

**TOWN OF OLD ORCHARD BEACH
TOWN COUNCIL MEETING
TUESDAY, OCTOBER 19, 2010
TOWN HALL CHAMBERS**

A Town Council Meeting of the Old Orchard Beach Town Council was held on Tuesday, October 19, 2010. Chair MacDonald opened the meeting at 7:05 p.m.

The following were in attendance:

**Chair Sharri MacDonald
Vice Chair Michael Tousignant
Councilor Robin Dayton
Councilor Shawn O'Neill
Councilor Laura Bolduc
Town Manager Jack Turcotte
Assistant Town Manager Louise Reid**

**Pledge to the Flag
Roll Call**

PRESENTATIONS: It is our pleasure to have the presence of Senator Barry Hobbins and Representative George Hogan in our meeting this evening. They are here to honor one of our own, presenting a Legislative Sentiment to Jeffrey Thompson, acknowledging his Deputy Clerk of the Year Award presented by the Maine Town & City Clerk's Association.

Representative George Hogan and Senator Barry Hobbins made comments about the high standards and awards presented to our staff as well as this particular honor to Jeffrey Thompson.

Be it known to all that We, the Members of the Senate and House of Representatives join in recognizing Jeffrey Thompson, Jr., of Old Orchard Beach who has been named the 2010 Deputy Clerk of the Year by the Maine Town and City Clerks Association. Mr. Thompson has been the Deputy Town Clerk of Old Orchard Beach for eleven years. He and his wife, Colleen, are lifelong residents of Old Orchard Beach and have four children and several grandchildren. Mr. Thompson is dedicated to public service and always goes out of his way to help people. He has served on many town committees and boards over the years, and the Town Report was dedicated to him in 2003. We extend our congratulations and best wishes to Mr. Thompson on his receiving this honor; and be it ordered that this official expression of sentiment be sent forthwith on behalf of the 124th Legislature and the people of the State of Maine. Signed by Elizabeth H. Mitchell, President of the Senate; Hannah M. Pingree, Speaker of the House; Joy J. O'Brien, Secretary of the Senate; and Millicent M. MacFarland, Clerk of the House.

Mr. Thompson thanks Senator Hobbins and Representative Hogan for this honor and for those who have supported him through these many years.

PRESENTATION: Eileen McNally, Director of the Edith Belle Memorial Library and Scott Teas, lead Architect, President and Founder of TFH Architect of Portland. Presentation by the Edith Belle Memorial Library Board of Trustees Updating the Library Building Project. Members of the Board of Trustees of the Edith Belle Memorial Library and they presented a version of a small detailed library on display. They explained that their efforts were to provide the variety and quality of library services that the people of our community desire and needed after the growth over the past several years. They recognized that for some time the space and configuration limitations of the present facility made it impossible to continue to meet these challenges. For that reason a library building committee was established about five years ago to examine the best options for solving these issues. After many meetings and countless hours gathering information from various sources, including a professional library consultant, other libraries that have dealt with similar situations, and using the feasibility study provided by the Town, the best and most responsible option appears to be expansion of the present building. The central location of the library in our beautiful Memorial Park, on the local bus route and near the center of town is ideal. The original structure of this building is sound and lends itself well to a compatibly designed addition. The Building Committee solicited potential plans and interviewed a number of architectural firms before deciding that TFH Architects of Portland most accurately identified our needs and understood our vision. The three dimensional model and drawings on display in the Council Chamber are the results of these efforts. The Trustees, Friends and Library community have been actively involved in ongoing fund raising efforts to support this project and have so far funded all the preliminary work except for the Study which the Town provided. However, we realize that this vision cannot become a reality without help from other sources and are in the process of completing an application to the USDA Rural Development Program for a low interest long-term loan. To be successful in this effort we will need the Council and the citizens of Old Orchard Beach to be involved and committed to the project. We look forward to working with you and know that you recognize the great need for and contribution this project will provide to the quality of life for our entire community for many years to come.

ACKNOWLEDGEMENTS:

CHAIR: Just A reminder to the citizens that the November 2, 2010 Town Council meeting is cancelled as this is Election Day and we encourage all citizens to vote at the polls or here at Town Hall until November 1, 2010. I would like to remind everyone about the Workshop this Thursday, October 21, 2010 at 7:00 p.m. here in the Council Chamber to discuss Bringing Business to Old Orchard Beach.

ACCEPTANCE OF MINUTES: Town Council Executive Session of September 30, 2010; Town Council Minutes of October 5, 2010; and Town Council Workshop of October 6, 2010.

MOTION: Councilor Dayton motioned and Vice Chair Tousignant seconded to accept the Town Council Executive Session of September 30, 2010; Town Council Minutes of October 5, 2010; and Town Council Workshop of October 6, 2010.

VOTE: Unanimous.

CHAIR: I open the Public Hearing at 7:29 p.m.

PUBLIC HEARING: Shall we Revise Chapter 50, Article II, Sidewalks, Section 50-52 and 50-53 of the Town of Old Orchard Beach?

**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 15, 2010, 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 Chapter 50, Article II, Sidewalks, Sections 50-52 and 50-53 of the Town of Old Orchard Beach is added by adding the underscored language:

Sec. 50-52. Construction by town or abutting landowners.

(a) Notwithstanding section 50-51, the town council may at any time direct the construction of a sidewalk or curbing or both along any accepted street in the town. Such sidewalk or curbing shall be constructed by the town, and the cost thereof shall be borne by the town.

(b) Sidewalks or curbing or both may be ordered by the council upon petition of an abutting landowner, and one-half of the cost thereof shall be assessed to such abutting landowner and shall be collected by the town in the manner provided in sections 50-57 and 50-58. The landowner is required to submit three competitive bids. The Town Council, based on the recommendation of the Public Works Director, has the option of selecting to pay half of the lowest bid, but the homeowner has the right to choose any contractor. The Town Council also has the right to reject any and all bids.

Sec. 50-53. Reconstruction; assessment of cost.

(a) The town council may at any time direct the reconstruction of any sidewalk or curbing which has been constructed along any accepted street by other than the town and which has not been accepted as the responsibility of the town. Such sidewalk or curbing shall be reconstructed by the town, and the cost thereof shall be borne by the town.

(b) Such improvements may be ordered by the council upon the petition of an abutting landowner, and one-half of the cost thereof shall be assessed to such abutting landowner and shall be collected by the town in the manner provided in sections 50-57 and 50-58. The landowner is required to submit three competitive bids. The Town Council, based on the recommendation of the Public Works Director, has the option of selecting to pay half of the lowest bid, but the homeowner has the right to choose any contractor. The Town Council also has the right to reject any and all bids.

