

**TOWN OF OLD ORCHARD BEACH
TOWN COUNCIL WORKSHOP
April 7, 2009
TOWN HALL CHAMBERS**

A Town Council Workshop of the Old Orchard Beach Town Council was held on Tuesday, April 7, 2009 following the Town Council Meeting in the Town Hall Chamber.

Present: Chair Sharri MacDonald
Vice Chair Robin Dayton
Councilor Mike Tousignant
Councilor Shawn O'Neill
Town Manager Steve Gunty
Assistant Town Manager V. Louise Reid
Public Works Director Mary Ann Conroy

Absent: Councilor Laura Bolduc

Chair Sharri MacDonald explained that this Workshop was on the Halfway Rotary. Discussions to reconstruct the Halfway Rotary at the intersection of Ocean Park Road, Saco Avenue, Temple Avenue and Old Orchard Road began in 2002. Since then the Town has been able through the Portland Area Comprehensive Transportation System (PACTS) and Maine Department of Transportation to get matching grants from State and Federal Funds. Town residents voted last summer to allow the Town to go out to bond for \$200,000 for the Town's share on a new Roundabout; however the cost of the Roundabout is now estimated to be about three million dollars, with the Town's share to be about one million dollars.

The Public Works Director gave an update on the history of the Halfway Rotary project.

- 1. OOB Town Council discussed and voted on March 5, 2002 to endorse reconstruction of Halfway Rotary pursuant to MDOT's solicitation of January 2002**
- 2. In 2004, a series of six (6) neighborhood meetings were held in April. 147 residents were asked to give their opinion of the Halfway Rotary. Many described it as dangerous and that left turns from intersecting streets are complicated and hazardous.**
- 3. June 15, 2005...Gorrill Palmer conducted a public "kick-off" meeting for Halfway Rotary with 55 citizens attending and giving their comments. Many Ocean Park residents applauded the effort to finally fix the Rotary.**
- 4. A follow-up public meeting attended by 40 citizens was held on November 2, 2005 with more specific design alternatives discussed. Residents felt the Rotary issue had been broached several times in the past and not followed up properly. Up to this time there had been no hard opposition to the proposed new rotary idea. At this meeting, some business owners expressed concerns that access to their property would be hindered. Subsequent 2005-06 discussions appeared to have allayed their concerns.**

5. During late 2005 and early 2006, town staff and Gorrill Palmer produced a 30 plus page scoping report for Halfway Rotary that included history and public interaction to date, aerial maps, rotary designs, infrastructure affected, etc
6. On March 8, 2008, the OOB Town Council received and discussed another report on the Halfway Rotary project.
7. On April 8, 2008, the Town Council discussed going to referendum for bonding Halfway Rotary costs. They also set a public hearing and referendum election date.
8. On April 22, 2008, the Town Council conducted a workshop on Public Works projects, including Halfway Rotary design costs and funding.
9. May 7, 2008, the Town Council conducted a public hearing for the bonding referendum question that includes Halfway Rotary improvements
10. June 10, 2008, OOB voters approved the Halfway Rotary funding by voting nearly 3:1 to go out to bond for this project (1323 voted yes and 446 voted no)
11. In 2008, DOT staff conducted one meeting in OOB, which was targeted to direct abutters to the Rotary. DOT showed several possible designs and solicited comments from abutters. Attendees were respectful and gave comments expected of abutters that might be affected by a Rotary of yet unknown design and size.

Much of the discussion during the workshop centered on the funding issues. So far the Town has spent about \$100,000 on preliminary work. If the project is shelved, the survey information could be used at a later date. However if the project is dropped, the Town won't be able to apply for the matching grant money again.

There were many opinions shared including that during the summer time it is a navigate around the present road while others comments included that there is no problem in the winter and questioned whether spending one million dollars on an eight week problem is questionable. Many complimented the Public Works Director on her work and efforts and that of former staff to get this grant consideration. It was pointed out by both Council and some citizens that when the money was voted on it was part of a bond package, not individual items by itself and although some did not want to see the Rotary money spent they did want some of the other projects on the ballot.

Some of the problems mentioned with the present road situation included that fact that the signage leading into intersection is not adequate; the speed of traffic; the two lane road reduced to one lane prior to intersection fields cars in a continuous traffic line making other traffic merging from other streets at the intersection an impossible task; the stop sign on Old Orchard Road is too far back from the intersection; and a multiple number of other issues complicating the traffic issue. It was also suggested that perhaps a couple of police officers could be located at the Rotary during the summer months. Also questions were raised about one lane traffic if the construction does begin and it was indicated that the construction company would be responsible for seeing that traffic is handled in the best possible way.

Other comments made included there are other major needs in the community including Saco Avenue. Again it was pointed out that the grants are not free money but others indicated that although not free money, if we don't take the money some other community is going to take it and we are going to have to pay for it.

Further conversation regarding the fact that there was some support for the question itself going to referendum so that the people of Old Orchard Beach vote on this Roundabout and they make the decision whether it will go or not. Let the people have their say on this issue. The opinion was expressed that if this was to go to referendum, it needed to be a one line item and not included with other referendum items. Discussions included the increase in the cost of these charges in the days ahead.

Enormous amount of discussion went back to the fact that the regular bond items should have been individually based and indicated that during the past Council that had been an issue but it was the majority of the past Council to put it collectively. The general feeling expressed that should it go to referendum this time it should be listed individually.

