

**TOWN OF OLD ORCHARD BEACH
TOWN COUNCIL MEETING
TUESDAY, JULY 15, 2008 – 7:00 P.M.
TOWN HALL CHAMBERS
AGENDA**

A Town Council meeting of the Old Orchard Beach Town Council was held on Tuesday, July 15, 2008 in the Town Hall Chamber. The Chairman opened the meeting at 7:03 p.m.

Pledge to the Flag and Roll Call:

Present were:

**Chairman James Long
Councilor Roxanne Frenette
Councilor Shawn O’Neill
Councilor Robin Dayton
Councilor Sharri MacDonald
Town Manager Stephen Gunty
Assistant Town Manager V. Louise Reid**

ACKNOWLEDGEMENTS:

COUNCILOR DAYTON: The Friends of the Old Orchard Beach’s Edith Belle Libby Library will hold the annual book sale from 9:00 a.m. to 3:00 p.m. on Friday, July 25th and Saturday, July 26th on the library grounds at 27 Staples Street. Also on Saturday the 1st Annual Art Festival will be held at Memorial Park (with a rain date of Sunday, July 27) from 9:00 a.m. through 4:00 p.m. with all funds going to the Library Building Fund. A variety of paperbacks, hard covers, new books, treasured oldies, children’s books, movies, magazines and puzzles will be available for purchase. Come spend some time browsing through the selections under the awnings and also in the Book Shed at the rear of the library building. There is an opportunity to participate in a raffle for items that have been generously provided by businesses of our community. Raffle Tickets are available at the library or at the Art Festival the day of the event.

EMERGENCY ITEM REQUEST:

MOTION: Councilor Frenette motioned and Councilor O’Neill seconded to add an Emergency Item to Agenda Item Number 5020: Discussion with Action: Approve the Special Event Permit Application for the Special Olympics of Maine to hold their Annual Parrot Head Beach Volleyball Tournament on the Beach in front of the Brunswick on July 19, 2008; and a request to waive the fee.

VOTE: Unanimous.

ACCEPTANCE OF MINUTES: Town Council Meeting Minutes of June 17, 2008; and Administrative Board Minutes of June 18, 2008; Town Council Workshop Special Town Council Meeting Minutes of June 24, 2008; and Emergency Special Town Council Minutes of June 26, 2008.

MOTION: Councilor Frenette motioned and Councilor MacDonald seconded to approve the Town Council Meeting of June 17, 2008; Administrative Board Minutes of June 18, 2008; and Emergency Special Town Council Minutes of June 26, 2008;

VOTE: Unanimous.

MOTION: Councilor Frenette motioned and Councilor MacDonald seconded to approve the Special Town Council Minutes of June 24, 2008.

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

BUSINESS LICENSES: Melinda Luders (104-2-14), 135 Portland Avenue, Unit 802, one year round rental; Glenn A. Fairchild (201-2-5), 214 East Grand Avenue, one year round rental; 3rd floor must remain inaccessible and locked off; Thomas Smith, III (211-4-1), 165 Temple Avenue, one year round rental; Samruay Sukkasemsri dba/Bua Thai Restaurant, (211-12-4), 194 Saco Avenue, Victualers; Michael Donatelli dba/Lazy Gull Cottages/Motel (212-3-4), 10 Old Orchard Road, four year round rentals; Tae Min Lee dba/Brother Sushi (306-4-3-A), 19 East Grand Avenue, Building A, Victualers; Meryl Golovin & Peter Carlino (311-11-8), 42 Eleventh Street, one year round rental; Charles Richards (312-8-3), 50 West Old Orchard Avenue, one year round rental; John Sherman (314-15-1), 24 Central Avenue, five year round rentals; Demetra Blanchard (315-17-9), 46 Ocean Avenue, one year round rental; and Elizabeth & David Daugherty (316-2-2), 16 Odessa Avenue, one year round rental.

MOTION: Councilor O'Neill motioned and Councilor Frenette motioned to Approve the Business Licenses as read.

VOTE: Unanimous.

SPECIAL AMUSEMENT PERMIT: Charles Anton dba/The Lobster Garden (307-1-6), 6 Fernald Street, Entertaining & Dancing.

MOTION: Councilor O'Neill motioned and Councilor Frenette motioned to Approve the Special Amusement Permit.