CHAIR: I close the Public Hearing at 7:31 p.m.

CHAIR: I open the Public Hearing at 7:32 p.m.

PUBLIC HEARING BUSINESS LICENSES AND APPROVAL: Heather T. Paquette (103-1-5-18), 56 Ross Road, Unit 18, one year round rental; Viola Doyon (104-2-9-17),

42 Walnut Street, Unit 17, one year round rental; Eleanor & Murray Hoffman (202-1-10-3 & 4), 195 East Grand Avenue, Units 3 and 4, two seasonal rentals; William B. Verrill (205-16-3-4A), 9 Cascade Road, Unit 4A, one year round rental; and Edward Nasta (314-14-1), 97 Union Avenue, one seasonal rental and three year round rentals.

CHAIR: I close the Public Hearing at 7:33 p.m. p.m.

MOTION: Councilor Dayton motioned and Councilor O'Neill seconded to approve the Business Licenses as read.

VOTE: Unanimous.

PUBLIC HEARING AMUSEMENT PERMITS AND APPROVAL:

CHAIR: I open the Public Hearing at 7:34 p.m.

HFY Enterprises dba/Oceanside Grille at the Brunswick (310-6-1), 39 West Grand Avenue, Music (Amplified) Summer, Inside and Outside, 1:00 p.m. to 5:00 p.m. and 8:00 p.m. to 12:00 a.m.; Off Season – Inside, 8:00 p.m. to 12:00 a.m.

CHAIR: I close the Public Hearing at 7:35 p.m.

MOTION: Councilor Bolduc motioned and Councilor O'Neill seconded to Approve the Amusement Permit as read.

VOTE: Unanimous.

TOWN MANAGER'S REPORT:

There are times that my report must sound like an instant reply. My activities since my last report have been somewhat routine:

- Negotiations Meetings
- Personnel Issues
- Tide Gate Activities
- Meeting with the Company that manages and finances our copy machines.
- Ball Park Commission Meeting
- Pay to Throw Meeting
- Several meetings with regard to Public Works, Waste Water and the New Police Station.
- Attended Candidates Night

I have met with a number of private citizens regarding various issues.

I did not attend the MMA Convention as I had planned to due to my unexpected family responsibilities.

In August of 2011 there will be a New England American Legion Baseball Tournament and the ballpark and we are looking forward to this well promoted event.

Projects: I anticipate working with an alternate Insurance Carrier investigating health insurance options.

Roof Repair: It has been reported that the Town Hall Twin Towers are in poor condition. We recently had the flat roof section under the Tower re-roofed. While working in that area it was noted that the Town Towers are experiencing a serious amount of decay. My own personal experience would support this statement, however I am not qualified to judge. I am going to get a structural engineer to look at the Tower and provide us with a report.

FEMA agrees to Request to Withdraw Proposed Flood Maps. The Federal Emergency Management Agency has withdrawn its controversial flood maps for Cumberland and York Counties. FEMA and coastal communities in the two counties will now begin discussing a newly developed program that would take a collaborative approach to identifying the risk of flood and storm damage throughout an entire watershed. The issue affects thousands of properties and FEMA had published the flood maps on September 2nd giving property owners 90 days to file an appeal. For many property owners in coastal and low-lying areas, the maps would have put their properties in flood zones and required them to buy expensive flood insurance. They also would have faced more stringent standards for additions and new construction. Since the mapping projects is in its 'very initial stages' we do not know when the new maps would be ready but our Code Enforcement Officer is following this issue very carefully, protecting our residents and home owners here in Old Orchard Beach.

NEW BUSINESS:

5582 Discussion with Action: Approve Liquor License Renewal of HFY Enterprises dba/Oceanside Grille at the Brunswick (310-6-1), 39 West Grand Avenue, s-m-v in a Restaurant/Lounge.

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

VOTE: Unanimous.

5583 Discussion: Update provided by the Finance Committee; the Ordinance Review Committee; and the Conservation Commission.

CHAIR: I asked each of the Committees to have a presentation this evening.

FINANCE COMMITTEE:

NEIL WEINSTEN: The Finance Committee has diligently met to establish guidelines and procedures for advising the Council on Financial considerations. The Committee is made up of Neal Weinstein, Chair; Michael Gray, Secretary, Richard Larochelle, Reza Namin, Gary Salamanca and two community members. The Finance Committee is anxious that they receive from the Council direction given in preparation of the budget process. They feel that

they can be extremely helpful in this regard. Creating a clearer, more directive and proactive budget process was a goal that everyone felt should be the goal for the budget process. The Finance Committee indicated that it would be proactive if the Council worked with the Town Manager's budget rather than offering their own budget solutions. The Finance Committee will encourage the council to create a three-year budget process that is goal and priority driven. Because the budget is an ongoing process, even within a budget year, the members felt that we needed to have a longer term approach to the budget. A three year budget overview would allow priorities to be considered year to year. A firmer budget timeline with more input to the Council from the Finance Committee is an expectation in the year to come. The Finance Committee members felt they could even be involved in the actual creation of the budget and assist the Town Council when questions arise. A complete organization chart of every position in the Town may help when discussion specific department budgets. Creatively using the Town website to disseminate budget documents before meetings and workshops could help the residents understand all of the complex information that is provided. They suggested the use of an overview projector during workshops and meetings so the public can see the information visually. Budget forecasts from the State of Maine, York County Government, and the RSU 23 will help us with specific pieces of the budget. The question was raised: Where does the Town want to be in three years; five years; ten years; and twenty-five years. The budget needs to be a reflection of present fiscal realities but also shared communal values and a unifying vision for the future.

ORDINANCE COMMITTEE:

MIKE NUGENT: The following is a recap of what The Ordinance Committee has done so far and the following are serving on the Committee – Chairman George Kerr, Steve Bryant, Robert Scoville, Linda Mailhot, and William Daley.

