

**TOWN OF OLD ORCHARD BEACH
TOWN COUNCIL MEETING
Tuesday, April 7, 2015
TOWN HALL CHAMBERS
7:00 p.m.**

A Town Council Meeting of the Old Orchard Beach Town Council was held on Tuesday, April 7, 2015. Chair O'Neill opened the meeting at 7:00 p.m.

The following were in attendance:

**Chair Shawn O'Neill
Vice Chair Joseph Thornton
Councilor Kenneth Blow
Councilor Jay Kelley
Councilor Michael Tousignant
Town Manager Larry Mead
Assistant Town Manager V. Louise Reid
Planner Jeffrey Hinderliter
Police Chief Dana Kelley
Mary Costigan, Esquire – Bernstein & Shur**

**Pledge to the Flag
Roll Call**

CHAIR: I need a motion to remove an item from Business Licenses and Approval.

MOTION: Vice Chair Thornton motioned and Councilor Blow seconded to Remove Without Prejudice from the Public Hearing Business License and Approval – Old Orchard Beach Public Library dba/Old Orchard Beach Public Library Parking Lot (206-27-1X), 27 Staples Street, Requesting Council to waive the two year business license renewal fee of \$400 for the 10 day per year maximum parking of motorized vehicles.

VOTE: Unanimous.

PRESENTATION BY TOWN COUNCIL CHAIR SHAWN O'NEILL

DEDICATION TO:

CHIEF DANA M. KELLEY



Born April 10, 1950 in Jonesport, Maine, Chief Dana Kelley joined the Old Orchard Beach Police Department on April 14, 1973, and as of this year has served forty (40) years with the Department.

Chief Kelley assumed the responsibility of Police Chief on June 18, 1991 but had served several times before as Acting Chief. He also served for a time as Director of Public Safety, coming up through the ranks and excelling in every level of responsibility. The job of police officers has always been one of the most valued and esteemed jobs all over the world. Even in our society today when a sense of negativity is prevalent, those who know Chief Kelley personally understand that he represents the highest form

of service to fight injustice and uphold peace and harmony in society. It has been said, "We have an incredible warrior class in this country – people in law enforcement, intelligence, and I thank God every night we have them standing fast to protect us from the tremendous amount of evil that exists in the world."

Chief Kelley has seen it all – violence, abandonment, neglect, injustice, blood and death - but through it all he has shown the highest sense of dignity and honor. His vision was shown with the establishment of groups such as the Community Watch whose mission is to improve the quality of our neighborhoods through positive interaction, community encouragement and increased public awareness between law enforcement and the citizens of Old Orchard Beach and Ocean Park. The Chief has maintained within the department the highest level of training for his police officers, providing many opportunities for the development of expertise in the field of law enforcement. He has in every regard been the protector of the vulnerable and a beautiful testimony to the partnership with the community in working together to ensure that all laws are fairly and equitably enforced, treating all of the Town's inhabitants with courtesy and respect, and striving to create a safe place to live for our residents and guests. He has set the example to his Officers to serve with pride and value the partnerships that have developed within the business, school and residential communities.

The Town Council offers its highest words of praise for the dedicated service Chief Dana Kelley has provided to our community. His knowledge of Old Orchard Beach and every area of its history has been an invaluable asset to the smooth workings of the department. His loyalty through all the changes in administration has been applauded and his ability to adjust to the demands of both a summer and winter schedule is recognized.

Let's be thankful for our "Guardian Angels" in a special way. "It wouldn't be a bad notion that the next time you see a Police Officer, do wave at him or her; pray for their well-being; and fully comprehend the intensity of their jobs and the responsibility they accept of protecting you."

The Chair spoke about the service of the Chief over the years and their association and the Chief responded with gratitude for the opportunity to serve in his own community over these many years and expressed appreciation to the Council for this honor.

**PRESENTATION: Beach Accessible Wheel Chair Donation
 from Saco Biddeford Rotary Club
 Recreation Director – Jason Webber**

The Recreation Director will speak about a donation from the Saco Biddeford Rotary Club on the purchase of a PVC Beach Access Chair. During this past summer there were requests for assistance for those wishing to access the beach and the request for an access wheel chair. Although the Town does not have one presently it was felt that the concerns raised then and since then should be addressed. Our lifeguards have always been helpful in assisting those who need assistance but having such a piece of equipment to aid those in need of such would be a great asset. Rotary President, Christopher Jacques and Rotarian Dennis Robillard indicated that the Rotary was glad to be approached to support this effort. Jason Webber indicated that he had another organization looking in to securing another wheelchair. The cost of the wheelchair is approximately \$1,400.

Dennis Robillard of the Saco Bay Rotary introduced the project to the Rotary and was thankful that it could be accomplished for the betterment of the community.

ACKNOWLEDGEMENT:

CHAIR SHAWN O'NEILL: We acknowledge this evening the passing of The Honorable Peter Danton who died unexpectedly on March 16, 2015. Many of us knew Peter personally during his extraordinary career in municipal government. Very dedicated to his family he also was a member of the Veterans of Foreign Wars, the American Legion, the Eagles and the Democratic Committee among other organizations. Our thoughts and prayers go out to his family and he will be remembered always for his great contribution to government service.

COUNCILOR BLOW: THE SALVATION ARMY OLD ORCHARD BEACH (2 Sixth Street) WILL BE CELEBRATING THIS SATURDAY AND SUNDAY, APRIL 11TH AND 12TH – HERITAGE WEEKEND. This is the 150th anniversary of the founding of The Salvation Army in England by William Booth. The celebration in Old Orchard Beach will be not only be for the Salvation Army globally but also for the work of the Salvation Army in the Saco Bay area (since 1884). Majors Bryan and Beverly Smith, Corps Officers, cordially invite everyone to attend the events of the weekend: Saturday 2 PM: Ribbon cutting ceremony to open “Heritage Hall”. The Assistant Town Manager, V. Louise Reid, will cut the ribbon. She and her husband, Robert, were the first official corps officers in Old Orchard Beach in 1958 when the Old Orchard Beach Corps, formerly part of the Army’s location in Saco, became its own church community. Also, at that time Senator Linda Valentino will present a proclamation to Ruth Sullivan, a one-hundred year old resident of Ocean Park and member of The Salvation Army. The “Heritage Hall” will be open from 2-4 PM and will include displays of historical highlights of the Army’s works and influence in our community, our country and all over the world. Saturday evening at 6 PM “The Music Hall Comes To Town.” The public is welcome to attend a program highlighting the music of The Salvation Army. Light hearted stories from its history will be shared by Doctor Roger Green, recipient of the Salvation Army’s highest honor – “The Order of the Founder” and the Salvation Army Eastern Territorial Archivist, Jack Kerr, will also be a featured guest. the efforts of Lt. Colonel Alice Joyce, a historian in her own right are recognized in working toward completion of this weekend’s events. Questions related to the weekend can be addressed by calling 934-4381.

