

**TOWN OF OLD ORCHARD BEACH  
TOWN COUNCIL MEETING  
Tuesday, December 1, 2015  
TOWN HALL CHAMBERS  
7:00 p.m.**

**A Town Council Meeting of the Old Orchard Beach Town Council was held on Tuesday, December 1, 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**

**Pledge to the Flag  
Roll Call**

**CHAIR: I request a motion to add an Emergency Item Agenda Item 6537 following after Agenda Item Number 7536.**

**MOTION: Councilor Kelley motioned and Councilor Blow seconded to Add an Emergency Agenda Item 6537 following after Agenda Item Number 7536.**

**Discussion with Action: Amend the Chamber of Commerce Special Event Permit for the Season by the Sea event for December 6, 2015; approved on October 6, 2015; to include closing First Street from Staples Street to the train station from 12:00 p.m. to 4:30 p.m.**

**VOTE: Unanimous.**

**ACKNOWLEDGEMENTS:**

**VICE CHAIR THORNTON: Join in the fun at the Old Orchard Beach Chamber of Commerce holiday traditional Celebration by the Sea. The Chamber of Commerce and OOB365 are joining together to make this an exciting Sunday for all residents and visitors on Sunday, December 6, 2015 from 2:00 to 4:00. Santa will arrive at the Chamber on the Christmas trolley, photos with Santa, free face painting and tattoos for the kids, local marching band, performances by area school choirs, hot dogs and hamburgers to purchase, free hot chocolate, cookies, popcorn, coffee and candy, wreaths for purchase to benefit the Milestone Friends, tree lighting in the Town Square at 4:00 and they will be collecting non-perishable food items at the Chamber to benefit our three local food pantries. In addition OOB365 will be having pictures taken at the American Legion; kids will shop with the elves where all items are 25 to 50 cents, painting, games, and Christmas cookies. This all will go on from 11:a.m. to 3:30 p.m. at the American Legion on Imperial Street and then everyone will head for the Christmas tree lighting at the Square at 4:00.**

**COUNCILOR BLOW:** We invite you to take part in the WINTER WONDERLAND HOLIDAY WALK. Winter Wonderland is a holiday lights tour sponsored by the Old Orchard Beach Recreation Department and the RSU 23 PTO. The event will take place in the walking trails behind the Jameson school on Friday, December 11<sup>th</sup> from 6:00pm-8:00pm. The event will consist of holiday lights and displays throughout the paths, accompanied by a storyboard walk. There will be concessions for sale in the Jameson gym, as well as festive crafts for children to take home with them. Pre-registration is \$7 per family, or \$10 per family at the door. To pre-register, visit the Old Orchard Beach Recreation Department behind the Loranger Middle School at 148 Saco Avenue. All proceeds will go to the PTO, as well as the Old Orchard Beach Summer Camp Scholarship Fund. For more information, please call the Old Orchard Beach Recreation Department at 207-934-0860, or visit their website at [www.oobrec.com](http://www.oobrec.com).

**COUNCILOR TOUSIGNANT:** Join us for the OOB365 Last Blast Beach Party on New Year's Eve. Send out 2015 with a bang! Come and enjoy hot cocoa kettle corn, cotton candy, marshmallow toasting pits, and great music from DJ Joeyoke. Best of all – there will be a bonfire starting at 5:00 p.m. where residents can bring their Christmas trees down to feed the fire, and then a fantastic fireworks display starting at 7:00 p.m.

**COUNCILOR KELLEY:** The Community Animal Watch would like to thank Tom Lacasse of the Brunswick and his staff for the kindness afforded them in holding a Raffle for the work of the Community Animal Watch. To all the business owners and citizens who donated items, we are extremely grateful and will use the funds to carry on the work with seniors and their animals. In addition, thanks to Tom for making the dinner for the Election Day staff which was enjoyed by all. Over \$1,200 was raised for the benefit of the Community Animal Watch and the work that they do.

**ASSISTANT TOWN MANAGER:** I would like to acknowledge a gift of \$250 from the SACO BIDDEFORD SAVINGS INSTITUTION toward the purchase of another Beach Wheelchair. We have already received other donations with the hope that this coming summer we will add another wheel chair to be used by citizens and tourists allowing access to the beach. We are always very grateful to our own SACO BIDDEFORD SAVINGS INSTITUTION which supports so many efforts in our community.

