda item should be removed entirely from the agenda. He discussed the Maine Bicycle tours and showed a map noting the anticipate tours on regular state and local roads used by automobiles, trucks, buses and other motorized vehicles. There is concern expressed by the Conservation Commission that the routes also used by experienced bicyclists would definitely be impacted by safety concerns. Councilor Tousignant indicated that cars have been parked along this anticipated location for at least three years; the only difference is now they will have to pay to park there. Mr. Bird gave a copy of the map showing the impact of these bicycle tours to the Council. The Chair asked for official documentation and a copy of the Conservation Minutes where the Conservation Commission requested that this item be pulled from the agenda.

MOTION: Councilor Pastor motioned and Councilor Thornton seconded to Set the Public Hearing date as read.

# 6294 Discussion with Action: Set the Public Hearing date of October 7<sup>th</sup>, 2014, to

Amend the Town of Old Orchard Beach Code of Ordinances, Section 54-142,  
Parking at expired meters and overtime parking.

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 7<sup>th</sup>, 2014, 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 section 54-142, Parking at expired meters and overtime parking, of the Town of Old Orchard Beach Traffic Ordinance is amended by adding the underscored language, and deleting the strikethrough language:

Sec. 54-142. Parking at expired meters and overtime parking.

(a)

Between the hours of 10:00 a.m. and 11:00 p.m., no person shall park a vehicle in a metered parking space without first depositing a coin into the adjacent parking meter in the amount indicated on the parking meter for the appropriate time. No person shall allow a vehicle to remain in a metered parking space when the time signal on the adjacent parking meter indicates that the time for parking has expired (parking at expired meter). No person shall allow a vehicle to remain in a parking space for a period of time longer than the maximum time limit for that parking space posted on a sign or indicated on a parking meter (parked overtime). Parking shall be allowed in metered spots without first depositing a coin into the adjacent parking meter in the amount indicated on the parking meter between the hours of 11:00 p.m. and 10:00 a.m.

(b) No person shall park or stand more than one motorcycle in any metered parking space. ~~any vehicle having fewer than four wheels at or in a metered parking space which is designated by a sign or by notice posted on or near the parking meter as restricted to parking of automobiles only. No person shall park or stand any vehicle other than a motorcycle at or in a metered parking space which is designated by a sign or by notice posted on or near the parking meter as restricted to parking of motorcycles only.~~

**MOTION:** Councilor Kelley motioned and Councilor Pastor seconded to Set the Public Hearing as read.

**VOTE:** Unanimous.

# 6295 Discussion with Action: Set the Public Hearing date of October 7<sup>th</sup>, 2014, to Amend the Town of Old Orchard Beach Code of Ordinances, Section 42-81, Posting of Signs, and Section 42-83, Hours of Use, regarding the Ballpark.

**BACKGROUND:**

The Ballpark Commission has been concerned about vandalism at the Ballpark and apparently there have been instances of vandalism already experience as it regards the

Community Garden. They are asking for "No Trespassing" at the Ballpark, Ballpark Lot and the Community Garden from 10:00 p.m. to 6:00 a.m. unless there is a staffed event approved by the Ballpark Commission or the Town Council. We currently have a section on the books that can be amended to cover the Ballpark. There are no lights at the Community Garden so there is no reason for anyone to be there after dark.

**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 7<sup>th</sup>, 2014, 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 section 42-81, Posting of Signs, and Section 42-83, Hours of Use, of the Town of Old Orchard Beach Traffic Ordinance is amended by adding the underscored language:

Sec. 42-81. Posting of signs. 

The chief of police shall post appropriate signs giving notice of the prohibitions of this article at the main entrance to Memorial Park, the Ballpark, and at such other parks or recreation property as he deems necessary to ensure compliance with this article.

*(Ord. of 9-17-1980, § 3)*

Sec. 42-82. Alcoholic beverages. 

It shall be unlawful for any person to possess or to consume any alcoholic beverage or liquor, as defined by 28-A M.R.S.A. § 2, within the boundaries of any park or recreation property owned, leased, managed or controlled by the town except as authorized by the town council pursuant to a special event permit for the ballpark as defined in chapter 2, division 8 of article IV and approved under division 5 of article IV of this chapter or a contract, lease or other agreement approved by the town council for the use of the ballpark as defined in chapter 2 division 8 of article IV.

*(Ord. of 9-17-1980, § 1; Ord. of 4-5-1994; Ord. of 7-5-2011)*

*Cross reference— Alcoholic beverages, ch. 6.*

Sec. 42-83. Hours of use. 

Except for the purpose of ingress or egress in connection with the lawful parking or recovery of a vehicle in parking areas designated by the town, no person shall loiter or remain in or upon any outdoor park or recreation property, including the Ballpark, owned, leased, managed or controlled by the town after the hour of 9:00 p.m. to 9:00 a.m., the following morning, prevailing time, with the exception of East and West Surf Streets, commonly referred to as "the beach."

**MOTION:** Councilor Thornton motioned and Councilor Kelley seconded to Set the Public Hearing Date as read.

**VOTE:** Unanimous.

**# 6296 Discussion with Action:** To consider directing the Town Clerk to place on the ballot for regular Town election on November 4, 2014 a proposed amendment to Section 412, "Conflicts of Interest", of the Old Orchard Beach Town Charter.