ACCEPTANCE OF MINUTES: Town Council Minutes of March 17, 2015; Special Town Council Minutes of April 1, 2015; and Town Council Workshop Minutes of April 1, 2015.

MOTION: Councilor Kelley motioned and Vice Chair Thornton seconded to Accept the Minutes as read.

VOTE: Unanimous.

PUBLIC HEARING BUSINESS LICENSES AND APPROVAL:

CHAIR: I open this Public Hearing at 7:17 p.m.

John & Jo-Ann Lapointe dba/Beau Soleil (205-6-14), 21 Milliken Street, one year round rental; Old Orchard Beach Public Library dba/Old Orchard Beach Public Library Parking (206-27-1X), 27 Staples Street, Requesting Council to waive the two year business licenses renewal fee of \$400) for the 10 day per year maximum parking of motorized vehicles; Good Shepherd Parish dba/Good Shepherd Parking Lot (206-30-1X), 6 Saco Avenue, Parking Lot – non-profit to park motorized vehicles up to ten days maximum for a fee; requesting a waiving of the license fee of \$350; and not looking to waive the application fee of \$75; Ernest Bencivenga & Mary Bencivenga (210-1-20-21), 39 Smithwheel Road, Unit 21, one year round rental; Wayne Simmons (304-1-2-2), 1 Walnut Street, Unit 2, one year round rental; Blake Laughlin dba/Corner’s Surf Company (307-3-3), 4A West Grand Avenue, rental of merchandise; and

Patricia Williams dba/Sandcastle Inn & Motel (308-1-10), 105 Atlantic Avenue, two vending machines.

CHAIR: I close this Public Hearing at 7:19 p.m.

MOTION: Councilor Tousignant motioned and Councilor Blow seconded to Approve the business licenses as read.

VOTE: Unanimous.

TOWN MANAGER'S The Town Manager reported on the status of the FY16 budget. He indicated that the Maine Department of Transportation project as it regards the intersection at E. Emmons Cummins Road and Saco Avenue has been delayed because the RFP was not sent out in time and that the project will not be completed until the fall. He is also working on an application from shared funding in the repair of the Cascade Road from the Saco line to Ross Road. This grant would probably be in FY17 budget with split of 50/50. He attended a one-day safety workshop with MMA risk management and Maine DOL. Old Orchard Beach has an excellent insurance rating for workers comp which keeps our costs down. He reminded everyone that bad news comes in threes. The Fire chief's truck is out of service due to cracked frame and other issues. Waste Water storage building which houses a recycling process contained experience a partial roof collapse. We are presenting getting an estimate on the costs to repair. There was a computer virus which affected the police and fire departments and it took a number of days and unplanned expenditures to clean the Disks and reload, install other firewall protection. We are working on the RFP for the town hall improvements and hope to have the work starting in July and August. A follow up on 146 Portland Avenue, the foreclosed property lot which the owner was given till the end of April to remove most of the material from the property and redemption of the property. The Public Works Department will be going in and assisting in the clean-up and if the property is redeemed that will be part of the additional cost factor. The Planner and I met with Southern Maine Regional Planning to discuss grant opportunities through CDBG. We will work together on a proposal to do infrastructure improvements in the Washington Avenue, Campground, Atlantic Avenue area. Currently 20% match and Old Orchard Beach meets the income eligibility.

6375 Discussion with Action: Approve the services of Ted Berry Company to do the cleanings of the wet wells at the WWTF and pump stations in the amount of \$15,000 from Account Number 20161-50342 - Waste Pumping Expenses, with an existing balance of \$15,946.

BACKGROUND:

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

The OOBWW department has worked alongside the Ted Berry Company with all aspects of the cleaning over the past ten years. The OOBWW department supplies the safety equipment and runs the permitted confined space entry program that is required to access some of the tanks. Ted Berry Company has previous knowledge of the system and has demonstrated a high level of efficiency. By working closely with Ted Berry the OOBWW staff has reduced the amount of time it takes to complete the cleanings. It is expected that the Ted Berry Company and OOBWW staff will complete the cleanings in three days at a total cost of \$8000. It is

estimated that there will be another \$7000 to dispose of the debris at Eco-Maine in Westbrook.

Christopher White,
Wastewater Superintendent



Town of Old Orchard Beach
1 Portland Avenue
Old Orchard, Maine 04064
March 18, 2015

Re: **General Services Agreement for WWTF Cleaning work 2015**

The Ted Berry Company Inc. is pleased to present the following preferred vendor pricing for 2015.

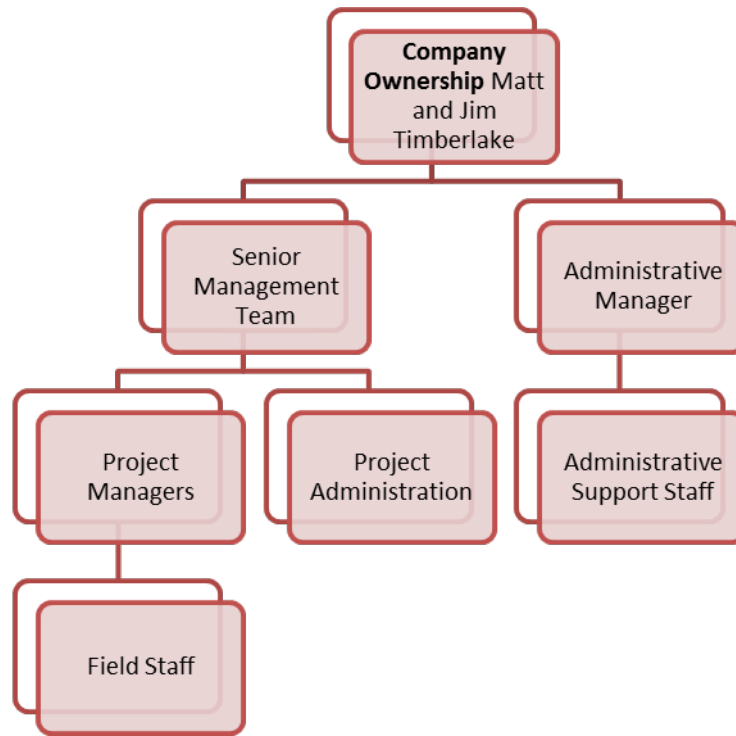
Founded in 1972 the Ted Berry Company Inc. has deep roots in both the Industrial and Municipal service sectors in New England. Built on service, hard work, trust, and commitment we offer industry leading technology and an extremely knowledgeable staff of over 40 local employees. A family owned and operated business with the owners Jim and Matt Timberlake being intimately involved in the daily operation and management of the company, The Ted Berry Company is the contractor of choice for municipal waste water collection system managers throughout Maine and New England.