- Chapter 2 Article 2 Town Council—Modifications presented to council, Not adopted
- Chapter 6 Special Amusement--Modifications presented to council, Adopted
- Chapter 10 Adult Entertainment—Reviewed, no modifications presented
- Chapter 14 Animals--Modifications presented to council, Adopted
- Chapter 18 Businesses-- Modifications presented to council, Adopted
- Chapter 22 Emergency Services—Reviewed, no modifications presented
- Chapter 26 Environment--Modifications presented to council, Adopted
- Chapter 30 Fire Prevention and Protection-- Modifications presented to council, Adopted
- Chapter 34 Housing—Reviewed and modifications will presented to council with Chapter 66 Revisions
- Chapter 38 Offenses and Miscellaneous Provisions-- Modifications presented to council, Adopted
- Chapter 42 Special Events-- Reviewed and modifications will presented to Council in the near future
- Chapter 46 Solid Waste-- Reviewed and modifications will presented to Council in the near future with other revisions that may include a “pay as you throw” program, if the Council indicates interest.
- Chapter 50 Streets, Sidewalks and other Public Places-- Reviewed and modifications will presented to Council in the near future

CONSERVATION COMMISSION:

GINGER MCMULLIN: Ginger McMullin – present Chair of Conservation Commission
Other members: John Bird, Vice Chair, Mark Koenigs, Secretary, Linda Jenkins and Pierre Bouthiller. Hopefully within the next few weeks you will be seeing applications for 2 new alternate members: Jean LeClerc and Pat Holland. As you know, over the past few years since the Conservation Commission has been reformed, we have been concentrating on Veterans Memorial Park and on the ballpark area – especially before the Ballpark Commission was formed. Veterans Memorial Park is a huge success, thanks mostly to all the hard work of our former Chair, Andrea Berlin, and the Memorial Park subcommittee, which is still a very active part of the Conservation Commission. Our other active standing subcommittee is the Alternative Energy subcommittee, which has been involved with the anemometer presently collecting wind speed data on school property. The first quarter data for May – August of this year from that study has recently been compiled, and is available on the town web site. The anemometer will be collecting data through next May. In the past few months, the Conservation Commission has been reviewing its mission and focus. The Town Charter states that the commission shall have such powers and perform such duties as are provided by the laws of the State of Maine and ordinances duly adopted by the council. It also states that the commission shall have the care and superintendence of public parks, and shall have the powers and duties of tree wardens. State of Maine laws say that the Conservation Commission shall conduct research in conjunction with the Planning Board into local land areas; shall seek to coordinate activities of conservation bodies organized for similar purposes, and shall keep an index of all open areas within the municipality, whether publicly or privately owned, for the purpose of obtaining information relating to the proper protection, development or use of those open areas. The commission may then recommend a program for the better protection, development or use of these areas. Some of these duties in the Town Charter may be worth revisiting as the charter is rewritten, but what we are doing now is starting to put this index together by inventorying and finding out more about Old Orchard's unique natural areas and open space. There is a surprising amount of open space left in Old Orchard Beach for a town of our size, and a variety of habitats from streams to open field to saltwater marsh and beach. We have just a preliminary list at this time and will be soliciting more input for this from rest of the town. Earlier this month we did a site walk of the town property at the Blueberry Plains, and are discussing a clean up day there for next spring. The main goal before us right now is to continue to gather information and educate ourselves so that we can speak knowledgably on behalf of Old Orchard's natural resources – especially when the economic cycle turns once again and these areas come under development pressure. We hope to work cooperatively with the council, Planning Dept. and Planning Board to do this successfully.

5884 Discussion with Action: The Sewer Appeal of Donna Gagne, 69 Smithwheel Rd. (107-2-7) to waive the sewer connection fee (\$3,300.00) pursuant to Section 58-124 of the Utilities Ordinance.

MIKE NUGENT: This is a request for a hard case situation and it is the determination of the Council, not that under ordinance of the Code Enforcement or Planning Officers.

MOTION: Councilor O'Neill motioned and Councilor Dayton seconded to approve the Sewer Appeal of Donna Gagne, 69 Smithwheel Rd. (107-2-7) to waive the sewer connection fee (\$3,300.00) pursuant to Section 58-124 of the Utilities

Ordinance.

VOTE: Unanimous.

5885 Discussion with Action: Approve the Special Event Permit application for Dusty Guarino to hold a Veteran's Day Recognition at Memorial Park on November 11, 2010 from 11:00 a.m. to 11:30 a.m.; and a request to waive the fee and the insurance requirements.

DUSTY GUARINO: She presented the reasoning behind her request for the Permit and the importance of this day to all citizens of Old Orchard Beach.

MOTION: Vice Chair Tousignant motioned and Councilor Bolduc seconded to approve The Special Event Permit as read.

VOTE: Unanimous.

5587 Discussion with Action: Approve the Special Event Permit application for the New England Parkinson's Ride to hold their annual bike ride from Loranger Middle School to the Pier on Saturday, September 10, 2011, from 6:30 a.m. to noon at Loranger and 11:00 a.m. to 5:00 p.m. in the Square; request for a banner in the Square on September 9th and 10th, 2011; and a request to waive the fee.

MOTION: Vice Chair Tousignant motioned and Councilor O'Neill seconded to approve the Special Event Permit Application as read.

VOTE: Unanimous.

5587 Discussion with Action: Approve the Transfer of the Defendant in Rem, or any portion thereof, pursuant to 15 M.R.S.A., Section 5824(3) and Section 5826(6), and accept the seizure money should it be rewarded by the Courts – CR-10-741.

TOWN MANAGER: This is a housekeeping item required by Law enforcement. 15 M.R.S.A., Section 5824(3) requires that, before any forfeitable item may be transferred to a State Agency, County or Municipality, the municipal legislative body must publicly vote to accept the items ordered forfeited by the Court. The Town Council will now act on the approval for submission.

MOTION: Vice Chair Tousignant motioned and Councilor O'Neill seconded to Approve the Transfer of the Defendant in Rem, or any portion thereof, pursuant to 15 M.R.S.A., Section 5824(3) and Section 5826(6), and accept the seizure money should it be rewarded by the Courts – CR-10-741.

VOTE: Unanimous.