Other information provided by the Public Works Director included the following funding:

Current Funding:	Federal Share is 70%	State Share is 5%	OOB Share is 25%
	229,598	16,642	82,080
Design	903,000	64,500	322,500
Construction	1,022,000	73,000	365,000
Additional			304,910
Totals	2,154,598	154,142	1,074,490

Total Cost of the Project will be \$3,383,230

If project is dropped the Town may be liable for 100% of funds spent to date which is \$98,666. So in essence, we have thrown this money down the drain.

If project is dropped, Town can never resubmit this intersection for any other funding from PACTS or the MDOT.

Total grant amount equals 68% - and OOB's match is 32%.

Mitigated most adverse land takings, down to one partial taking (284 Saco Avenue).

Petroleum contamination at two test borings, Maine DEP coordination required

Survey work is 99% completed

Preliminary Design Complete for ROW purposes

This alternative is the least costly and least impact to the adjoining neighborhoods

Consideration should be given to this being the entrance to our town.

Consideration should be given to a traffic calming, environmentally friendly solution

Construction anticipated for approximately March 2012 through December 2012

Match funding could be split into FY10, FY11, FY12, FY13 so that it would be \$268,622.50 each fiscal year.

Comments by Councilor Robin Dayton were made about information requested to be put in the record. She read a letter from Steve Berlin to the Town Manager:

Dear Sir,

It is my opinion that if the town is finding it financially difficult to build the round about at halfway that is a good thing. It wasn't a good idea when conceived and it has not improved over time. I travel from Newburyport to OOB for work several days a week. It brings me into town at just the right time to run into all the evening

traffic coming to the beach. Of all the issues that OOB has with traffic the halfway intersection is not one that causes any delay! At least not one that I can see as a person who would run into an issue there more often than not.

What does tie up traffic is the street light at the Fire Department. It causes the traffic to come to a stop on or about old Potvin's market. I am not advocating that we take it down. What I am suggesting is that if it is not broken don't fix it. There is nothing wrong with the intersection at halfway. It has been my experience that most towns and cities are taking out roundabouts not installing them! Furthermore, they are certainly not installing them at an intersection that gets the kind of traffic numbers that halfway gets. It will in my estimate cause undue delay and potentially more accidents than we see now. And once installed it will never come out! It will be insane.

Strangers will coming into the intersection and will not know how to go around it and will ultimately go in the wrong lane or worse they will stop and cause a delay or an accident. If you look at the one at Portsmouth you will see that the State Police have to administer it on a regular basis because people still do not know what lane to travel in. It has been there for how long? I am sure that some of you will advocate for just that let the police write tickets and generate more income. But, is that how we want visitors / tourists to remember OOB as the traffic ticket center of their vacation. They already complaint now about the high price of parking tickets! All that will do is scare off more tourist dollars.

There are better, more needy existing projects that need our attention just to maintain the infrastructure in town; let's tackle those projects before we start new ones!

Please feel free to read this letter at any meeting on the subject of the round about.

**Very truly yours
Steven Berlin '
20 Puffin St.**

Councilor Dayton also presented a summary of material provided to her by Mark Ouellette, Assoc. AIA - Architectural Designer - SMRT, Inc. - 144 Fore Street - Portland, Maine 04101

INTERSECTION PROBLEM LIST

7 point Intersection - Too many roads converging in close proximity.

Confusing intersection - main flow of traffic to OOB unclear. Drivers are unclear if use of turn signal is required and thus confusing other drivers.

Amount of traffic during tourist season.

Tourist unfamiliarity.

Speed of traffic.

Signage leading into intersection not adequate.

Two lane road reduced to one lane prior to intersection files cars in a continuous traffic line making other traffic merging from other streets at intersection an impossible task.

Stop sign on Old Orchard Rd to far back from intersection, Harley D. sign/planter and Aces Auto cars & snow banks impede proper site lines - Drivers must drive into Temple Ave traffic flow.

Drivers that utilize turn signals coming from Ocean Park Road turning either onto Temple Ave or Old Salt Rd. confuse drivers waiting at Old Orchard Rd stop sign.

Traffic queuing lines on at Temple Ave and Old Orchard Road

Traffic queuing line from Saco Ave waiting at intersection impede traffic from passing through island intersection.

Multiple car queuing in middle of intersection islands.

Turning radius from Old Salt Road onto Temple Ave not adequate/impossible. Two point turn required to travel East down Temple Ave

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ATTACHED ARE SEVERAL DRAWINGS OF SUGGESTED VEHICLE TRAFFIC AS PROVIDED BY MR. OUELETTE.

Finally Councilor Dayton stated that when she asked about the possibility of Eminent Domain being exercised for this project, the response was a resounding Yes. Residents seemed unaware that eminent domain is highly likely for this project. This seems to be in direct conflict with the information you provided. To date, no negotiations have started

because the design phase is not finished. Given all the Eminent Domain questions asked by residents, Mike Danforth strongly recommended a public workshop. Mike Danforth stated that significant property acquisition is likely and people only get fair market value for the land/property. Loss of business is irrelevant. Residents claim no prior discussion of eminent domain has been held publicly. Residents are losing portions of their property and will not be compensated for it. Perhaps the most telling is that a show of hands from the audience demonstrated no support for any of the designs nor did a show of hands demonstrate no support for this project at all. Councilor Dayton asked the seated audience and the viewing public to think seriously about the impact of taking personal property from your neighbors. She asked that everyone seriously consider how they would feel if this sort of think happened to them. Do you want to live in a community that takes your property away from you?

Chair MacDonald thanked everyone for coming and presenting their views on this important subject.

The Workshop ended at 9:30 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 six (6) is a true copy of the original Minutes of the Town Council Workshop of April 7, 2009.

V. Louise Reid