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

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

Project Team

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



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

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

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

Field Operations - The Ted Berry Company Field Operations Team is made up of over 50 employees which comprises between 10-12 daily work teams dependent on the project responsibilities of any given day. The field staff is a highly trained group who are in direct contact with their direct supervisors on a daily basis. All field staff are tracked with our internal labor utilization reports which allows management personnel to monitor real time where productivity or efficiencies can be gained, there are a number of key performance indicators (KPI's) in regards to individual and service group performance that are viewed daily by senior staff. All Ted Berry Company Field Supervisory staff has 'smart phones' and data packages so communication of critical project data and the company staffing schedule are available real time in the field.

Emergency Response Staff - The Ted Berry Company has a comprehensive and redundant emergency response staff that is available 365 days a year 24 hours a day. A Senior Field Operations Supervisor is on call at all times with direct access to Senior Staff and has the

ability to make decisions as a situation dictates. The emergency response team consists of at all times a minimum of the following staff. (1) Senior Operations Supervisor, (1) CDL Operator, (1) CCTV Operator, and (3) Technicians. Our team prides itself in being rapid responders and can be prepared for scenarios ranging from simple sewer line plug to large scale overflow with the resources needed within minutes of request. Emergency staff will be able to respond within 3 hours of any after hour's emergency call and within 48 hours of any request made during normal business hours.

Execution of projects of a similar nature

Client	Contact Name	Contact Phone
Portland Water District (PWD)	Gordon Johnson Steve Sloan Charlene Poulin	207-761-8310
<p>The Ted Berry Company is currently involved in a multi-year contact for services with the PWD for collection and integration of CCTV data into the districts existing Hansen database which is a high end yet extremely complicated asset management based system. As part of the first phase of the multi-year contract a link had to be created allowing the import and export of data to and from Hansen. To date nearly 250,000lf has been inspected in (6) communities including residential areas, large diameter interceptors, remotely located pipes, busy commercial areas, and work on one of Maine's rugged islands.</p>		

Client	Contact Name	Contact Phone
City of Manchester NH EPD	Rob Robinson - City of Manchester Marrisa Buyers-Basso - Brown and Caldwell Engineers	1-603-624-6522
<p>The City of Manchester NH Environmental Protection Department has chosen the Ted Berry Company as a strategic partner in its long term piping assessment program which helps drive the CIP and CSO reduction plan. As the CCTV contractor for general condition assessment, pre-paving evaluations, and hydraulic studies, the Ted Berry Company works closely with the city's consultant Brown and Caldwell and must integrate the CCTV data into an asset based report that is used to develop the annual maintenance and capital budgets. CCTV inspections to date have included large diameter interceptor sewers ranging from 36" to 72" brick pipe, 120" granite combined sewer tunnels, and over 15 miles of remote access pipelines running along the Piscataquog River and the historic Cemetery Brook.</p>		

Client	Contact Name	Contact Phone
City of Revere, Massachusetts	Bob Parsons - CDM Engineers Marina Peirera - CDM Engineers	1-617-452-6360
<p>The City of Revere Massachusetts is under a consent order by the US Department of Justice to reduce SSO's throughout the City. A critical step in determining areas of significant I&I was a phased SSES approach to the evaluation of the city's sewer system. Ted Berry Company staff was contracted to perform system cleaning, evaluation, and asset based defect reporting that would be used to determine repairs and rehabilitation improvements and meet reporting requirements under the consent order.</p>		

Client	Contact Name	Contact Phone
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Verso Paper Androscoggin Mill	Les Pepper	207-897-1954
<p>As a pulp and paper mill in Maine along one of the state's major rivers, the Androscoggin, the Verso Mill (formerly International Paper) has used the Ted Berry Company for nearly 40 years as its contractor of choice for cleanup of spills in the plant, execution of critical plant outages, and inspection of its underground piping system and data management. The Ted Berry Company utilizes comparative reporting data that allows plant managers to directly compare historical data on critical pipelines and present compliance reports to regulators annually.</p>		

Client	Contact Name	Contact Phone
Anson Madison Sanitary District	Pete Elias	207-696-3081
<p>The AMSD has historically had a very proactive maintenance program for its sanitary sewer collection system which receives sewer flow from two towns and an industrial facility. As the district owned equipment aged and operators neared retirement the district looked to take a new approach teaming with the Ted Berry Company to execute it annual maintenance plan. The annual plan has very specific goals and targets in regards to amount of pipe cleaned, inspected, and managing the cost of work so funds are spent where they are most needed. Annual CCTV inspections help determine areas where capital improvements or localized trenchless repairs are needed. The maintenance data is integrated into the districts GIS system and CCTV inspections performed in PACP coding which generates condition assessment ratings for critical areas.</p>		

Client	Contact Name	Contact Phone
SAPPI Fine Paper	Jerome Richards	207-238-8005
<p>The SAPPI Somerset Mill has critical inspections that must be completed during annual outages that are required for their operations. SAPPI has utilized other contractors in years past however has chosen the Ted Berry Company as a long term strategic partner for not only field inspections but database management which allows their managers to focus on the business of producing world class paper and have the highest level comparative database available through the Ted Berry Company. Data integration and compatibility with existing systems is critical to usability and future access of staff through many departments.</p>		

Professional References

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

Subcontractor Qualifications

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

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

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

Pipeline Cleaning Capabilities

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

Unit Cost

Item Description	Hourly Rate	Day Rate	Estimated duration	Total Estimated cost
Municipal Vactor Truck	N/A	\$2,222.00	3 Days	\$6,666.00
Support Truck	N/A	\$80.00	3 Days	\$240.00
Technician	\$62.25	N/A	12 Hours	\$747.00
Total Estimated Project Cost				\$7,653.00
Disposal	N/A	Billed at actual +10%		TBD

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

Sincerely,

Dave Beauchamp
Municipal Service Group Manager

Councilor Blow asked if it would not be less expensive with the use of the public works vehicle but both **Chris White** and the **Town Manager** explained that they need a bigger truck to do this job correctly.

MOTION: Councilor **Tousignant** motioned and Councilor **Blow** seconded to Approve the services of **Ted Berry Company** to do the cleanings of the wet wells at the **WWTF** and pump stations in the amount of **\$15,000** from Account Number **20161-50342 - Waste Pumping Expenses**, with an existing balance of **\$15,946**.

VOTE: Unanimous.

6376 Discussion with Action: Approve the purchase of paint and glass beads for line stripping of Town roads from Sherwin Williams in the amount of \$6,323.20 from Account Number 20151-50506 – Road Maintenance Account, with a balance of \$21,366.61.

BACKGROUND: The Public Works Director went out for bids for paint and glass beads for line striping the Town roads, lots and schools. He received three bids:

Sherwin Williams	\$6,323.20
Franklin Paint	\$6,689.01
Permaline	\$7,148.00

The Public Works Director is recommending the bid of \$6,323.20 from Sherwin Williams.