VOTE: Unanimous.

NEW BUSINESS:

5008 Discussion with Action: Direct the Town Manager to examine energy savings and efficiencies in anticipation of high energy costs including, but not limited to, a four day work week, energy saving options and strategies.

CHAIRMAN LONG: Both the high cost of gas and the economic constraints that all communities are facing, the Governor has requested that considerations be given by municipalities to the examination of energy savings and efficiencies in anticipation of high energy costs including, but not limited to, a four day work week, energy saving options and strategies. With that in mind the Council is directing the Town Manager to examine options and be prepared in the coming weeks to present to the Council for consideration suggestions for energy saving options and strategies.

MOTION: Councilor O'Neill motioned and Councilor Frenette seconded to Direct the Town Manager to examine energy savings and efficiencies in anticipation of high energy costs including, but not limited to, a four day work week, energy saving options and strategies.

VOTE: Unanimous.

5009 Discussion with Action: Approve the Bid for the preliminary engineering designs for a SCADA System for the Town's Sanitary Sewer Pump Stations from Account Number 21004/50871 – Designated Fund – WWTP, with a balance of \$425,000.

TOWN MANAGER: The Waste Water Superintendent, Chris White, reminded the Council that agenda item #4011 of March 18, 2008 approved this department to design and install a SCADA system, or wireless communication system, that will monitor and in some cases control the remote pump stations associated with the sanitary sewer system. To initiate the project, an RFP was put forth for the preliminary design. This design phase, which should take no longer than two months, will give us enough information for estimating costs associated with the material, implementation and labor needed to install the actual SCADA system. Responding to the RFP were the engineering firms of Wright-Pierce and Woodard and Curran. While their approach to the project differs, both firms are well qualified and have completed multiple installations in the New England area. Wright Pierce has partnered with Results Engineering to assist in developing a preliminary design. In my personal experience with these firms, both have demonstrated their ability to deliver a practical and efficient product whether it is the engineering or implementation portion of a project. Wright Pierce also has prior knowledge of all the pump stations, which may explain the difference in price for the requested services. The two bids were:

Wright Pierce	\$13,850
Woodard & Curran	20,015

The Waste Water Superintendent is recommending that we hire Wright Pierce for \$13,850.

**Town of Old Orchard Beach
Wastewater Department**

Request for Proposals

**for
SCADA System Preliminary Engineering**

The Town of Old Orchard Beach invites proposals from professional engineering firms to submit a Preliminary Engineering Design for a SCADA system for the town's sanitary sewer pump stations.

All proposals must be submitted in two (2) envelopes; "Technical Proposal" and "Price Proposal". The separately sealed envelopes shall be plainly marked respectively:

**"Technical Proposal"
SCADA System Preliminary Engineering for Remote Pump Stations**

**"Price Proposal"
SCADA System Preliminary Engineering for Remote Pump Stations**

Copies of the RFP can be obtained from the Town Clerk's Office at the following location:

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

The RFP is presented as outlined below:

- I. Background**
- II. Scope of Services**
- III. Minimum Qualifications**
- IV. Technical Proposal Content**
- V. Price Proposal Content**
- VI. Evaluation Criteria**
- VII. Fee schedule**
- VIII. Submittal Information**

I. Background

Old Orchard Beach is a year round community with a large tourist population in the summer months. About 8,000 residents live here year round with summer time population exceeding 50,000 on any given day. The staff is currently monitoring the remote pump stations with physical inspections on a routine basis. Alarms are sent by a mix of leased telephone lines which contact a security company that dispatches the employees. The intent of the SCADA system is to reduce the number of required physical inspections, receive timely information during normal work hours, receive timely alerts indicating systematic problems, receive/record data, allow remote control and track the performance of equipment.

Project Goals:

- **Integrated**
- **Data and information that is secure, yet readily accessible**
- **Cost effective**
- **Supportable**
- **Expandable**
- **Reliable**
- **Aesthetically acceptable to the public**

II. Scope of Services

The Preliminary Design will develop enough detail so that final engineering and construction costs can be obtained.

As part of this preliminary engineering phase, a full radio path study complete with field readings of signal strength at the remote sites shall be performed. The radio path study will include in its report, propagation maps, field strength data, radio equipment recommendations and antenna installation details.