**ACCEPTANCE OF MINUTES:** Canvas & Certification of Municipal Election Minutes of November 16, 2015; Inaugural Meeting Minutes of November 16, 2015; Town Council Minutes of November 17, 2015; and Administrative Review Board Minutes of November 18, 2015.

**MOTION:** Councilor Kelley motioned and Councilor Tousignant seconded to Accept the Minutes as read.

**VOTE:** Unanimous.

#### **PUBLIC HEARING BUSINESS LICENSES AND APPROVAL:**

**CHAIR:** I open this meeting at 7:09 p.m.

David Ahearn (104-1-1-A), 48 Cascade Road, one year round rental; and Peter B. & Evelyn L. Farr (321-18-5), 18 Oceana Avenue, one year round rental.

**CHAIR:** I close this meeting at 7:06 p.m.

**MOTION: Councilor Tousignant motioned and Councilor Blow seconded to Approve the Business Licenses as read.**

**VOTE: Unanimous.**

**TOWN MANAGER'S REPORT:**

He reported that he met with the Finance Director to discuss process and planning for the FY17 Municipal budget. He will be bringing a proposed schedule to the Council at the next meeting. He reported that he has held initial discussions with an individual who is attempting to organize a new professional baseball league. He is interested in the Ballpark as a venue. This is very preliminary because at this time there is no owner identified for an OOB team and the other teams are still conceptual at this time. He will be giving the Town Council a report from the Town's engineering consultant regarding the structural condition of the ballpark facility. Public Works Department has completed the drainage and grading work at the Memorial Park Tennis Courts. They will be surfaced in the Spring. Met with the Chamber of Commerce Director to discuss the Town and Chamber and how we can best work together to promote the interests of Old Orchard Beach. He is working with the State Community Development program for the purpose of seeking grant funding for infrastructure work in the Washington Avenue area. He attended the State Stormwater Conference and participated as a presenter discussing the Town's efforts to address the Goosefare Brook Watershed. We anticipate that the Town will be audited in early 2016 by the Department of Environmental Protection concerning our compliance with stormwater regulations.

**NEW BUSINESS:**

**# 6529 Discussion with Action: Review proposed location at the Milliken Street Parking Lot of a Facility for collection and transfer of trash collected in beach and downtown municipal waste receptacles.**

**TOWN OF OLD ORCHARD BEACH  
Memorandum**

**November 25, 2015**

**TO: Members of the Town Council  
FROM: Larry S. Mead, Town Manager**

**RE: DOWNTOWN TRASH OPERATIONS AT MILLIKEN STREET PARKING LOT  
APPLICATION TO DEP FOR PERMISSION TO OPERATE IN 2016**

**Action required: Council vote on location of facility and proceeding with DEP permit application.**

**I am asking the Council to support locating a facility for handling downtown and beach trash during the summer months at the Milliken Street parking lot area. The Town needs to**

**proceed now with an application to the Department of Environmental Protection for a permit to handle downtown trash in 2016.**

**As the Council is aware the Town is required by the Department of Environmental Protection to relocate the base of operations for downtown trash removal during the summer months from the W. Grand comfort station. This past summer the DEP allowed the Town to stage collection of trash at the corner of Imperial and Seavey Streets, however this permission was for 2015 only.**

**Staff has this fall discussed with Council and with DEP using the Milliken St. Parking Lot area going forward as the location for temporary collection of trash from downtown and beach barrels. We have also had assistance from the Town's engineering consultant, Wright Pierce, in assessing where the preferred location for a facility is after taking into account other location factors such as flood zone standards, wetlands, soil conditions and setbacks.**

**The outcome of this due diligence is a recommendation to locate the facility at the rear of the parking lot and off the pavement, close to the center of the existing lot. Please look at the attached proposed location plan. As you can see the facility location is constrained by the fact that the FEMA flood zone designation covers most of the Town property west of the parking lot.**

- The proposed location is placed so that it is outside of the FEMA designated area.
- The proposed location is centered so that it is at least 350 feet from existing residential or lodging uses in the area and fairly equidistant from existing uses.
- The proposed location does not impinge on any designated wetland areas.