5588 Discussion: Town Manager to provide an update on the Bond projects and remaining amounts.

TOWN MANAGER: Below is an update on the Bond issues:

| | | |
|-------------------|-------------|-------------|
| West Grand Avenue | \$1,850,000 | |
| Spent to Date | - 65,000 | Engineering |
| Balance | 1,785,000 | |

| | | |
|---------------|-----------|----------------------|
| Summit/School | \$900,000 | |
| Spent to Date | - 75,000 | Engineering |
| Balance | 825,000 | and land acquisition |

Anticipated spring construction cost of the project is \$275,000 with a potential savings of \$550,000 to \$600,000.

| | | |
|---------------|-----------|--|
| Ross Road | \$350,000 | |
| Spent to Date | - 250,314 | |
| Balance | 99,686 | |

Project not complete. No anticipated savings at this time.

| | | |
|---------------------------|-------------|--|
| Ocean/Seaview | \$800,000 | |
| Council approved contract | - 968,850 | |
| Balance | (\$168,850) | |
| Change orders | (\$250,000) | |
| Engineering – Cost | (\$100,000) | |
| Balance | (\$518,850) | |

| | | |
|------------|-----------|--|
| Roundabout | \$ 90,000 | |
| Interest | + 43,000 | |
| Balance | \$133,000 | |

5589 Discussion with Action: Per the Old Orchard Beach Code of Ordinances, Section 2-382, Section 3, approve the Rules of Procedures and Opening Remarks adopted by the Board of Assessment Review on September 29, 2010.

**OLD ORCHARD BEACH BOARD OF ASSESSMENT REVIEW
RULES OF PROCEDURES**

AUTHORITY OF BOARD

The Old Orchard Beach Board of Assessment Review (hereinafter “Board”) receives its authority to decide property tax abatement appeals pursuant to state law (36 M.R.S.A. § 843(1) and 30-A M.R.S.A. § 2526(6)). The Board establishes the following Rules of

Procedure for conducting hearings under the Town of Old Orchard Beach Code of Ordinances, Division 7 (Board of Assessment Review).

ORGANIZATION OF BOARD

1. **Establishment of Board.** There is hereby established a Board of Assessment Review to consist of five members who shall be appointed by the Town Council for a term of three years each, except that of those first appointed, two shall be for a term of three years, two shall be for a term of two years and one shall be for a term of one year.
2. **Board Qualification.** Each appointee shall have their principal place of residence or shall be an owner of real estate property located in the town for the length of their term. Members of the Town Council and spouses of members of the Town Council shall not serve on the Board of Assessment Review.
3. **Chairman/Secretary.** Elect annually a Chair and a secretary from among its members. The secretary shall maintain a permanent record of the board's meetings. . The agenda of each meeting of the Board of Assessment Review shall be posted on the bulletin board at least three (3) working days prior to the meeting and a copy of the agenda shall be printed as a legal advertisement in a newspaper of general circulation in the Town at least 24 hours prior to the meeting.
4. **Board Official Duties.** The Board of Assessment Review shall:
 - (a) Hear appeals from the decisions of the assessor regarding applications for abatements to property taxes and make determinations with respect to assessments in accordance with the general laws of the state. Three members of the board shall constitute a quorum for the purpose of hearing and voting upon a matter presented to the Board. An appeal can be granted only by a majority vote of those members present and voting. The taxpayer has the burden of establishing that the assessment appealed from is manifestly wrong.
 - (b) In carrying out its functions, have the power to administer oaths, take testimony, and hold hearings as may be required.
 - (c) Have the power to adopt, subject to the approval of the town council, rules and regulations for the transaction of its business.
5. **Office.** The office of the Board is located at the Town of Old Orchard Beach Municipal Offices, 1 Portland Avenue, Old Orchard Beach, Maine 04064, and all written communications for the Board shall be sent to the Board in care of the Town Clerk at the foregoing address.
6. **Vacancies.** Vacancies in the membership of such board shall be filled by appointment by the Town Council for the unexpired term. Members whose terms expire shall continue to serve until their successors are appointed and qualified.
7. **Removal of Members.** The Town Council may remove any of its Board of Assessment Review appointees after providing 60 days written notice of such intent, with reasons therefor, and providing the appointee an opportunity for hearing which shall be conducted in compliance with 1 M.R.S.A. § 401 et seq.

PROCEDURE

1. **Meetings/Quorum.** The Chairperson shall call all meetings of the Board as required. A quorum of the Board necessary to conduct an official Board meeting shall consist of at least three members. The Chairperson shall preside at all meetings of the Board and be the official spokesperson of the Board. The secretary shall preside and be the official spokesperson in the Chairperson's absence. If both the Chairperson and the secretary are absent, the remaining quorum shall appoint a temporary Vice-Chairperson to conduct the proceedings of that night's meeting. The Board shall give reasonable notice of all meetings and its meetings shall be open to the public.
2. **Board Records.** The record shall consist of the minutes of the secretary or his/her designee, the transcript if one is made, all applications, exhibits or stipulations filed in any proceeding before the Board, any summaries prepared of an inspection of the property, and the decision of the Board. Such records shall be public records open to inspection and copying during regular Town office hours upon reasonable notice.
3. **Conflict of Interest.** Any question of whether a particular issue involves a conflict of interest sufficient to disqualify a board member from voting on that issue must be decided by a majority vote of those members present and voting, excluding the member being challenged.
4. **Application.** To initiate an abatement appeal, the applicant must have filed a written abatement application to the Assessor, must have received a written denial from the Assessor (or expiration of sixty (60) days from the date of filing if no written denial was given, unless the applicant shall have in writing consented to further delay), and must then file seven (7) copies of the written appeal and any supporting documentation to the Board. Appeal forms shall be provided, which forms shall provide the name and address of the appealing party, a description of the property involved, the amount assessed by the Assessor, and the amount the applicant feels constitutes the proper assessment and the reasons therefore (for example, based on assessments of comparable properties). Copies of the forms which may be used will be available in the Assessor's Office. Before any appeal may be heard by the Board for a property with an assessed valuation of \$500,000 or more, an amount of current taxes equal to the amount of taxes paid in the next preceding tax year, provided that amount does not exceed the amount of taxes due in the current tax year or the amount of taxes in the current tax year not in dispute, whichever is great, must be paid by or after the due date as committed by the Assessor (36 M.R.S.A. § 843 (4)).
5. **Time for Filing.** The applicant must be filed in writing to the Board within sixty (60) days after the notice of decision from which such appeal is being taken or after the applicant to the Assessor is deemed to have been denied. The application shall be filed with the Town Clerk's Office, who shall present the same to the Board, and the Board shall schedule a hearing on the appeal within a reasonable time.
6. **Evidence.** The Board may receive any oral or documentary evidence, but shall exclude irrelevant, immaterial, or unduly repetitious evidence. Each party shall have the right to present his/her case or defense by oral or documentary evidence, to submit rebuttal evidence, and to conduct such cross-examination as may be required for a full and true disclosure of the facts. All lengthy documentary evidence that can reasonably be

anticipated as part of the record (e.g., appraisal reports) shall be submitted by the taxpayer at least ten (10) days in advance of the Board's initial hearing on the application and by the Assessor at least seven (7) days in advance of the Board's initial hearing on the application; provided, however, that such documentary evidence that cannot reasonably be anticipated as part of the record, such as rebuttal evidence, need not be submitted in advance. The Board may continue any hearing to obtain a clarification of the facts or legal issues involved; provided, however, that once scheduled, a hearing may not be continued except for good cause or as fairness requires as determined by the Board.