The complete preliminary engineering study shall be encapsulated into a Basis of Design Report and will include the following

- a. System Block Diagram**
- b. PLC I/O Lists**
- c. Equipment Lists**
- d. Alarm Lists**
- e. Radio Path Study**
- f. Budgetary Costs for Final Engineering and Construction**

III. Minimum Qualifications

The following are considered minimum requirements to qualify for submittal of proposal:

- **The firm must provide any and all documentation of experience and ability to perform the scope of work.**
- **The person or persons on the team performing the radio path study must have implemented at least 20 successful radio systems over the last 3 years in the New England area.**
- **The firm shall have staff in Maine that has extensive experience in PLC and SCADA implementation.**

IV. Technical Proposal Content

The town requires the engineer to submit (4) copies of the proposal clearly addressing all of the requirements outlined herein for any additional services the firm feels is necessary to deliver the project in a complete, timely and quality fashion.

- **A summary that outlines the consultants understanding of the project and their basic approach to providing consulting services.**
- **The engineer's methodology for performing the work should be described.**
- **List of the project team and the resume of the project leader.**

- Any other information which the firm believes would be helpful in evaluating qualifications to meet the needs of the project.

V. Price Proposal Content

The firm shall indicate in an envelope, the price to perform the proposed services as described herein.

VI. Evaluation Criteria

Selection and award of contract shall be based on points using the following criteria:

- a. Staff strength and previous experience on similar projects
- b. Program of Work and general approach
- c. Past performance/reference
- d. Cost of Preliminary Design
- e. General knowledge of Old Orchard Beach and the surrounding communities

VII. Fee schedule

The hourly charges for the individual services needed to complete this project shall be included as part of this RFP.

VIII. Submittal information

Three copies each of the proposals, marked "Technical Proposal" and "Price Proposal", are due by 3:00 p.m. on June 13, 2008 and are to be submitted in a sealed envelopes in person to Kim McLaughlin at the OOB town hall. Please submit by mailing, courier or hand. Any other means of delivery will not be acceptable or considered.

Inquiries or questions should be directed to Christopher White, Wastewater Superintendent at (207) 934-4416. The town of OOB reserves the right to award the contract to the highest ranked firm without further consideration or discussion. The town also reserves the right to reject any and all proposals received.

MOTION: Councilor O'Neill motioned and Councilor Frenette seconded to Approve the Accept the Bid from Wright Pierce in the amount of \$13,850 for the preliminary engineering designs for a SCADA System for the Town's Sanitary Sewer Pump Stations from Account Number 21004/50871 – Designated Fund – WWTP, with a balance of \$425,000.

VOTE: Unanimous.

5010 Discussion with Action: Approve the application by the OOB Police Department for a Justice Assistance Grant #2008-F1347-ME-DD for \$13,769 for the purchase of tasers for officers, with no matching funds from the Town of Old Orchard Beach.

DEPUTY CHIEF BABIN: The Old Orchard Beach Police Department is applying for a Justice Assistance Grand Award #2008-F1347-ME- DD through the Department of Justice. The award grant is \$13,769 and would be used for the purpose of purchasing tasers for the officers. If awarded this grant would be fully funded by the Department of Justice and requires no matching funds from the Town of Old Orchard Beach.

MOTION: Councilor Frenette motioned and Councilor O'Neill seconded to Approve the application by the OOB Police Department for a Justice Assistance Grant #2008 F1347-ME-DD for \$13,769 for the purchase of tasers for officers, with no matching funds from the Town of Old Orchard Beach.

COUNCILOR O'NEILL: I would like to assure that the proper training will be given and these used only in the most appropriate manner.

VOTE: Unanimous.

5011 Discussion with Action: Canvas and Certify the results of the Municipal election, and issue a Certificate of Election.

CHAIRMAN LONG: This is a required housekeeping item.

COUNCILOR O'NEILL: As required, I will read into the record.

CERTIFICATE OF ELECTION

We, the Members of the Town Council of the Town of Old Orchard Beach, Maine, having canvassed the results of the Municipal Election held June 10, 2008 in and for the Town of Old Orchard Beach, County of York and State of Maine do hereby declare the results as follows:

Question #1 (Bonds)

Yes	1323
No	446

Question #2 (Ballpark)

Yes	627
No	1169

School Budget Validation Referendum

Yes	1338
No	447

MOTION: Councilor O'Neill motioned and Councilor Frenette seconded to Canvas and Certify the results of the Municipal election, and issue a Certificate of Election.