#### **What is Needed From Council Now**

**At this time I am asking the Council to support this proposed location so that the Town can quickly submit an application to DEP for the required permit. Time is of concern. It is important to make application to DEP now so that the Town can move forward with both constructing the facility and also selecting a contractor to provide trash collection and cleaning services downtown.**

#### **Next Steps**

**The following steps need to take place in order to have the facility ready for June:**

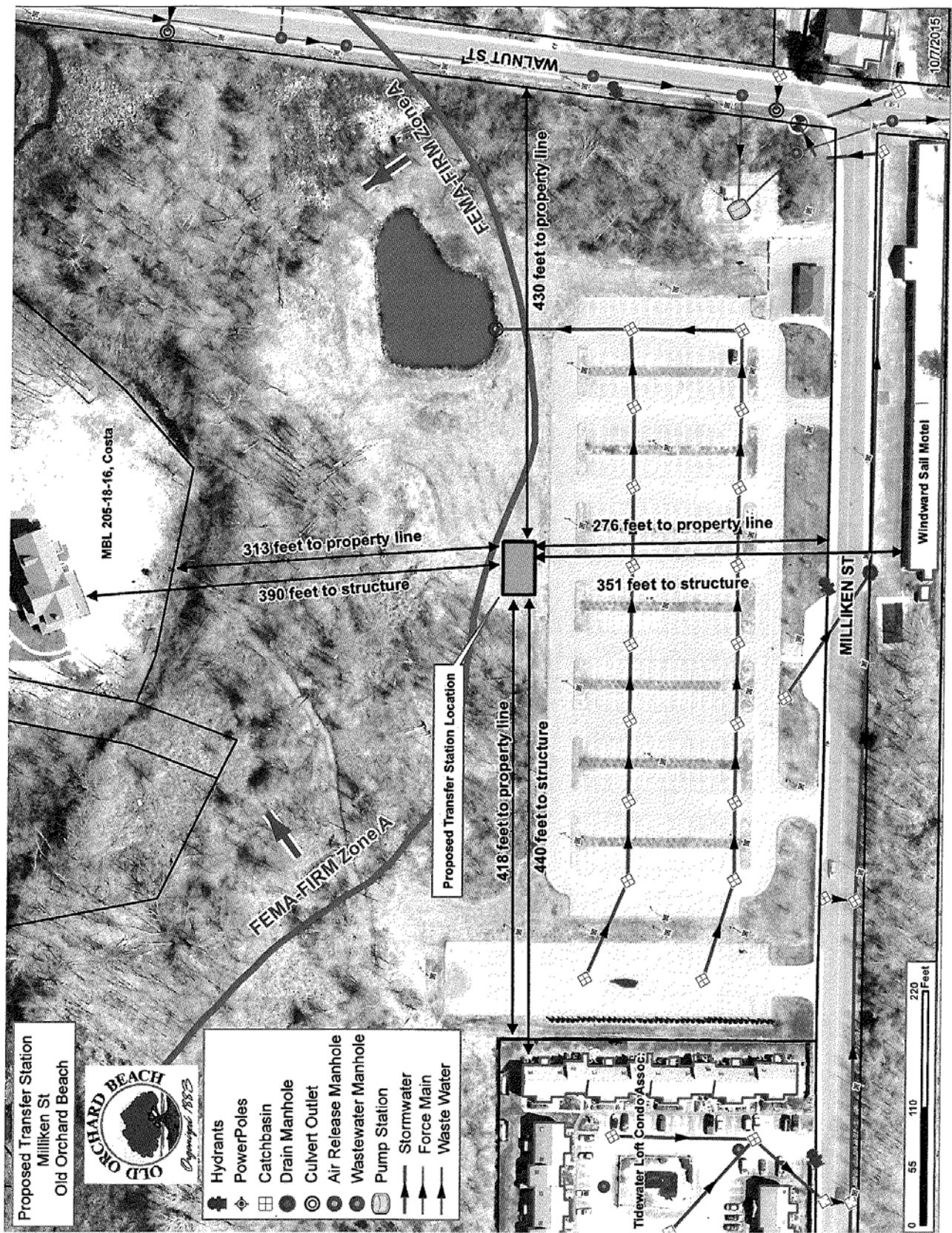
- Submit DEP permit application by mid-December.
- Decide on the type of building to be constructed (anticipating a 20x40 structure). By mid December.
- Work with consulting engineer on specifications.
- Determine cost estimate and source of funding. Get Council approval by January 5.
- Submit application in January to Planning office for required permits and design review.
- Issue bid for facility work and award bid by end of February.
- Issue RFP for trash collection and downtown cleaning contract: By January.
- Award downtown cleaning contract by March.