7. **View of the Property.** If a majority of the Board deems it necessary, the Board may view or inspect the property at issue. At any inspection of the property, both parties, the taxpayer and the Assessor (and legal counsel, if any), shall have the right to be present. The purpose of any such view is to enable the Board to more intelligently apply and comprehend testimony presented at the hearing, not to receive evidence or testimony. No evidence or testimony shall be offered at the inspection, but both parties may nevertheless call to the attention of the Board those characteristics of the property to which they wish the Board to observe, without further comment. A summary of the inspection shall be made by the Board on the record at the next scheduled meeting of the Board, and either party may at that time offer his/her own summary of the inspection of the record.
8. **Deliberations.** The Board may close the hearing after all evidence has been submitted and continue its deliberations until the next meeting of the Board. All deliberations of the Board on all appeals shall be in public at its meetings.
9. **Other Rules.** The Board shall make such other reasonable rules of procedure as may be required.

DECISIONS

1. **Time of Decision.** The Board shall render a decision on all applications within (60) days from the date the application is filed, unless the applicant agrees in writing to further delay. If the Board should fail to give written notice of its decision within sixty (60) days, unless the period has been extended as provided herein, the application shall be deemed denied as if there has been a written denial and the applicant may appeal pursuant to 36 M.R.S.A. § 843, as may be amended from time to time.
2. **Written decision.** The Board shall issue a written decision upon all applications within ten(10) days after it takes final action thereon, which shall be forwarded to the applicant and the Assessor. The written decision shall set forth the Board's findings of fact and reason or reasons for its decision sufficient to apprise the applicant, the Assessor, and any interested member of the public of the basis of the decision.
3. **Reconsideration.** The Board may reconsider any decision within forty-five (45) days of its prior decision, provided it continues to have jurisdiction over the appeal. A request to the Board to reconsider a decision must be filed within ten (10) days of the decision that is to be reconsidered. If the Board votes to reconsider the decision, it may conduct additional hearings and receive additional evidence and testimony as provided herein. If the Board votes to reconsider the decision, it shall vote again upon the merits and provide a second written decision; provided, however, that the vote to reconsider and the action taken

thereon must occur and be completed within forty-five (45) days of the date of the vote on the original decision.

4. **Appeal.** Any appeal from any final decision of the Board may be taken pursuant to the provisions of 36 M.R.S.A. § 843, as may be amended from time to time.

**Town of Old Orchard Beach
Board of Assessment Review Meeting
Opening Remarks**

Welcome to the _____, 2010 meeting of the Town of Old Orchard Beach Board of Assessment Review. The meeting will come to order. This is a public proceeding and, unless the Board specifically votes to go into executive session, you have the right to hear everything that is being said and to look at all of the exhibits that are offered. Please notify the Chairperson if you are unable to hear or to see.

The Board works from a prepared agenda and will be considering today's item:

1. **Applicant name**

Tax Map ____, Block ____, Lot ____, **address.**

Any person wishing to address the Board may do so in accordance with the following procedures:

1. **Order of Presentations:** The Board will initially confirm with the applicant and the Assessor (a) the current assessed value of the property, and (b) the requested abatement amount. The Board will then open the public hearing and ask the applicant to present his/her case, followed by questions by the Board members and questions by the Assessor.

The Board will then ask the Assessor to present his case, followed by questions by Board members and questions by the applicant. The Board will then allow any member of the public to speak on the agenda item. The Board will then close the public hearing and deliberate. A follow-up meeting date will be announced this evening, in which a decision will be announced. Following a decision on the appeal, the Board will prepare a written decision that will be mailed to the applicant within 10 days of the Board's vote.

2. **Evidence.** The Board may receive any oral or documentary evidence but such evidence is restricted to the subject matter of the agenda item. The Board shall exclude irrelevant, immaterial or unduly repetitious evidence.
3. **Decorum.** Citizens shall refrain from interrupting other speakers. This meeting is being audio recorded and it is very difficult to hear what is being said when multiple people speak at the same time. Citizens shall avoid personalities and conduct themselves in a civil, courteous manner expected of all meeting participants.
4. **Questions.** Speakers should address questions through the Chair. Speakers shall not attempt to engage in debate with other meeting participants.
5. **Public Comment.** Persons wishing to address the Board on an agenda item shall signify their desire to speak by raising their hands when the Chair announces that public comment

will be considered on such item. After being recognized to speak by the Chair, such persons will preface their comments by giving their first and last names and address.

Any questions? If none, then let us move to the first agenda item, the tax abatement appeal of applicant, MBLU and address.

Let us first confirm the current assessed value of the property and the requested abatement amount.

5590 Discussion with Action: Set a Public Hearing Date of November 16, 2010 to Amend Division 7, Board of assessment Review, Section 2-381 – Created; appointments, vacancies, term; to add two Alternate Members.

MOTION: Councilor Dayton motioned and Councilor O’Neill seconded to Set a Public Hearing Date of November 16, 2010 to Amend Division 7, Board of assessment Review, Section 2-381 – Created; appointments, vacancies, term; to add two Alternate Members.

VOTE: Unanimous.

5591 Discussion with Action: Approve payment in the amount of \$1,200 to Jean and Talmadge Rogers for sidewalk work completed at 3 Oceana Avenue from Account Number 20203/50507 – Public Works Sidewalk Maintenance/ Microelement Non-Cap, with a balance of \$145,000, pursuant to Section 50-52 of the Sidewalk – Streets, Sidewalk and Other Public Places Ordinance.

BILL ROBERTSON: A letter was received from Mrs. Jean Rogers who owns with her husband, Talmadge Rogers, a home at 3 Oceana Avenue, Ocean Park, Maine. In 2009 she indicated that the Police Department, stating there was no discernible driveway, objected to a “No Parking” sign placed on their driveway entrance. We discussed with Bill Robertson how best to address the issues of drainage, sidewalk repair, and installation of a paved driveway. (Provided for the Council are pictures of the sidewalk.) We went ahead with the project and except for the asphaltting of the apron to the driveway, the latter scheduled the end of September, the work is done. Mr. and Mrs. Rogers have indicated to the Council the completion of the four phase project including removal of old sidewalk and installation of a new one, with a resloping of the fall line; replacement of sidewalk to the front door; reshaping the area between the sidewalk and the street to achieve better drainage control; and installation of a driveway with permeable pavers. Their contractor worked closely with Mr. Robertson and his staff to ensure the it was built to Town’s code. The urgency in proceeding ahead of any confirmation that OOB would reimburse part of the expenses was dictated by a firm price for the entire work was not finalized until September 7th and we were concerned that the work be completed before we left Old Orchard on September 18th.