VOTE: Unanimous.

5012 Discussion with Action: Approve the Memorandum between the Town of Old Orchard Beach and Palace Playland in accordance with the Code of Ordinances, Chapter 46 – Solid Waste, Article IV, Flow Control, Section 46-97, variances, reference to disposal of solid waste/recycling at the Transfer Station.

PUBLIC WORKS DIRECTOR: Palace Playland had approached the Department of Public Works about bringing their trash and recycling directly to the Transfer Station without using the blue bag system. In the past they have been going directly to MERC with their trash and recycling, waiting in line, and disposing of all the products. The fees for MERC are billed to the Town of Old Orchard Beach and reimbursed by Palace Playland at the end of each season. The Finance Director has reviewed their actual tonnage for last year as 64 tons (the Town of Old Orchard Beach had 4,600 tons for the past year.) The trash from Palace Playland represents approximately 1.4% of the Town’s trash. After several meetings with the Town Manager, the Finance Director, and the Public Works Director, the attached Memorandum of Understanding was created for your review and approval. Palace Playland has agreed to pay all fixed costs for both the MERC tipping fees and additional transport fees from BBI (BBI charges a flat \$75 per trip rate as part of this contract.” In addition, Palace Playland has agreed to provide \$10/ton to the Department of Public Works for future capital costs related to any future improvements as well as participate in the new bottle return program started this year by the Public Works Department. (Twelve containers have been located throughout the Town to collect returnable bottles with all proceed going to educational scholarships for Old Orchard Beach students. Several issues and concerns were addressed and resolved as part of our meetings, therefore the Public Works Department and the Administration support the proposal as detailed in the Memorandum.

Memorandum of Understanding

This Memorandum of Understanding (“MOU”) is made this 2nd day of July 2008, by and between the Town of Old Orchard Beach, Maine, a municipal corporation (“Town”), by and through its Department of Public Works (“DPW”), and Palace Playland Associates LLC (“Palace Playland”), a limited liability company located at 1 Old Orchard Street, Old Orchard Beach, Maine. The purpose of this Memorandum of Understanding is to set forth certain nonbinding understandings and agreements between the Town and Palace Playland with respect to our recent discussions regarding the use of the transfer station for depositing waste and acceptable cardboard for recycling.

Terms of Transaction

Whereas it is essential that Palace Playland have a cost efficient means of disposing of its waste; and whereas, the Town has a statutory obligation to provide a solid waste disposal facility for commercial waste generated within the town; and whereas the town must exercise its legal authority to control the collection, transportation and disposal of solid waste generated within its borders to ensure delivery of a steady supply of waste to the energy recovery facility designated in section 46-96; and whereas the town finds that use of an energy recovery facility to process acceptable solid waste is an environmentally sound and economically viable solution to the solid waste disposal problem and thereby protects

the public health, welfare and safety of the Town's citizens; and whereas the Town is required to have a suitable area for placement of a separate recycling container for acceptable cardboard from the other solid waste generated by the business; the parties agree to the following terms:

- 1. The term of this MOU shall be three years commencing on July 2, 2008, and terminating on September 2, 2011, unless modified in writing by the parties.**
- 2. Palace Playland agrees to separate acceptable cardboard from the other solid waste generated by the business and to transport the acceptable cardboard and the other solid waste to the transfer station for the Town.**
- 3. Palace Playland agrees to pay a Tipping Fee of \$65.73 per ton for 2008. It is understood that the Tipping Fee may be adjusted for each calendar year in accordance with the Waste Handling Agreement the Town has with Maine Energy.**
- 4. Palace Playland agrees to pay the actual additional transport costs attributable to Palace Playland as calculated at the end of the season by the Director of Public Works, not to exceed \$1,000.00 per year.**
- 5. Palace Playland agrees to pay an additional \$10.00 per ton to defray the costs of running the transfer station.**
- 6. Palace Playland agrees to pay the Town for the cost within 30 days when billed based on the tonnage deposited at the transfer station.**
- 7. Palace Playland also agrees to place at least four (4) containers for recycling in appropriate places throughout their premises to allow for the disposal of cans and bottles only.**
- 8. Palace Playland agrees to transport these bags of cans and bottles to the transfer station for the benefit of the Town.**
- 9. Palace Playland will transport the acceptable cardboard, the recyclable bottles and cans, and the other solid waste to the transfer station.**
- 10. Palace Playland will deliver the acceptable cardboard flattened and broken down. It will be the Town's responsibility to place the cardboard in the appropriate collection bins.**
- 11. Palace Playland will deliver the recyclable bottles and cans in separate bags. It will be the Town's responsibility to separate the bottles and cans from any refuse in the bags.**
- 12. The weight of the load will be determined by weighing the truck fully loaded and then after unloading to ascertain the true weight of the solid waste, only after the cardboard and other recyclables have been unloaded.**

