

**TOWN OF OLD ORCHARD BEACH  
SPECIAL TOWN COUNCIL MEETING  
May 7, 2008**

**A Special Town Council Meeting of the Old Orchard Beach Town Council was held on Wednesday, May 7, 2008 at 7:00 p.m. in the Town Hall Chamber. The Chairman opened the meeting at 7:05 p.m.**

**The following were in attendance:**

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

**PUBLIC HEARING #1 of 2**

**Referendum Question No. 1**

**Shall the Order reproduced below be adopted?**

**ORDER OF THE TOWN COUNCIL OF THE TOWN OF OLD ORCHARD  
BEACH TO ISSUE BONDS NOT TO EXCEED A TOTAL OF \$5,300,000  
TO FUND THE FOLLOWING INFRASTRUCTURE PROJECTS:**

<b>West Grand Stormwater Project</b>	<b>\$1,850,000</b>
<b>Summit Street Sewer Project</b>	<b>900,000</b>
<b>Ross Road Culvert Project</b>	<b>350,000</b>
<b>Ocean/Seaview Sewer Project</b>	<b>800,000</b>
<b>Halfway Roundabout Project</b>	<b>200,000</b>
<b>West Grand Pump Station Upgrade Project</b>	<b>1,200,000</b>
<b>Total Bond Amount</b>	<b>\$5,300,000</b>

**BE IT ORDERED by the Town Council of the Town of Old Orchard Beach, Maine, in Town Council assembled:**

**That under and pursuant to the provisions of Title 30-A, Sections 5723 and 5772 of the Maine Revised Statutes, as amended, and the Charter of the town of Old Orchard Beach, Maine, a public improvement program consisting of the design and construction of the West Grand Stormwater Project, the Summit Street Sewer Project,**

**the Ross Road Culvert Project, the Ocean/Seaview Sewer Project, the Halfway Roundabout Project, and the West Grand Pump Station Upgrade Project is hereby approved and;**

**That a sum not to exceed \$5,300,000 is hereby appropriated to provide for the cost of this program; and**

**That to fund said appropriation, the Treasurer and the Chairman of the Town Council are hereby authorized to issue, at one time or from time to time, general obligation securities of the Town of Old Orchard Beach, Maine, including temporary notes in anticipation of the sale thereof, in an aggregate principal amount not to exceed \$5,300,000; and**

**That the discretion to fix the date(s), maturity(ies), denomination(s), interest rate(s), place(s) of payment, call(s) for redemption, form(s), and other details of said securities, including execution and delivery of said securities against payment therefor, and to provide for the sale thereof, is hereby delegated to the Treasurer and the Chairman of the Town Council.**

**TOWN OF OLD ORCHARD BEACH  
FINANCIAL STATEMENT**

**1. Total Town Indebtedness**

<b>A. Bonds outstanding</b>	<b>\$ 8,280,000.00.</b>
<b>B. Bonds authorized and unissued</b>	<b>\$ None .</b>
<b>C. Bonds to be issued if this vote is approved</b>	<b><u>\$ 5,300,000.00.</u></b>
<b>Total:</b>	<b>\$ 13,580,000.00.</b>

**2. Costs**

**At an estimated interest rate of 4.0 percent, for a 20-year maturity, the estimated costs of this bond issue will be:**

<b>Principal:</b>	<b>\$</b>	<b>5,300,000.00.</b>
<b>Interest:</b>	<b>\$</b>	<b><u>2,226,000.00.</u></b>
<b>Total Debt Service:</b>	<b>\$</b>	<b>7,526,000.00.</b>

**3. Validity**

**The validity of the bonds and of the voters' ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.**

**Jill Eastman**  

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**Treasurer**  
**Town of Old Orchard Beach**

***EXPLANATION:***

**Town Council Recommends: Approval.**

**Public Works Director Mary Ann Conroy and Waste Water Superintendent Chris White outlined several stormwater and sewer projects she said should mitigate floods and improve safety and public health issues. The first is a \$1.8 million dollar West Grand Avenue stormwater project that would provide safer passage for emergency vehicles as well as a safer evacuation route. The Public Works Director said the project would lay the groundwork for protecting private property and including adjusting tide gates for optimum flood control. The \$900,000 Summit Street sewer project would replace the sewer system collection, add new storm drainage infrastructure, rebuilt the roadway and install a pump station. She said it needs to be completely redesigned adding that it is a matter of public health as there have been several instances of sewer backup. A \$350,000 Ross Road culvert project would replace a temporary culvert that was installed after the Mother's Day storm two years ago. The project calls for raising the roadway two feet to protect for a 100-year flood level. The \$800,000 Ocean and Seaview Road sewer project would replace the sewer collection system, add a separate storm drainage system and improve road conditions. Eight calls for attention have been received in the last two months. A \$1.2 million West Grand Avenue pump station improvement project would improve the 30 year old pump station handling 1.5 million gallons a day with improvements to electrical equipment, HVAC systems, pumps, grit removal system, odor control and new doors and windows.**