This procedure followed by the Rogers is not what is the normal process which would be securing the bids first and then having the selection made. The Public Works Director

contacted other vendors to get estimates for the work which provided the following information:

| | |
|----------------------|-------|
| MacDonald Excavation | 2,900 |
| RZR Concrete, Inc. | 2,400 |

Mr. Rogers, however, provided the paid invoice for the work that was completed in the amount of \$6,000.

| | |
|----------------------|-------|
| Nate Libby's Masonry | 6,000 |
|----------------------|-------|

The recommendation of the Public Works Director is that we provide a refund of \$1,200 to Mr. and Mrs. Rogers.

Sec. 50-52. Construction by town or abutting landowners.

(a) Notwithstanding section 50-51, the town council may at any time direct the construction of a sidewalk or curbing or both along any accepted street in the town. Such sidewalk or curbing shall be constructed by the town, and the cost thereof shall be borne by the town.

(b) Sidewalks or curbing or both may be ordered by the council upon petition of an abutting landowner, and one-half of the cost thereof shall be assessed to such abutting landowner and shall be collected by the town in the manner provided in sections 50-57 and 50-58.

(Ord. of 3-17-1987, § 2)

Discussion continued on the fact that this work was done before the request was brought to the Council. There was an enormous discussion by Council and Mr. Robinson of funding, listing of roads, when they would be done, etc.

MOTION: Councilor O'Neill motioned and Councilor Bolduc seconded to DENY payment in the amount of \$1,200 to Jean and Talmadge Rogers for sidewalk work completed at 3 Oceana Avenue from Account Number 20203/50507 – Public Works Sidewalk Maintenance/ Microelement Non-Cap, with a balance of \$145,000, pursuant to Section 50-52 of the Sidewalk – Streets, Sidewalk and Other Public Places Ordinance.

VOTE: Yea: Councilors O'Neill, Bolduc, Dayton
Nea: Vice Chair Tousignant and Chair MacDonald.

5502 Discussion with Action: Accept the bid from MacDonald Excavation in the amount of \$2,600 for sidewalk work at 15 Randall Avenue; one-half in the amount of \$1,300 to be paid by the owner, Susan and Frank McGinty; and the other-half of \$1,300 paid from Account Number 20203/50507, with a balance of \$145,000, pursuant to Section 50-52 of the Sidewalk – Streets, Sidewalk and Other Public Places Ordinance.

BILL ROBERTSON:

Susan and Francis McGinty who own 15 Randall Avenue, have submitted four bids for work they wish to have done to improve the landscaping by replacing the sidewalk on the Randall Avenue side of the property and to share in the cost of removal and replacement. The sidewalk is currently primarily cement that has become uneven and cracked over the years. A section of the sidewalk was replaced with asphalt by the Biddeford Saco Water District in 2003. In order to have a smooth and even surface for path, grass and driveway to match up with, and for the safety of passerby's, the request has been made to have a private contractor perform this work. The McGinty's have consulted with Foreman Mike Perrone on any issues raised.

The following bids were obtained by Mr. and Mrs. McGinty:

| | |
|----------------------|---------|
| SBB Excavation | \$2,900 |
| RZR Concrete, Inc. | \$2,900 |
| MacDonald Excavation | \$2,600 |

The Public Works Director requests that the bid from MacDonald's Excavation in the amount of \$2,600 be accepted and that the McGinty's pay \$1,300, one-half of that amount; and the remaining \$1,300 be paid from Account Number 20203/50507 – Public Works Sidewalk Maintenance/Improvement Non-Cap, with a balance of \$145,000, pursuant to Section 50-52 of the Sidewalk – Streets, Sidewalk and Other Public Places Ordinance.

Sec. 50-52. Construction by town or abutting landowners.

(a) Notwithstanding section 50-51, the town council may at any time direct the construction of a sidewalk or curbing or both along any accepted street in the town. Such sidewalk or curbing shall be constructed by the town, and the cost thereof shall be borne by the town.

(b) Sidewalks or curbing or both may be ordered by the council upon petition of an abutting landowner, and one-half of the cost thereof shall be assessed to such abutting landowner and shall be collected by the town in the manner provided in sections 50-57 and 50-58.

(Ord. of 3-17-1987, § 2)

Again and great amount of discussion revolved around whether this was a life safety issue, the paving of roads in the area, schedules relative to the paving and other issues related to the budget for sidewalks.

MOTION: Councilor O'Neill motioned and Councilor Bolduc seconded to accept the bid from MacDonald Excavation in the amount of \$2,600 for sidewalk work at 15 Randall Avenue; one-half in the amount of \$1,300 to be paid by the owner, Susan and Frank McGinty; and the other-half of \$1,300 paid from Account Number 20203/50507, with a balance of \$145,000, pursuant to Section 50-52 of the Sidewalk – Streets, Sidewalk and Other Public Places Ordinance; however should a higher bid be desired by Susan and Frank McGinty then the additional cost would be born by the McGinty's.

PAUL LADAKAKOS: He spoke against the Ordinance and the need for more discussion and wording changes be addressed before the next Public Hearing date.

**VOTE: Yea: Councilors O'Neill, Bolduc and Vice Chair Tousignant
Nea: Councilor Dayton
Abstain: Chair MacDonald**

5593 Discussion with Action: Transfer \$552,300.00 from Account Number 10013/30300 - Undesignated Fund Balance (carry forward balances) as of June 30, 2010 for the following accounts and purposes: 20101/50316 – Charter Commission - \$14,300.00; 20201/50842 - Town Hall Improvements - \$29,000.00; 20203/50507 - Public Works Sidewalk Maint/Improvement Non-Cap – \$145,000.00; 20203/50506 – Road Maint/Improve Non-Cap – \$55,000.00; 20203/50508 – Sewer Maint/Improvement – \$31,000; 20203/50831 - Stormwater Maint/Improvement - \$8,000; 20203/50826 Public Works Vehicles – \$80,000; 21004/50871 - WWTP Capital - \$190,000.