**As you can see there is much to be done in order to be ready for next season. Thank you for your attention to this project.**

Councilor Tousignant asked several questions not so much about the location but the need for a building. He indicated that historically we have never had a building and that the cost is something that has not been budgeted. The Town Manager explained that it probably would cost in the six figures and that a determination would have to be made as to what kind of a building – stick – pre-fabricated – modular – inflatable. It is under discussion and the Town Manager felt that a building would provide a degree of shelter and visible protection. Although not in the budget, consideration might have to be made to take funding from some other budgetary source or project or from Contingency. Councilor Tousignant said he was not sure a building was needed but other Councilors expressed a need for a degree of protection from the businesses and residents around it. John Bird asked questions about the need of only three months a year for use of the building. Again the Town Manager said that he was coming before the Council this evening to get approval for the proposed location at Milliken Street Parking Lot and that further consideration by the Council on these other issues will follow. Our consultant is coming up with recommendations and suggestions for this project. It was a decision that was made when we were no longer able to use the area behind the Comfort Station as we have for so many years.

**MOTION:** Councilor Kelley motioned and Councilor Blow seconded to Approve proposed location at the Milliken Street Parking Lot of Facility for collection and transfer of trash collected in beach and downtown municipal waste receptacles.

**VOTE:** Unanimous.



**# 6530      Discussion with Action: Approve proposal for Engineering Services from Woodard & Curran related to the Maintenance and Storage Building at the Wastewater Treatment Plant in an amount not to exceed \$13,000, funded by anticipated bond proceeds, Account Number 31148-50398**

**BACKGROUND:**

**This was a referendum item on the last ballot approved by the citizens for the construction of a garage and storage facility for the Wastewater Treatment Plan.**

**MOTION: Councilor Tousignant motioned and Councilor Blow seconded to Approve proposal for Engineering Services from Woodard & Curran related to the Maintenance and Storage Building at the Wastewater Treatment Plant in an amount not to exceed \$13,000, funded by anticipated bond proceeds, Account Number 31148-50398.**

**VOTE: Unanimous.**

COMMITMENT & INTEGRITY  
DRIVE RESULTS

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Portland, Maine 04102  
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T 800.426.4262  
T 207.774.2112  
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November 10, 2015



Larry Mead, Town Manager  
Town of Old Orchard Beach  
Old Orchard Beach Town Hall  
1 Portland Ave  
Old Orchard Beach, ME 04064

**Re: Proposal for Professional Services – WWTF Maintenance Garage On-Call Engineering Support Services**

Dear Larry:

Woodard & Curran (Engineer) is pleased to provide you with this Scope of Services related to the construction of the proposed maintenance garage at the Old Orchard Beach Wastewater Treatment Facility. We recently completed drawings and performance specifications for the proposed maintenance garage, which the Town will utilize in soliciting design-build proposals from contractors; we will be delivering hardcopies in the coming days for the Town to initiate the bidding process. During the design effort, we discussed with Wastewater Superintendent Chris White the Town's potential needs during the next phases of the project. The services outlined in this proposal represent the results of those discussions, for on-call engineering to support the Town during the final steps of local permitting and the subsequent request for proposal and design-build (construction) phases of the project.

**SCOPE OF WORK**

Based on the feedback received by Town staff and shared with Woodard & Curran, we understand the Planning Board is requesting stormwater management design in accordance with the Town's flooding standard. Woodard & Curran will complete the design of the Maintenance Garage stormwater management system for a 25-year storm in accordance with the Town's Code of Ordinances. Design will incorporate a roof dripline BMP around the rear of the building, designed in accordance with the MaineDEP Stormwater BMP Manual. The roof dripline BMP will be designed/sized to manage the net increase in impervious area resulting from the demolition of the existing garage and construction of the new garage. We will provide the stormwater management design narrative and calculations to the Town; we anticipate the Town will make the submission to the Planning office for review and consideration. We will incorporate the design into the appropriate project plans, and reissue copies to the Town for bidding.

During the request for proposal (bidding) and design-build phases and at the request of and in collaboration with the Town, Engineer may provide any of the following services, on an on-call basis:

1. Review of bidder proposals, qualifications and references;
2. Review of building, foundation, plumbing, and HVAC design drawings and submittals provided by the Contractor;
3. Respond to Contractor questions and requests for information;
4. Review of payment requisitions by the Contractor;
5. Observe construction of critical elements such as concrete foundation and building erection; and
6. Perform punch-list walk-through prior to final completion.