MOTION: Councilor Tousignant motioned and Councilor Blow seconded to Approve the purchase of paint and glass beads for line stripping of Town roads from Sherwin Williams in the amount of \$6,323.20 from Account Number 20151-50506 – Road Maintenance Account, with a balance of \$21,366.61.

VOTE: Unanimous.

6377 Discussion with Action: Accept the bid from Jimmy the Greek's as a licensed vendor to provide beer and wine services at The Ballpark for the 2015 and 2016 season with a revenue split of 20% of net sales excluding built-in sales tax for any event generating \$200 or more and 10% for any event under \$200 and additional revenue can be generated through event surcharges.

BACKGROUND:

The Ballpark Commission sent out this Request for Proposal for a Ballpark Event Alcohol Service. Only one bid was received:

Jimmy Albert of Jimmy The Greek's Restaurant:

Mr. Albert has operated alcohol related establishments for twenty-five years. For the last three years he has been directly involved with the alcohol service at the Old Orchard Beach Ballpark through a partnership with the Raging Tide. This also encompassed event planning for the Ballpark. It would be his goal to continue seeking a variety of events for the facility including live music, sports and lifestyle events. Mr. Albert provided three references as required: *Raging Tide Baseball Team, Old Orchard Beach, Maine – John Gallo; Nappi Distributors, Beer Distributor, Gorham, Maine – Chris Black; and National Distributors, Beer Distributor, South Portland, Maine – Ryan Hallczuk.*

Mr. Albert has indicated that he will share a revenue split of 20% of net sales (excluding built-in sales tax) for any event that generates \$200 or more and 10% for any event under \$200. The tiered rent % is based on available historical data that shows many of the events held were low grossing events with little to no profit. Sales would be measured through a daily electronic cash register audit tape summary and provided on a sales report turned in monthly or soon, if desired. A check would be issued with this report. Licensee is responsible for all sales tax. Additional revenue for the Town of Old Orchard Beach can be generated through event surcharges (flat fee of % per ticket that the licensee is trying to secure.) Events of this nature (concerts) etc. have the potential to generate a rent in the thousands.

Town of Old Orchard Beach

Request for Proposal Ballpark Event Alcohol Service

The Town of Old Orchard Beach Ballpark Commission oversees the operation of The Ballpark, a 5,000 seat athletic and events facility at 7 Ballpark Way. The Ballpark Commission is seeking proposals for a licensed vendor to provide beer and wine services at The Ballpark for the 2015 and 2016 seasons. The Ballpark is open from late May through October.

The RFP is located on the Town's website – www.oobmaine.com or can be secured from the Town Manager's Office or request by e-mail to lreid@oobmaine.com. Questions can be addressed to the Office of the Town Manager – 207-934-5714, extension 1526. Bids shall be submitted in a sealed envelope marked "Ballpark Alcohol Service Vendor RFP" **and will be received at the Town Manager's Office, Old Orchard Beach Town Hall, 1 Portland Ave., Old Orchard Beach, Maine 04064 until Wednesday, March 25, 2015 at 4:00 PM.** Submissions will be accepted by mail or hand delivered.

Town of Old Orchard Beach

Request for Proposal Ballpark Event Alcohol Service

OBJECTIVE

The Town of Old Orchard Beach Ballpark Commission oversees the operation of The Ballpark, a 5,000 seat athletic and events facility at 7 Ballpark Way. The Ballpark Commission is seeking proposals for a licensed vendor to provide beer and wine services at The Ballpark for the 2015 and 2016 seasons. The Ballpark is open from late May through October.

This Request for Proposal document does not define any contractual relationship between the selected respondent and the Town of Old Orchard Beach or obligate the Town of Old Orchard Beach to follow a set selection process. Any binding agreement between the Town of Old Orchard Beach and the successful respondent will be through a formal written agreement (contract).

SUBMISSION INFORMATION AND REQUIREMENTS

Three (3) complete copies of each proposer's response shall be submitted in a sealed envelope marked "Ballpark Alcohol Service Vendor RFP" **and will be received at the Town Manager's Office, Old Orchard Beach Town Hall, 1 Portland Ave., Old Orchard Beach, Maine 04064 until Wednesday, March 25, 2015 at 4:00 PM.** Submissions will be accepted by mail or hand delivered. The original copy, being so marked, must be signed with the firm's name and bear the handwritten signature of an officer or employee having authority to bind the company by his or her signature (utilize the town-provided *Proposal Submission Form labeled Exhibit B*).

Each proposal shall include:

Introductory Letter: Include an introductory letter expressing an interest in providing the services.

References: In or with the introductory letter please include names, address, phone number and contact persons of at least three (3) entities or individuals with whom the Proposer has provided similar service or otherwise done business with related to alcohol service.

Proposal Information Form: Use document labeled *Attachment A* and complete fully.

INQUIRIES

Any proposer requiring significant further information concerning the proposal, the project or terms, must submit specific questions in writing to the Assistant Town Manager by mail or email. A written response, if provided, will be sent to all firms on file as being in receipt of this proposal. Inquiries concerning the Request for Proposals must be made to:

V. Louise Reid, Assistant Town Manager

Town of Old Orchard Beach
1 Portland Ave.
Old Orchard Beach, Maine 04064
(207) 937-5626 fax (207) 934-0755
E-mail address: lreid@oobmaine.com

Reservation of Rights

The Town reserves the right to request clarification of and/or solicit additional information of any proposer; to have proposer(s) make presentations to the Selection Committee; and/or to negotiate with any proposer(s) regarding any terms of their proposal, including but not limited to the cost and/or scope of services, with the intent to achieve the best proposal that shall result in a contract that is deemed by the Town to be in its best interests. Any such negotiations will use the selected proposal as a basis to reach a final agreement, if possible.

The Town reserves the right to waive any informality in the proposal, to accept any proposal, and, to reject any and all proposals, should it be deemed for the best interest of the Town to do so.

The Facility

The Ballpark is a 5,000 seat sports and entertainment venue built in 1984 as the home field for the Maine Guides, a AAA professional baseball team. The facility includes separate buildings located behind the grandstand for concessions and rest rooms. The Ballpark is less than one mile from a premier ocean beachfront. The Town of Old Orchard Beach has a year round population of 8,800 that swells to many times that number of summer residents and visitors with estimates of a daytime summer season population in excess of 50,000. The neighboring communities of Scarborough, Biddeford and Saco have a combined population of 60,000 residents. Getting to the Ballpark is very convenient from both the north and south via I-95 located only five minutes away.

For 2015 the East Coast Baseball League will field a team at the Ballpark, the Old Orchard Beach Surge, hosting 35 regular season games between June and August. In recent years the Ballpark has also hosted 4-8 significant events each year, including the State BBQ cook-off, the M.J. Fox Parkinson's Disease Bike-Ride fund-raiser, mixed-martial arts entertainment, a blues festival, Woolstock, Wounded Warriors softball event, and the Red Sox alumni ballgame.