13. The parties understand that the tons of waste generated each year by Palace Playland is approximately 60 tons with most of the waste generated in the months of July and August.
14. The parties understand that much of the waste is generated by the general public and that Palace Playland by collecting and transporting the waste to the transfer station is providing a public service.
15. The purpose of this MOU is to enable Palace Playland to dispose of its waste in a cost efficient manner and allow for the recycling of cardboard as well as cans and bottles that will benefit the Town and the community.

IN WITNESS WHEREOF, the Parties have entered into this Memorandum of Understanding as of July 2, 2008.

MOTION: Councilor O'Neill motioned and Councilor Frenette seconded to Remove without Prejudice the Approval of the Memorandum and authorize the Town Manager to sign between the Town of Old Orchard Beach and Palace Playland in accordance with the Code of Ordinances, Chapter 46 – Solid Waste, Article IV, Flow Control, Section 46-97, variances, reference to disposal of solid waste/recycling at the Transfer Station.

COUNCILOR O'NEILL: I believe it is in the best interest of the Town to Workshop this item because there are ordinance issues that come into play and in order to be fair to all those participating in the issue of trash and recycling.

COUNCILOR FRENETTE: I also fee that this needs to be discussed further because if we do this for one we will have to do it for all. I recognize that going to MERC is time consuming but there are other haulers that have to do that as well.

FRED GOLDER: The Town passed ordinances in 1997 to deal with trash collection and to encourage retail businesses to recycle. Palace Playland has always supported the efforts of the current Administration that encourages recycling and has negotiated a Memorandum of Understanding with the Town for this purpose. Time is of the essence or the season will be over. This Agreement would allow Palace Playland to bring to the Transfer Station all the acceptable cardboard for recycling purposes, all cans and bottles for recycling as well. We have met with the Administration on many occasions and we are willing and have agreed to pay a premium for this privilege. As I have read the Ordinance its goal is to encourage recycling and this is no business quit like Palace Playland.

COUNCILOR DAYTON: I have been instrumental in supporting and pressing for all citizens and business to focus on recycling and the longer we wait on this issue the season we are in will be over. My question is when will we address this issue?

COUNCILOR MACDONALD: I would request that a Workshop be scheduled immediately so that we can move forward with a decision.

CHAIRMAN LONG: We will schedule a Town Council Workshop on Wednesday, July 23, 2008 to discuss this item.

VOTE: Unanimous.

#5013 Discussion with Action: Approve the Special Event Permit application for Jennifer Lannon to have a wedding ceremony on the beach in front of the Grand Victorian on September 13, 2008 at 6:00 pm.

MOTION: Councilor Frenette motioned and Councilor O'Neill seconded to approve the Special Event Permits as read.

VOTE: Unanimous.

5014 Discussion with Action: Approve the Liquor License Renewal for Charles Anton dba/The Lobster Garden (307-1-6), 6 Fernald Street, s-m-v in a Restaurant.

MOTION: Councilor O'Neill motioned and Councilor Frenette seconded to approve the Liquor License as read.

VOTE: Unanimous.

5105 Discussion with Action: Appoint a Saco Bay Project Committee of Dan Blaney, James Harmon, Cheryl Pouloupoulos, Gary Curtis and Philip Denison.