**Proposed Order of the Council:**

**Be it ordered:** That the Town Clerk place on the ballot for the regular Town election to be held on November 4, 2014 the following amendment of the Old Orchard Beach Town Charter:

**Shall the Town approve an amendment of Section 412, "Conflicts of Interest", of the Old Orchard Beach Town Charter by adding the underscored text 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 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 relation.**

**If this vote passes the residents will vote in November whether to allow a Town Employee who has a relative seated on the Town Council to receive salary increases comparable to other employees. Under the Town Charter, a relative of a Town Councilor cannot be hired as a Town employee while the Councilor is seated but a Town employee who is a relative of a Town Councilor can remain employed with the Town if they are employed by the Town at the time of the Councilor's election. The Charter currently prohibits a Town employee who is a relative of a Town Councilor from receiving an increase in salary while the Councilor is in office. A proposed change to the Charter would allow a Town employee**

who is a relative of a Town Councilor to receive salary or compensation increases that correspond and are proportional to salary or compensation increases received by non-union Town employees or Town employees covered under a collective bargaining agreement. The proposed change also states that a Council with a relative serving in Town Office should recuse him or herself from acting on matters related to the compensation or salary of their relative. This, if passed, will go on the ballot in November for the citizens of Old Orchard to vote on therefore expressing their desire to change or leave as is the charter requirement.

Councilors Kelley and Thornton indicated they would recuse themselves from the vote but the Chair indicated he felt that was not necessary but nevertheless when the final vote was taken at the end of the meeting they did recuse themselves.

**MOTION:** Councilor Tousignant motioned and Councilor Pastor seconded to Direct the Town Clerk to place on the ballot for regular Town election On November 4, 2014 a proposed amendment to Section 412, "Conflicts of Interest", of the Old Orchard Beach Town Charter.

**VOTE:** Yea: Vice Chair Quinn, Councilors Pastor and Tousignant, and Chair O'Neill  
Abstain: Councilors Thornton and Kelley

**GOOD AND WELFARE:**

**COUNCILOR KELLEY:** I would like to read a letter into the minutes from Mike Edgecomb for the Committee to Bring the Wounded Warrior Amputee Softball Team to Maine.

September 11, 2014  
Town Council  
Town of Old Orchard Beach

Dear Councilors,

On behalf of the Committee to bring the Wounded Warrior Amputee Softball Team to Maine, I just wanted to take a moment and sincerely thank the Town of Old Orchard Beach for the support and hospitality giving to the organizers, Team, and attendees, of the Wounded Warrior Amputee Softball game that was held in August at The Ball Field. My initial phone call to the Town office resulted in an immediate call back from Jerome Plante and Guy Fontaine. We were up and running to bring the Team to Old Orchard Beach at that point! Another contact with State Representative - Sharri MacDonald, provided the final piece of the puzzle. With her assistance, and the involvement of OOB365, we were able to provide a world class event, and a Heroes' welcome for the Team. Representative Macdonald, OOB365, Jerome, and Guy, certainly represent some of the best that Old Orchard Beach has to offer! The Ball Field is an excellent facility that the Town should be proud of. If I were to mention all the individuals, and businesses, in Old Orchard Beach that provided assistance, financial support, and respect for the sacrifices that these Heroes have endured, this letter would be very long. A very sincere and heart felt Thank You to all!

In closing, I would not hesitate to recommend Old Orchard Beach to anyone looking to host an event there. We look forward to bringing the WWAST back to Old Orchard Beach in the near future.

Sincerely,

*Michael L Edgcomb*

Mike Edgcomb

For the Committee to Bring the Wounded warrior Amputee Softball team to Maine

**RICKI LETOWT:** She talked about the upcoming workshop on Milliken Street and the desire to allow overnight parking for the use by business owners and citizens alike.

**JOHN GALLO:** Gave an update on the Michael J. Fox race from the Ballpark with over 600 participants and the race raising over \$380,000 for this wonderful cause. He indicated that the Ballpark is a great place for these activities and people are now aware of the activities that are being conducted at the Ballpark.

**JEROME BEGERT:** He also talked about the enthusiastic efforts that took place during the visit of the Wounded Warriors and that it was not only inspirational but at times humorous. He thanks everyone who supported the event.

**# 6297 Executive Session: AFSCME Council 93 Local 481-06, Old Orchard Beach Public Works Department Union Contract, pursuant to 1 M.R.S.A., Section 405C(d).**  
(Note: This item discusses labor negotiations, and the Council anticipates that the discussion portion will occur in Executive Session.)

**MOTION:** Vice Chair Quinn motioned and Councilor Thornton seconded to Enter into Executive Session: AFSCME Council 93 Local 481-06, Old Orchard Beach Public Works Department Union Contract, pursuant to 1 M.R.S.A., Section 405C(d). (Note: This item discusses labor negotiations, and the Council anticipates that the discussion portion will occur in Executive Session.)

**VOTE:** Yea.

**MOTION:** Councilor Pastor motioned and Councilor Thornton seconded to Exit the Executive Session: AFSCME Council 93 Local 481-06, Old Orchard Beach Public Works Department Union Contract, pursuant to 1 M.R.S.A., Section 405C(d). (Note: This item discusses labor negotiations, and the Council anticipates that the discussion portion will occur in Executive Session.)

**VOTE:** Yea.

**ADJOURNMENT:**

**MOTION:** Councilor Pastor motioned and Councilor Thornton seconded to Adjourn the Town Council Meeting at 9:05 p.m.

**VOTE: Yea.**

**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 September 16, 2014.**

**V. Louise Reid**