Ballpark Provides to Vendor

- A secure building with 75 sf of floor space
- Power for lighting, signage and refrigeration equipment
- Promotion of sales through event announcements and Ballpark website
- Dumpster for trash disposal

Ballpark requirements of Vendor

- Beverage stand will be open during all regular season and playoff ECBL Old Orchard Beach Surge baseball games.
- Vendor will be open for sales a minimum of 1/2 hour prior to the start of any event and remain open thru the 7th inning of all Surge games and throughout other events.
- Vendor will be allowed to sell beer and wine using either via draft, bottles or cans. No

bottles will be allowed to leave the sales area. If bottle beer or wine is sold it must be dispensed in a plastic cup.

- Vendor will be open for all major events (as defined by 500 or more visitors) The Operations Manager will provide notice to the vendor at least 7 days prior to the scheduled event.
- Vendor will keep sales records of all transactions and submit such record to the Ballpark Commission via the Operations Manager.
- Vendor will maintain liability insurance coverage as required by the Town of Old Orchard Beach during the entire contract.
- Vendor will generate business opportunities (events).

EVALUATION AND SELECTION CRITERIA

All Proposals received will be reviewed by a review panel. Each evaluation criterion has been given a percentage based on its relative value as a whole. The criteria and each associated percentage are as follows:

<u>Criteria</u>	<u>Weight</u>
Experience / References	20%
Event sponsorship/promotion	40%
<u>Compensation to Ballpark</u>	<u>40%</u>
Total	100%

C. METHOD OF AWARD

The Town of Old Orchard Beach will review all proposals and may request respondents to supplement initial proposals with additional written material. The Town may, in its discretion, interview some or all of the respondents. The Town of Old Orchard Beach may perform any other review as it deems prudent in its selection process.

The Town of Old Orchard Beach reserves the right to choose the respondent that demonstrates the best ability to fulfill the project in the Town's sole discretion. The successful respondent may be chosen based on the qualifications, selection criteria evaluation, possible interview, and any other criteria determined necessary by the Town of Old Orchard Beach. The respondent selected may be given a right to negotiate an agreement acceptable to the Town. In the event that an agreement satisfactory to the Town cannot be reached, the Town reserves all rights to enter into negotiations with one or more of the remaining respondents. The successful respondent shall commence with the Town Hall project only after execution of an acceptable contractual agreement.

PROPOSAL INFORMATION FORM MUST BE COMPLETED IN FULL

(Use additional paper to respond if needed)

1. Name of License Holder Submitting Proposal _____

Legal Address: _____

Street or PO Box _____

City _____

State _____ Zip Code _____

Telephone: _____

Email: _____

2. Maine Liquor license number: _____ Permissions under license: S___V___M___
License expiration date: _____

3. Has license holder had fines or suspensions for license rule violations? Y___N___

If yes what was the violation(s) and what date(s)?

4. How many years have you held a Maine liquor license? _____

5. What share of revenues are you proposing to pay to The Ballpark in return for conducting alcoholic beverage sales at The Ballpark. (indicate gross or net, and the method you will use to provide documentation of sales) _____

6. Provide information about your experience in alcohol service; names of businesses you owned or operated, events you have provided service to, or other relevant information:

7. What is your familiarity with The Ballpark and events/activities held there in recent years?

8. Describe business opportunities (events) that you can bring to The Ballpark as part of a contract for services (e.g., concert and other live promotions/events, advertising, signs, banners). Delineate your event experience management and an example of an event plan that you can offer.

PROPOSAL SUBMISSION FORM

The undersigned warrants that he/she has the authority to bind the proposer to this submittal responding to the Request for Proposals for licensed alcohol service at the Ballpark for the 2015 and 2016 seasons.

License Holder Name: _____

Authorized Representative: (sign name here)_____

MOTION: Councilor Kelley motioned and Vice Chair Thornton seconded to Accept the bid from Jimmy the Greek’s as a licensed vendor to provide beer and wine services at The Ballpark for the 2015 and 2016 season with a revenue split of 20% of net sales excluding built-in sales tax for any event generating \$200 or more and 10% for any event under \$200 and additional revenue can be generated through event surcharges.

VOTE: Unanimous.

6378 Discussion with Action: Set the Public Hearing date of April 21st regarding “An Order DESIGNATING THE PINES AFFORDABLE HOUSING DEVELOPMENT AND TAX INCREMENT FINANCING DISTRICT AND ADOPTING THE DEVELOPMENT PROGRAM FOR SUCH DISTRICT, Town Council order 2015-1”.

BACKGROUND:

**NOTICE OF PUBLIC HEARING
TOWN OF OLD ORCHARD BEACH
regarding**

**The Designation of the Municipal Affordable Housing Tax Increment Financing District to be Known As The
“The Pines Affordable Housing Development District” and the Adoption of a Development Program**

Notice is hereby given that the Town of Old Orchard Beach will hold a public hearing at its Town Council Meeting on

April 21, 2015,

at

_____STREET ADDRESS]_____Old Orchard Beach, Maine,

The Public Hearing will be at _____ pm

The purpose of the public hearing is to receive public comments on the designation of this municipal affordable housing tax increment financing district, the adoption of a development program for the district and the execution of a credit enhancement agreement between The Pines at Ocean Park, LP and the Town of Scarborough, Maine all pursuant to the provisions of Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended.

The proposed The Pines Affordable Housing Development District relates to certain property located in the area identified on Town of Old Orchard Beach Tax Maps as Map ____, Lot __.

A copy of the materials will be on file with the Town Clerk prior to the Public Hearing. All interested persons are invited to attend the public hearing and will be given an opportunity to be heard at that time.

TOWN COUNCIL
ORDER # _____

AN ORDER DESIGNATING THE PINES AFFORDABLE HOUSING DEVELOPMENT AND TAX INCREMENT FINANCING DISTRICT AND ADOPTING THE DEVELOPMENT PROGRAM FOR SUCH DISTRICT

WHEREAS, the Town of Old Orchard Beach (the "Town") is authorized pursuant to Chapter 206, Subchapter 3 of Title 30-A of the Maine Revised Statutes, as amended, to designate a specified area or areas within the Town as an affordable housing development district and adopt a development program for such district; and

WHEREAS, there is a need for the development of affordable, livable housing in the Town of Old Orchard, in the surrounding region, and in the State of Maine; and

WHEREAS, the designation of the District and implementation of the Development Program will help to improve and broaden the tax base in the Town of Old Orchard Beach and improve the economy of the Town and the region by attracting business development to the Town; and

WHEREAS, the Town has held a public hearing on the question of establishing the District, in accordance with the requirements of 30-A M.R.S.A. § 5250, upon at least ten (10) days prior notice published in a newspaper of general circulation within the Town; and

WHEREAS, the Town desires to designate *The Pines Affordable Housing Development and Tax Increment Financing District* (the "District") and adopt a development program for the District (the "Development Program"); and

WHEREAS, it is expected that approval will be obtained from the Maine State Housing Authority ("MaineHousing") approving the designation of the District and the adoption of the Development Program for the District;

NOW THEREFORE, BE IT ORDERED BY THE TOWN COUNCIL OF THE TOWN OF OLD ORCHARD BEACH, MAINE:

Section 1. The designation of the District and pursuit of the Development Program will contribute to the expansion of affordable housing opportunities in the Town of Old Orchard Beach and will contribute to the betterment of the health, welfare and safety of the inhabitants of the Town, and therefore constitutes a good and valid public purpose.