CHAIRMAN LONG: This Committee will examine and explore the nature of the Bay and its future economic and environmental uses as they impact the community of Old Orchard Beach. The Committee is to work with the support of the Town Administration and staff and the State and Federal Agencies, as applicable. The formation of the Committee will provide a public process regarding issues of the Saco Bay. Meetings will be advertised, open to the public and minutes will be taken and reports made on a timely basis to the Town Council to ensure total public involvement.

WILLIAM DANTON: At my request the Assistant Town Manager e-mailed me the Agenda item. At a recent meeting in Saco a statement was made by me that the downtown is in trouble this summer. We have had a lot of rain. I have been here since 1954 and run businesses and I am fully aware of the climate of the town of Old Orchard Beach. The Director of the Chamber, Bud Harmon, disagreed with that comment and said that everything is fine. That is not the way things are. When I saw this agenda item I was concerned that there is already with this group a preconceived feeling on the project and there is no other project but mine. I have had signatures of many of the downtown businesses in support of my project because they know that we need to do something to assure the business climate in the future. I feel the opportunity should be presented for a more wide and less prejudicial group to be formed as a Committee. I understand no names were given by Councilors MacDonald, O'Neill, Frenette and Dayton and so I ask where did those names comes from and who knows them?

COUNCILOR DAYTON: I also believe the decision was made without discussion and would like to add the name of David Spellman to the Committee.

COUNCILOR FRENETTE: Well I know and would have suggested four of the six. I would also agree to Councilor Dayton's recommendation of Mr. Spellman if he is a resident of Old Orchard Beach.

COUNCILOR MACDONALD: I would like to suggest that perhaps we should remove this without prejudice so that we have an opportunity to discuss the membership of the Committee and give more individuals an opportunity to participate.

GARY CURTIS: This committee was formed in part, in response to a legislative request regarding the question of jurisdictional rights over State of Maine lands located in Saco Bay. The Legislature requested that Old Orchard Beach, Saco, Biddeford, and Scarborough meet to discuss a comprehensive plan for any future development of Saco Bay and for responsible stewardship of the Bay's natural resources. When approached to serve on this committee, I made it quite clear that I was not interested in serving on an "Ad Hoc Spartan Bay" committee, (for or against!). The Danton proposal will succeed or fail on its own merits and not by what this committee is charged with addressing. My primary objective in serving on this committee is to make sure that Old Orchard Beach's jurisdictional rights are considered and affirmed and that the wealth of natural resources in the Bay are preserved and protected. This does NOT mean that responsible development of the Bay cannot occur. There should be no doubt as to the legitimacy of Old Orchard Beach's claim to jurisdictional participation in the management and development of Saco Bay. I hope that when the committees of Saco, Biddeford, and Scarborough are appointed, and meetings are scheduled, that all citizens who have a stake in the future of the Bay, will make every effort to attend and to participate, (this includes everyone in Old Orchard Beach!)

MOTION: Councilor O'Neill motioned and Councilor Frenette seconded to Appoint a Saco Bay Project Committee of Dan Blaney, James Harmon, Cheryl Pouloupoulos, Gary Curtis and Philip Dennison.

VOTE: Unanimous.

5016 Discussion with Action: Approve the Special Event Permit for the Old Orchard Beach Alumni Association to hold Homecoming Alumni Weekend on Friday, September 26, 2008 from 8:30 p.m. to 10:30 p.m. on the beach in front of the Brunswick, to include a bonfire and a request to waive the fee.

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

VOTE: Unanimous.

5017 Discussion with Action: Approve an Agreement with Southern Maine Regional Planning Commission for an Evaluation of the Implementation of the Old Orchard Beach Adopted Comprehensive Plan in the amount not to exceed \$3,000 from Account Number 20201/50802 – Comp Plan Update with a balance of \$10,000.

PLANNER GARY LAMB: The Planner has provided the following information. Per Council request, SMRPC has delivered their quote for our Comprehensive Plan Implementation Assessment, which will compare how well our 1993 Comp Plan was implemented into our ordinances as of 2008. I had given SMRPC a copy of our Comp Plan and Code of Ordinances and their \$2,400.00 quote is attached. As a refresher, Councilors probably recall that the State Planning Office considers our voter approved 1993 Comp Plan to be valid through 2012. Previous Council discussion involved possibly forming an update committee and selecting a consultant during this fall, then conducting the work beginning late fall/early winter 2008. Comp plan updates typically take 18-36 months to complete, depending on the leadership and organizational skills of the committee chair, the entire committee and the consultant. After the updated Comp Plan is approved by voters and the SPO, implementation into new zoning ordinance text will begin which can take 1-2 years or more. I think the SMRPC price and timetable are reasonable and I recommend we accept their quote and budget \$3,000.00 for the work in case Council wants SMRPC to take the time to formally present their report at a Council meeting or do additional work not in the quote.