CHAIR MACDONALD: This is an annual housekeeping item as a result of the passing of the budget.

MOTION: Councilor O'Neill motioned and Councilor Dayton seconded to Transfer \$552,300.00 from Account Number 10013/30300 - Undesignated Fund Balance (carry forward balances) as of June 30, 2010 for the following accounts and purposes: 20101/50316 – Charter Commission - \$14,300.00; 20201/50842 - Town Hall Improvements - \$29,000.00; 20203/50507 - Public Works Sidewalk Maint/Improvement Non-Cap – \$145,000.00; 20203/50506 – Road Maint/Improve Non-Cap – \$55,000.00; 20203/50508 - Sewer Maint/Improvement – \$31,000; 20203/50831 - Stormwater Maint/Improvement - \$8,000; 20203/50826 Public Works Vehicles – \$80,000; 21004/50871 - WWTP Capital - \$190,000.

VOTE: Unanimous.

5594 Discussion: Update on the “Pay to Throw” Disposal Concept.

TOWN MANAGER: The Town Manager has been meeting with a “Pay to Throw” Task Force including John Weaver, Kim McLaughlin, Mike Nugent, Bill Robertson, and Jill Eastman and will be requesting a Workshop with the Town Council in the weeks ahead. This evening the Town Manager will give a short update on the results of these Task Force meetings.

PAY TO THROW UPDATE

A team of individuals consisting of Recycling Chair Person, John Weaver, Public Works Director Bill Robertson, Town Clerk Kim McLaughlin, Code Enforcement Officer Mike Nugent, Finance Director Jill Eastman and myself continue to work on the development of a Pay-to-Throw proposal for the Town Council.

- **The Team visited Portland, Sanford and Gorham programs.**
- **The Team has collected local data and will be putting examples of programs covering 50%, 5% and 100% of the Old Orchard Beach solid waste current cost.**

- **The Team is operating on a plan to reduce the current portion of the individual tax bill representing solid waste costs offset by the cost of the Pay-to-Throw program.**
- **The Team has met with a professional Pay-to-Throw business man whose business it is to assist Town's implementing the Pay-to-Throw Program.**
- **The Team will recommend to the Town Council that the Town issue a Request for Proposal (RFP) for professional program implementation and operational services.**
- **The Team recommends a November Workshop prior to Thanksgiving.**

5595 Discussion with Action: Authorize the Town Manager to instruct Wright-Pierce to move forward on the West Grand Avenue Bond Construction Project as presented to the Council on October 5, 2010 with the understanding that Wright-Pierce will return to the Council as the design is completed and the costs are defined.

TOWN MANAGER: He presented a short scenario of the presentation and agreed that it was now time to move forward.

MOTION: Councilor O'Neill motioned and Councilor Dayton seconded to Authorize the Town Manager to instruct Wright-Pierce to move forward on the West Grand Avenue Bond Construction Project as presented to the Council on October 5, 2010 with the understanding that Wright-Pierce will return to the Council as the design is completed and the costs are defined.

VOTE: Yea: Councilors O'Neill, Dayton, Vice Chair Tousignant, Chair MacDonald
Nea: Councilor Bolduc

5596 Discussion with Action: Accept the bid to install cable TV wiring in the Police Station from Account Number 31143/50891 – New Police Station, with a balance

MIKE NUGENT: CATV wiring is included in the "soft costs" for the Police Facility. Requests for pricing for installation of Cable television drops to 22 locations in the new police facility were sent via email to the following electricians.

**Aube Plaumondin
Kevin's Electric
SMR
Mancini Electric
TRD Electrical Contractor
New England Northern Lights
Electrical Systems Of Maine (The current electrician for the project)**

Although a number of vendors were able to participate, only three responses were received.

**Electrical Systems Of Maine (The current electrician for the project)-- \$6,300.00
TRD Electrical Contractor -- \$3,129.00
Kevin's Electric -- \$1,900.00**

Staff's recommendation is Kevin's Electric from Old Orchard Beach.

Cable TV

| Room | # |
|-------------------------------|-------------|
| 1. Interview room – 102 | 1 |
| 2. Reception - 105 | 2 |
| 3. Court Officer – 107 | 1 |
| 4. Detectives – 108/109 | 1 (each rm) |
| 5. Deputy Chief 110 | 1 |
| 6. Conference Room -111 | 1 |
| 7. Chief -114 | 1 |
| 8. Lieutenant -115 | 1 |
| 9. Training Room -121 | 2 |
| 10. Break Room – 122 | 1 |
| 11. Fitness Room -126 | 2 |
| 12. Patrol room – 125 | 1 |
| 13. Supervisors – 124 | 1 |
| 14. Men's Locker Room -129 | 2 |
| 15. Women's Locker Room – 130 | 1 |
| 16. Det. Lab – 135 | 1 |
| 17. Armory – 133 | 1 |
| 18. Lobby – 101 | 1 |
| Total | 22 |

Note ** In Reception, Deputy Chief and Chief's office there will be a wall mounted monitor to view the camera's.

MOTION: Councilor O'Neill motioned and Councilor Dayton seconded to Accept the bid to install cable TV wiring in the Police Station from Account Number 31143/50891 – New Police Station, with a balance

VOTE: Unanimous.

5597 Discussion with Action: Accept the bid from Nortrax NE, LLC in the amount \$183,116 for purchase of a John Deere Front End Loader from Account Number 20203-50835 – Public Works Vehicle, with a balance of \$180,000 and \$3,116 from Account Number 20151/50501 – Public Works Operating expenses with a balance of \$7,208.00.

BILL ROBERTSON: The Public Works Director went out to bid for the Front End Loader. Two bids were received:

| | | | |
|------------------|-----------|----------|------------------------|
| Nortrax NE, LLC | \$154,350 | \$2,216 | |
| Howard Fairfield | | \$26,550 | |
| | | | Total \$183,116 |

| | | | |
|------------------|-----------|---------|-----------------|
| Milton-Cat, Inc. | \$163,700 | \$7,000 | |
| Howard Fairfield | | | \$26,550 |
| | | | Total \$197,250 |

The Public Works Director requests approval to purchase the Deere model of the Fork Lift.

MOTION: Councilor O'Neill motioned and Councilor Dayton seconded to Accept the bid from Nortrax NE, LLC in the amount \$183,116 for purchase of a John Deere Front End Loader from Account Number 20203-50835 – Public Works Vehicle, with a balance of \$180,000 and \$3,116 from Account Number 20151/50501 – Public Works Operating expenses with a balance of \$7,208.00.