Section 2. Pursuant to Chapter 206, Subchapter 3 of Title 30-A of the Maine Revised Statutes, as amended, the Town hereby designates *The Pines Affordable Housing Development and Tax Increment Financing District* and hereby adopts the Development Program for the District described as more particularly set forth in the documents presented to the Town Council in conjunction with this Order.

Section 3. Pursuant to the provisions of 30-A M.R.S.A. § 5250-A, the percentage of captured assessed value to be retained in accordance with the Development program is hereby established as set forth in the Development Program.

Section 4. The Town Manager be, and hereby is, authorized, empowered and directed to submit the proposed designation of the District and the proposed Development Program for the District to Maine Housing for review and approval pursuant to the requirements of 30-A M.R.S.A. Chapter 206, Subchapter 3; and further is authorized and directed to execute a Credit Enhancement Agreement consistent with the provisions of *The Pines Affordable Housing Development and Tax Increment Financing District* Development Program as presented and approved herein and to create the accounts and take all the actions described in such agreement consistent with the Development Program.

Section 5. The Town Manager be and hereby is authorized and empowered at his direction from time to time to make such revisions to the Development Program for the District as he deems reasonably necessary or convenient in order to facilitate the process of review and approval of the District by Maine Housing, or for any other reason, so long as such provisions are not inconsistent with these resolutions or the basic structure and intent of the Development Program. The Town Manager is also hereby authorized and directed to submit any reports to Maine Housing regarding the District and Development Program throughout the term of the District.

Section 6. The foregoing designation of the District and the adoption of the Development Program for the District shall automatically become final and shall take full force and effect upon receipt by the Town of approval of the proposed District by Maine Housing without requirements of further action by the Town, Town Council or any other party.

Section 7. The Town hereby finds and determines that:

a. At least twenty-five percent (25%), by area, of the real property within the District, as hereinafter designated, is suitable for residential use, blighted area or is in need of rehabilitation or redevelopment; and

b. The total area of the District does not exceed two percent (2%) of the total acreage of the Town, and the total area of all development districts within the Town, and the total area of all development districts within the Town does not exceed five percent (5%) of the total acreage of the Town; and

c. The original assessed value of the District plus the original assessed value of all existing affordable housing development districts within the Town does not exceed five percent (5%) of the total acreage of the Town.

d. The District and pursuit of the Development Program will contribute to the expansion of affordable housing opportunities within the municipality or to the betterment of the health, welfare or safety of the inhabitants of the Town. The Town has considered all evidence, if any, presented to it with regard to any substantial detriment to another party's existing property interests in the Town and has found and determined that such interested party's property interests in the Town are outweighed by the contribution made by the District

or Development Program to the availability of affordable housing within the Town or to the betterment of the health, welfare or safety of the inhabitants of the Town.

Section 8. The Town Manager is authorized to file the yearly reports required by Title 30-A M.R.S.A. § 5250-E and otherwise to take all lawful actions required in the administration of the District and Development Program.

Dated: April 21, 2015

MOTION: Vice Chair Thornton motioned and Councilor Tousignant seconded to Set the Public Hearing date of April 21st regarding “An Order DESIGNATING THE PINES AFFORDABLE HOUSING DEVELOPMENT AND TAX INCREMENT FINANCING DISTRICT AND ADOPTING THE DEVELOPMENT PROGRAM FOR SUCH DISTRICT, Town Council order 2015-1”.

VOTE: Unanimous.

#6379 Discussion with Action: Approve the Liquor License Renewals for Richard Payette dba/The Landmark Restaurant (306-5-6), 28 East Grand Avenue, m-s-v in a Restaurant; Thomas H. Humphrey dba/Tom’s Restaurant (306-4-4), 15 East Grand Avenue, m-s-v in a Restaurant; and Big Daddy’s Bar & Grill LLC dba/Big Daddy’s Bar & Grill (307-3-4), 13 Old Orchard Street, m-s-v in a Restaurant.

MOTION: Vice Chair Thornton motioned and Councilor Blow seconded to Approve the Liquor License Renewals as read.

VOTE: Unanimous.

6380 Discussion with Action: Set a Public Hearing date of April 21, 2015 to Amend the Town of Old Orchard Beach Code of Ordinance as follows: Table of Contents – Part II, Code of Ordinances, Chapter 6 Alcoholic Beverages; Chapter 6 – Alcoholic Beverages; Chapter 6 – Alcoholic Beverages, Article II – Special Amusement, Division 1 – Generally, Section 6-26 – Definitions, Section 6-27 – Purpose, Section 6-30 – Admission Charge; Chapter 6 – Alcoholic Beverages, Article II – Special Amusement, Division 2 – Permit, Section 6-61 – Required, Section 6-67 – Term.

BACKGROUND:

The Planner recently presented to the Town Council the ordinance amendments associated with Special Amusement Permits. The request for Special Amusement amendments came about due to a business that served food (did not serve liquor) and provided outdoor musical entertainment.

Current ordinances require Special Amusement Permits for premises that sell liquor consumed on premises and have music, dancing or entertainment of any sort. Bars and restaurants are the most common uses required to secure Special Amusement Permits. Restaurants and other uses that serve food and do not sell liquor on premises are not required to secure a Special Amusement Permit.

In consideration of how this matter came to the Town’s attention, the Council may choose to require Special Amusement Permits for premises that serve food to be consumed on or off site and have music (except a radio), dancing or entertainment of any sort but do not sell liquor consumed on premises.

Sec. 6-61 of the Special Amusement Ordinance includes the word “liquor” and not Malt and Vinous which are written on the liquor license (in addition to liquor), those businesses who sell Malt and/or Vinous and have music, dancing and entertainment still need a Special Amusement Permit because it all ties into the liquor license. In other words, a business that holds a license under the state alcoholic beverage statutes and has music, dancing and entertainment must secure a Special Amusement Permit. Second, please carefully consider any proposed ordinance amendments as it will be important to understand how new standards may impact other businesses so we can be sure to avoid creating unintended impacts. Important excerpts from Special Amusement Ordinance (Chapter 6):

Sec. 6-26. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Entertainment includes any amusement, performance, exhibition, or diversion, for the patrons or customers of the licensed premises, whether provided by professional entertainers or by full-time or part-time employees of the licensee whose incidental duties include activities with an entertainment value.