**Also included is a halfway roundabout project where Ocean Park, Old Orchard Road, Saco Avenue and Temple Avenue intersect. The Maine Department of Transportation identified the location as a high crash location in 2003 and the town's portion of the cost is \$200,000 and if approved by voters would take three to four years to complete. Smithwheel Road resident Richard Stephen suggested a traffic light be installed at the end of his road before someone is killed. Chairman James Long agreed that it is a dangerous area but said it is the State's decision to install a traffic light or not to install it.**

**The Superintendent of Waste Water indicated that the Waste Water Treatment Plant was build in 1976 and although the Town replaced one pump and one generator in 1985, almost all the original equipment is still in use. The outdated equipment is less efficient than modern equipment and finding parts for repair becomes increasingly difficult. Improvements would include updated controls, replacement of heating and ventilation, a new grit removal system, and a new odor control system. The current grit removal system, which removes sand and other materials from waste products was basically non functional. There are many reasons to upgrade a pump station and the obvious reasons are age and condition of the equipment or existing structure. Older equipment is less reliable, less**

efficient, due to wear and tear, maintenance intensive and in some cases, parts can be very difficult to find. Avoiding regulatory issues concern safety and pollution which can result in monetary fines and unwanted attention by State and Federal authorities are another reason for upgrading. The largest single monthly cost associated with most pump stations are the electricity costs. PS equipment is typically designed and specified for ten year period. Running a pump outside its design point, whether it is too slow or too fast will increase electricity cost and pump wear. Replacing outdated broken and worn equipment will benefit the residents and assure a safe and reliable operation for years to come. While it is always a challenge running a pump station during the upgrade process, I feel my previous experience will be an asset to this project and I look forward to the opportunity.

Kelly Raye of Tunis Avenue spoken in favor of the West Grand work indicating that it has been a constant and recurring problem in her area. Each time a vehicle moves through the water the vehicle creates waves and the water floods into the foundation of buildings. The situation is just as critical at low tide. Anne Pomroy also supported the bonding issues and congratulated the Public Works Director for her hard work on these projects.

## **PUBLIC HEARING #2 of 2**

### **Referendum Question #2:**

**Shall the Town Council of the Town of Old Orchard Beach be authorized to sell property described below on such terms and conditions as the Council deems to be in the best interests of the Town, provided that the Town Council shall not sell any of the playing fields located on Map 207, Block 3, Lot 1 and that a portion of the property shall be retained by the Town for future public use?**

- **The land and buildings commonly known as “the Ballpark,” identified in the Town Assessor’s records as Map 207, Block 3, Lot 6; and**
- **Town-owned property adjacent to the Ballpark, consisting of those portions of Assessor’s Map 207, Block 3, Lot 1 shown on the plan entitled “Plan of Land for Sale of Ballpark and Adjacent Land” on file in the office of the Town Clerk.**

### **EXPLANATION.**

**Section 409.16 of the Town Charter requires a referendum vote before the Council can sell Town-owned property (other than tax acquired property). Approval of this question would enable the Council to explore options for the sale and reuse of the Ballpark and certain adjacent property which is currently unutilized. Approval of this question would not authorize sale of any of the existing playing fields and would require the Town Council to retain some portion of the land for future public use. Approval of this question would not require the Town Council to sell any property, but would**

give the Council authority to sell property on terms and conditions deemed by the Council to be in the best interests of the Town.

**RECOMMENDATION:** The Town Council recommends a “yes” vote.

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**James Long, Chairman**

Residents will be asked to vote in June to allow the Town to sell the Ballpark. There was a great deal of discussion and some objections to the referendum question on the Ballpark with some concerned about the loss of public space and that with the current real estate climate the Town would not obtain a good price on the property. Lee Koenig indicated that this is our only green space left and this is our legacy. Historically in 2005 in a non-binding referendum went out and the voters authorized the Town to sell the ballpark but not the adjacent playing fields, pending the creation of a master plan. Despite numerous workshops that official plan was not completed. Chairman Long reminded those attending that these are tough economic times and have forced the Tow to consider what is realistic for the future of the Ballpark. The reality in the world we live in is the Town cannot afford to building things people want. He highlighted a predicted State school subsidy loss of nearly \$600,000 for the upcoming fiscal year. Linda Jenkins said she came tonight thinking would be talking about moving forward building on what we already have done and I am insulted you would want to put this back to the voters. Chairman Long indicated that the last vote was an advisory non-binding referendum, it vested no authority with the Council.

Councilor Dayton informed those attending that there are outstanding issues relative to land fill conditions that have never been addressed and that certainly we would not want to sell land in which there are health and safety issues including ground water and contamination and that the responsibility would go in perpetuity. Councilor Frenette indicated that she is confident that the Council and the Town administration understands its responsibilities.

Chairman Long closed the meeting at 8:25 p.m.

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 five (5) pages is a true copy of the original Minutes of the Special Town Council Meeting of May 7, 2008.

**V. Louise Reid**