VOTE: Unanimous.

GOOD AND WELFARE:

PAUL LADAKAKOS: He gave a rather lengthy discussion of the various issues that were discussed at the Council meeting including the Police Department building, engineering, proposals for the building itself, involvement in workshops, the upcoming election and other issues he felt was important for the Council to hear.

KIM MCLAUGHLIN: As the Town Clerk she announced about the upcoming Woofstock to be held on Sunday from 10:00 a.m. to 3:00 p.m. at the Ballpark asking for the citizen's participation in this important event.

JEROME BEGERT: My name is Jerome Begert. I live on Gables Way and I'm a candidate for Town Council. I am a retired investigative journalist, radio-news-anchor and producer, radio public service director, media-consultant, filmmaker, political cartoonist and musician. I was the head of the investigative journalistic roundtable at the National Press Club (1992 to 1995). As a reporter it was my job to uncover massive waste of taxpayers' money by the Federal Government and Government contractors and other wrong-doing. After I returned to Old Orchard Beach in 1995, I could not help but keep asking questions. In 1997-98, when Town government tried to scam residents to pay thousands of dollars for sewer and water reconnection during the East Grand Avenue Road project, I told that Council they were pulling an illegal boondoggle and they backed down saving East Grand Avenue residents thousands of dollars. In 1998 Guilford Railroad, Inc. delayed railroad repairs hoping Federal and State taxpayers would pay for repairs, prior to the return of passenger train service. After a derailment in Old Orchard, I initiated media coverage and Guilford did its own repairs saving the taxpayers a lot of money. But it wasn't until one year ago that I got involved with Town government on a persistent basis, attending advisory committee meetings of Finance, Planning, Comprehensive Plan, Conservation, Charter Review, Ordinance Review, Recycling, the Ballpark and the School systems budget hearings. I encouraged Town Council to televise the Charter Review Commission, Ordinance review Committee, and the Planning Board, so citizens can better understand and oversee their government. In January of this year I was appointed to the Charter Commission on which I have initiated more than a few useful ideas. I have not missed a single Charter meeting nor have I missed a Town Council meeting since last October. Whether at Charter meetings, standing before the Town

Council, or conversing with officials behind the scenes, I have put in practice my ability to facilitate other people's ideas and to foster equilibrium (to be a stabilizing influence.) My compass, on the Charter Commission has been that every government official and staffer should be grown-up, when a citizen or Councilor speaks a hard truth. The Ethics Code and Charter law must serve as guideposts and tools that guarantee open, honest, honorable, evidence-based, government performance that serves residents, taxpayers and voters well. With the best/common interests of our Town as the common denominator, government was invented to be the math-equation, well tuned machine, and the legally rational echo-chamber of the people's will. It exists to fulfill citizen's needs. Everything we do, in Town government is the people's business. It wasn't until three days before deadline for submission of nomination papers that I realized it was time for me to man-up and honor the respect of people who spent fifteen years telling me to run for Council. I realized I just might bring functional perspectives, unbiased motives, and skills for fostering equilibrium and progress to the task of Council deliberations – while also helping the Charter Commission to optimize the rules that govern our government, so that those guideposts and tools guarantee functional, transparent, responsive and fiscally sane government. About fiscal sanity, of all the non-incumbent candidates I was the only one who attended all of the Town council budget workshops (March through June) to fight for fiscal sanity and against tax increases. On the Charter Commission I initiated two relevant proposals. First just like State-government and Biddeford do now, I want real time spending updates, put on the Old Orchard Town website (treasurer's web page) to enable year-round transparency and efficiency analysis that supports the Council's tax/budget workshops. That allows citizens not just Councilors and management and staff to make it a watchdog like team effort. Second I want sanctions against Charter law violations encoded into the Charter without punishment as it is now it is just empty paper. For example, it is a charter violation to exceed departmental budgets. When Town Council raids the treasury's emergency reserve to pay for overages (leading to future tax-hikes) they enable charter violations and thus violate it also. With punishment handing over officials' heads they will be more motivated to find efficiencies, than they are now. With the economy in bad shape and with State government Pension crisis looming over the next ten to twenty years we have to plan for massive dispense of State Government revenue sharing. And federal stimulus money is drying up also. All that (and more) is necessary to protect taxpayers, because Old Orchard has a dirty little secret. Just like Wiscasset had a nuclear plant to supply all the tax revenue it needed to pay for every need and want. Old Orchard has condominium-neighborhood-developments. Old Orchard Beach has 6,500 taxable properties, with over 2,000 being condos, age-restricted, with no school students – condos that receive almost no services in exchange for the one-third revenue stream of free fun money that their taxes generate. As a practical matter, we won't be able to give tax justice and services to condo owners during the next couple years. But, either on or outside the Town Council, I'll be reminding every citizen and every government officials that: If we cannot balance our budget, keep it flat and avoid tax increases with a one-third revenue stream of free fun money. Then there is an arrogant and delusional mindset and mode of operation in our Town government and that is going to end. Beyond all that I want a 20 year tax moratorium on real estate and personal property taxes for the purchase and installation of alternative energy like wind, solar or geo-thermal. S residents and businesses will be incentivized to utilize clean, free, off the grid energy technology. I want the State legislature to pass a local option sales tax that tourism oriented Old Orchard can use (in June, July and August only) to pay for everything we need like industrial park infrastructure, a community center, renovations at the Library, Town hall, Fire

Department, public works and the schools. Like night vision security cameras and extra police for the downtown district during the summer. Like upgrades for computer information systems and for our public access TV3 broadcast center. There is a lot we could do that we need with a local option sales tax. We could install solar, geothermal and silent/efficient horizontal windmills to power our schools, town hall, police and fire and public works department so they'll be immune to blackouts and never need to pay another electric bill. Those are just some ideas and I'll be tapping into your ideas about the future of Old Orchard Beach. More than anything else I'm trying to set an example that if I can get involved and learn about how Town government works and then run for Council – so can you. If I get elected I'll be looking forward to two years from now when you can replace me on your Town Council. My name is Jerome Begert and thank you for being part of my hometown and remember – This is your world – welcome to it.

ADJOURNMENT

MOTION: Councilor O'Neill motioned and Councilor Dayton seconded to adjourn.

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 twenty-two (22) pages is a true copy of the original Minutes of the Town Council Meeting of October 19, 2010.

V. Louise Reid