State law reference— Similar provisions, 28-A M.R.S.A. § 1054 10.

Licensee includes the holder of a license issued under the state alcoholic beverages statutes, 28-A M.R.S.A. § 1 et seq., or any other person or any agent or employee of any such licensee.

Sec. 6-61. - Required.

No licensee for the sale of liquor to be consumed on the licensed premises shall permit, on his licensed premises, any music except a radio or other mechanical device, any dancing or entertainment of any sort unless the licensee shall have first obtained from the town a special amusement permit signed by at least a majority of the municipal officers.

**Special Amusement Ordinance Amendments
(Draft 1 – 7 April 2015)**

Amendment to Table of Contents – Part II, Code of Ordinances, Chapter 6 Alcoholic Beverages

1. Table of Contents – Part II, Code of Ordinances, Chapter 6 Alcoholic Beverages shall be amended by adding the underscore language as follows:

Special Amusement and Alcoholic Beverages

Amendment to Chapter 6 – Alcoholic Beverages

2. Title of Chapter 6 – Alcoholic Beverages, shall be amended by adding the underscore language as follows:

Special Amusement and Alcoholic Beverages

Amendment to Chapter 6 – Alcoholic Beverages, Article II – Special Amusement, Division 1 – Generally, Section 6-26 – Definitions

3. Section 6-26 shall be amended by adding the underscore language as follows:

licensee includes the holder of a Business License for Victualer use or a holder of a
license issued under the state alcoholic beverages statutes, 28-A M.R.S.A. § 1 et seq., or
any other person or any agent or employee of any such licensee.

Victualer means a person who serves food or drink prepared for consumption by the
public.

**Amendment to Chapter 6 – Alcoholic Beverages, Article II – Special Amusement, Division 1 –
Generally, Section 6-27 – Purpose**

4. Section 6-27 shall be amended by adding the underscore language as follows:

Sec. 6-27. - Purpose.
The purpose of this article is to control the issuance of special permits for music,
dancing, or entertainment in facilities licensed by the state to sell liquor as required by 28-A
M.R.S.A. § 1054 and facilities that hold a Business License for Victualer use issued by the town
of Old Orchard Beach but do not sell liquor.

**Amendment to Chapter 6 – Alcoholic Beverages, Article II – Special Amusement, Division 1 –
Generally, Section 6-30 – Admission Charge**

**5. Section 6-30 shall be amended by adding the underscore and deleting the ~~strikethrough~~
language as follows:**

Sec. 6-30. - Admission charge.
A facility that holds a Business License for Victualer use, A a licensed hotel, class A
restaurant, class A tavern, or restaurant malt liquor license who has been issued a special
amusement permit may charge admission in designated areas approved by the special
amusement permit.

**Amendment to Chapter 6 – Alcoholic Beverages, Article II – Special Amusement, Division 2 –
Permit, Section 6-61 – Admission Charge**

6. Section 6-61 shall be amended by adding the underscore language as follows:

Sec. 6-61. - Required.
No licensee for a Business License for Victualer use or a licensee for the sale of
liquor to be consumed on the licensed premises shall permit, on his licensed premises, any
music except a radio or other mechanical device, any dancing or entertainment of any sort
unless the licensee shall have first obtained from the town a special amusement permit signed by
at least a majority of the municipal officers.

**Amendment to Chapter 6 – Alcoholic Beverages, Article II – Special Amusement, Division 2 –
Permit, Section 6-67 – Term**

7. Section 6-67 shall be amended by adding the underscore language as follows:

Sec. 6-67. - Term.
A special amusement permit shall be valid only for the license year of the applicant's
existing liquor license or, for a licensee that holds a Business License for Victualer use, the
license years of the Business License.

ORDINANCE:

**Special Amusement Ordinance Amendments
(Draft 1 – 7 April 2015)**

Amendment to Table of Contents – Part II, Code of Ordinances, Chapter 6 Alcoholic Beverages

1. Table of Contents – Part II, Code of Ordinances, Chapter 6 Alcoholic Beverages shall be amended by adding the underscore language as follows:

Special Amusement and Alcoholic Beverages

Amendment to Chapter 6 – Alcoholic Beverages

2. Title of Chapter 6 – Alcoholic Beverages, shall be amended by adding the underscore language as follows:

Special Amusement and Alcoholic Beverages

Amendment to Chapter 6 – Alcoholic Beverages, Article II – Special Amusement, Division 1 – Generally, Section 6-26 – Definitions

3. Section 6-26 shall be amended by adding the underscore language as follows:

Licensee includes the holder of a Business License for Victualer use or a holder of a license issued under the state alcoholic beverages statutes, 28-A M.R.S.A. § 1 et seq., or any other person or any agent or employee of any such licensee.

Victualer means a person who serves food or drink prepared for consumption by the public.

Amendment to Chapter 6 – Alcoholic Beverages, Article II – Special Amusement, Division 1 – Generally, Section 6-27 – Purpose

4. Section 6-27 shall be amended by adding the underscore language as follows:

Sec. 6-27. - Purpose.

The purpose of this article is to control the issuance of special permits for music, dancing, or entertainment in facilities licensed by the state to sell liquor as required by 28-A M.R.S.A. § 1054 and facilities that hold a Business License for Victualer use issued by the town of Old Orchard Beach but do not sell liquor.

Amendment to Chapter 6 – Alcoholic Beverages, Article II – Special Amusement, Division 1 – Generally, Section 6-30 – Admission Charge

5. Section 6-30 shall be amended by adding the underscore and deleting the ~~strikethrough~~ language as follows:

Sec. 6-30. - Admission charge.

A facility that holds a Business License for Victualer use. A licensed hotel, class A restaurant, class A tavern, or restaurant malt liquor licensee who has been issued a special amusement permit may charge admission in designated areas approved by the special amusement permit.

Amendment to Chapter 6 – Alcoholic Beverages, Article II – Special Amusement, Division 2 – Permit, Section 6-61 – Admission Charge

6. Section 6-61 shall be amended by adding the underscore language as follows:

Sec. 6-61. - Required.

No licensee for a Business License for Victualer use or a licensee for the sale of liquor to be consumed on the licensed premises shall permit, on his licensed premises, any music except a radio or other mechanical device, any dancing or entertainment of any sort unless the licensee shall have first obtained from the town a special amusement permit signed by at least a majority of the municipal officers.

Amendment to Chapter 6 – Alcoholic Beverages, Article II – Special Amusement, Division 2 – Permit, Section 6-67 – Term

7. Section 6-67 shall be amended by adding the underscore language as follows:

Sec. 6-67. - Term.