MOTION: Councilor Frenette motioned and Councilor Dayton seconded to Approve an Agreement with Southern Maine Regional Planning Commission for an Evaluation of the Implementation of the Old Orchard Beach Adopted Comprehensive Plan in the amount not to exceed \$3,000 from Account Number 20201/50802 – Comp Plan Update with a balance of \$10,000.

VOTE: Unanimous.

5020 Discussion with Action: Approve the Special Event Permit application for the Special Olympics of Maine to hold their Annual Parrot Head Beach Volleyball Tournament on the beach in front of the Brunswick on July 19, 2008, and a request to waive the fee.

MOTION: Councilor Frenette motioned and Councilor O'Neill seconded to Approve the Special Event Permit application for the Special Olympics of Maine to hold their Annual Parrot Head Beach Volleyball Tournament on the beach in front of the Brunswick on July 19, 2008, and a request to waive the fee.

VOTE: Unanimous.

5018 Discussion with Action: Real Estate Matters (Note: Title 1 M.R.S.A. Section 405(6)(C), and the Council anticipates that the discussion portion will occur in executive session.

MOTION: Councilor Frenette motioned and Councilor O'Neill seconded to enter into Executive Session to consider Real Estate Matters (Note: Title 1 M.R.S.A. Section 405(6)(C), and the Council anticipates that the discussion portion will occur in executive session.

VOTE: Unanimous.

EXECUTIVE SESSION:

MOTION: Councilor Frenette motioned and Councilor O'Neill seconded to enter into Executive Session to consider Real Estate Matters (Note: Title 1 M.R.S.A. Section 405(6)(C), and the Council anticipates that the discussion portion will occur in executive session.

VOTE: Unanimous.

MOTION: Councilor Frenette motioned and Councilor O'Neill seconded to Adjoin the Executive Session to consider Real Estate Matters (Note: Title 1 M.R.S.A. Section 405(6)(C), and the Council anticipates that the discussion portion will occur in executive session.

VOTE: Unanimous.

5019 Discussion with Action: Executive Session: Six Month Personnel Evaluation of the Town Manager (discussion will occur in Executive Session pursuant to 1 M.R.S.A. Section 405(6)(A) and 1 M.R.S.A. Section 405(6)(E).)

MOTION: Councilor Frenette motioned and Councilor O'Neill seconded to Enter into Executive Session: Six Month Personnel Evaluation of the Town Manager (discussion will occur in Executive Session pursuant to 1 M.R.S.A. Section 405(6)(A) and 1 M.R.S.A. Section 405(6)(E).)

VOTE: Unanimous.

EXECUTIVE SESSION

MOTION: Councilor Frenette motioned and Councilor O'Neill seconded to Enter into Executive Session: Six Month Personnel Evaluation of the Town Manager (discussion will occur in Executive Session pursuant to 1 M.R.S.A. Section 405(6)(A) and 1 M.R.S.A. Section 405(6)(E).)

VOTE: Unanimous.

MOTION: Councilor Frenette motioned and Councilor O'Neill seconded to Adjoin the Executive Session: Six Month Personnel Evaluation of the Town Manager (discussion will occur in Executive Session pursuant to 1 M.R.S.A. Section 405(6)(A) and 1 M.R.S.A. Section 405(6)(E).)

VOTE: Unanimous.

ADJOURNMENT:

**MOTION: Councilor Frenette motioned and Councilor O'Neill seconded to adjourn
The Town Council Meeting at 9:05 p.m.**

VOTE: Unanimous.

Respectfully Submitted,

**V. Louise Reid
Town Council Secretary**

**I, V. Louise Reid, Secretary to the Town Council of Old Orchard Beach, Maine, do
hereby certify that the foregoing document consisting of fifteen (15) pages is a true
copy of the original Minutes of the Town Council Meeting of July 15, 2008.**

V. Louise Reid