A special amusement permit shall be valid only for the license year of the applicant's existing liquor license or, for a licensee that holds a Business License for Victualer use, the license years of the Business License.

MOTION: Councilor Kelley motioned and Vice Chair Thornton seconded to Set a Public Hearing date of April 21, 2015 to Amend the Town of Old Orchard Beach Code of Ordinance as follows: Table of Contents – Part II, Code of Ordinances, Chapter 6 Alcoholic Beverages; Chapter 6 – Alcoholic Beverages; Chapter 6 – Alcoholic Beverages, Article II – Special Amusement, Division 1 – Generally, Section 6-26 – Definitions, Section 6-27 – Purpose, Section 6-30 – Admission Charge; Chapter 6 – Alcoholic Beverages, Article II – Special Amusement, Division 2 – Permit, Section 6-61 – Required, Section 6-67 – Term.

VOTE: Unanimous.

6381 Discussion with Action: Approve the purchase of a Parking Enforcement Vehicle, not to exceed \$15,000, for use in delivering coin canisters during the summer season with a transfer in the amount of \$15,000 from Account Number 25140-40516 – Sale of Town Owned Equipment, with a balance of \$21,149.96 to Account Number 25140-40516 – Sale of Town Owned Equipment, with a balance of \$21,149.96 to Account Number 20131-50551 – Operating Equipment Capital, with a balance of \$-0-.

BACKGROUND: The current parking enforcement vehicle was transferred to the Town's maintenance department. The Police Chief had included in the CIP budget and the Finance Committee tentatively approved) a new vehicle which would have been replaced in July. The parking enforcement vehicle which we provided to maintenance did not permit ample support for the coin canisters and we are looking to purchase a vehicle with a tailgate lift which can support the equipment needed. The Police Chief is asking the Council to approve this transfer of funds so that the purchase can be done in time for the summer season and parking enforcement responsibilities for collecting of the parking coins on Memorial Day.

Public Works Mechanic has located a vehicle that I believe will satisfy our needs for a parking enforcement vehicle. It is a 2008 Chevrolet Silverado Pickup truck that he believes is in excellent condition. The Chief of Police has seen the vehicle and agrees with his assessment. The vehicles price is \$8350 and several other similar vehicles (quotes attached) and still recommended this one. he also got a quote for a tailgate lift for \$1,600 that is also included. We have most of the equipment we need (radio, lights etc.) and Jim will install it. I would also like to get the truck bed Rhino lined at a cost of \$440. Lettering and any miscellaneous items should be around \$1000. Total should be \$12,000 or less. As was indicated quotes were received from the following:

21st Century Motors

\$ 8,350

Bill Dodge Auto Group

14,322

Bill Dodge
H.P. Fairfield LLC – Lift Dogg lift gate

8,333
1,600

MOTION: Councilor Tousignant motioned and Councilor Blow seconded to Approve the purchase of a Parking Enforcement Vehicle, not to exceed \$15,000, for use in delivering coin canisters during the summer season with a transfer in the amount of \$15,000 from Account Number 25140-40516 – Sale of Town Owned Equipment, with a balance of \$21,149.96 to Account Number 20131-50551 – Operating Equipment Capital, with a balance of \$-0-.

VOTE: Unanimous.

6382 Discussion with Action: Approve the purchase from ONSET of ten HOBO Conductivity Loggers at \$750 plus freight of \$29 for a total of \$7,529 to be used for work at the Ocean Park Marshes from Account Number 50002-50831 – Stormwater Maintenance & Improvements, with a balance of \$258,750.26.

BACKGROUND: The Conservation Commission is requesting a salinity measurement in the Ocean Park marshes. Some will be in water and some in the actual marsh itself and moved as data is secured. Volunteers will be doing the measurements and tracking which could start in late April or early May and would continue into the fall. The raising of the Tide Gate has created interesting channels of penetration deeper into the various marshes than we have not seen before. Since June is the most critical month for invasive seeds to grow, we are hopeful that greater salinity penetration is actually happening and Mother Nature will help by not being so nurturing. The Conservation Commission has put into their budget request the money to extend the pollution testing outside of what Maine Beaches provide to validate the assumption that the elevated pollution levels are being caused by a large influx of summer visitors. This would include measurements in the Spring as well as the Fall. Again, this will be done by volunteers but it has to be analyzed at the lab. The pollution testing efforts by the Town, while valiant, have yet to provide any concrete results.

Proforma Invoice/Quote



470 MacArthur Blvd
Bourne, MA 02532
Phone: 1-800-564-4377
Fax: 508-759-9100
sales@onsetcomp.com
www.onsetcomp.com

4/1/2015 5:00:05 PM

Onset Computer Corporation
470 MacArthur Blvd
Bourne MA 02532

508-759-9500

Customer: 78687

Ship To: 1

John Bird John Bird

Old Orchard Beach
One Portland Ave
Old Orchard Beach ME 04064
United States

Phone: 207-934-4009

Old Orchard Beach
One Portland Ave
Old Orchard Beach ME 04064
United States

Phone: 207-934-4009

Fax: **Email Address:** jrb_orbcc@yahoo.com

Estimate	Terms	Quote Date	Expiration Date	Salesperson	Ship Via
		E000019579 (N30)	To be Determined		

	Quantity	4/1/2015 Item	5/1/2015	Jack	UPS - Ground Unit Price Extended Price
	10	EA	750.00		7,500.00
U24-002-C		HOBO Conductivity Logger 100-55,000uS/cm			
					Sale Amount: 7,500.00
					Sales Tax 0.00
			Freight	29.00	
			Total Amount	\$7,529.00.	

MOTION: Councilor Blow motioned and Councilor Kelley seconded to Approve the purchase from ONSET of ten HOBO Conductivity Loggers at \$750 plus freight of \$29 for a total of \$7,529 to be used for work at the Ocean Park Marshes from Account Number 50002-50831 – Stormwater Maintenance & Improvements, with a balance of \$258,750.26.

VOTE: Unanimous.

GOOD AND WELFARE:

6383 Executive Session pursuant to 1 M.R.S. Section 405(6)E to discuss with the Town Attorney the legal rights and duties of the Town Council in regard to the regulation of medical marijuana facilities.

MOTION: Councilor Blow motioned and Councilor Kelley seconded to Enter into Executive Session pursuant to 1 M.R.S. Section 405(6)E to discuss with the Town Attorney the legal rights and duties of the Town Council in regard to the regulation of medical marijuana facilities.

VOTE: Unanimous.

MOTION: Councilor Blow motioned and Vice Chair Thornton seconded to Exit the Executive Session at 8:54 p.m. p.m.

VOTE: Unanimous.

ADJOURNMENT:

MOTION: Councilor Blow motioned and Councilor Kelley seconded to Adjourn the Town Council Meeting at 8:55 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 twenty-four (24) pages is a copy of the original Minutes of the Town Council Meeting of April 7, 2015.

V. Louise Reid