**SCHEDULE**

We anticipate the Town will advertise and solicit design-build proposals as early as November and that construction will be completed prior to Fall 2016; we understand the Town's goals and we have the staff available to provide on-call engineering support as described herein.

**BUDGET**

Given the permitting effort and anticipated construction taking between 4 and 5 months, we propose a time and materials budget not to exceed \$13,000 to perform services described within this proposal, billed per the attached 2015 Rate Schedule. We will communicate with the Town on our efforts relative to this budget and work requested, and will not exceed this budget without written authorization from the Town.

We anticipate Terms and Conditions shall be consistent with the executed Agreement between the Town of Old Orchard Beach and Woodard & Curran, and Exhibit B dated September 23, 2015. If this is acceptable to you, please indicate your agreement by signing this letter and return a copy for our records.

We appreciate this opportunity to continue working with you on this project, seeing the building through construction and welcome any questions you may have on this proposal. Please do not hesitate to call me with any questions you may have at 207.558.3667.

Sincerely,

WOODARD & CURRAN INC.

Handwritten signature of Barry Sheff in black ink.

Barry Sheff, P.E.  
Senior Vice President

Handwritten signature of Megan McDevitt in black ink.

Megan McDevitt, P.E.  
Project Engineer

BS/mm

Attachment: Maine Standard 2015 Rate Schedule

Accepted this \_\_\_\_ Day of \_\_\_\_\_, 2015

By: \_\_\_\_\_

Title: Town Manager

# Maine Standard Rates

## 2015 Rate Schedule



<b>Consultant Personnel</b>	
Labor Category	Hourly Rate
<b>I. Support Services</b>	
- Administrative / Clerical	\$65
- Project Assistant	\$85
<b>II. Professional Services</b>	
- Technician	\$80
- Designer / Engineer 1	\$95
- Survey/Mapping Specialist	\$100
- Engineer 2 / Geologist 1 / Regulatory Specialist / Scientist	\$105
- Engineer 3 / Resident Engineer	\$110
- Senior Designer / Project Geologist	\$115
- Project Engineer / Project Scientist / Project Technical Specialist 1	\$125
- Project Engineer 2 / Project Technical Specialist 2 / Senior Project Scientist	\$135
- Project Manager / Senior Geologist	\$165
- Senior Structural Engineer	\$175
- Senior Project Manager	\$185
- Principal Scientist-Geologist	\$195
- Principal Engineer	\$205
This Rate Schedule is confidential and for customer internal use only. W&C reserves the right to adjust billing rates each January 1st.	

### Expense Category

Travel <sup>1</sup>	.575/mile
Expenses	At Cost Plus 10%
Subcontracts (lab tests, drilling, etc.)	At Cost Plus 10%

1. Mileage rate will change as the federal allowable rate is modified.

**# 6531 Discussion with Action: Grant a Blanket Letter of Approval for Games of Chance and Beano to the C. Fayette Staples Post 57, American Legion, 14 Imperial Street, to expire 12/31/2017.**

**BACKGROUND: This is a yearly approval for operation of the American Legion Games of Chance and Beano.**

**MOTION: Councilor Blow motioned and Councilor Kelley seconded to Grant a Blanket Letter of Approval for Games of Chance and Beano to the C. Fayette Staples Post 57, American Legion, 14 Imperial Street, to expire 12/31/2017.**

**VOTE: Unanimous.**

**# 6532 Discussion with Action: Approve the Special Event Permit application for OOB365 to hold Last Blast on December 31<sup>st</sup>, 2015, 2016 and 2017 from 4:00 p.m. to 8 p.m. in the Square and on the beach, including vendors, a DJ, a bonfire and fireworks on the beach. Pyrotechnics Company to provide proof of licensure from the State Fire Marshall's Office to the Town Clerk's Office at least one week prior to the event each year; Insurance, listing the Town of Old Orchard Beach as additionally insured, to be provided to the Town Clerk's Office at least one month prior to each year's event; and a request to waive the fee, as the event is being co-sponsored by the Recreation Department.**

**MOTION: Councilor Blow motioned and Vice Chair Thornton seconded to Approve the Special Event Permit as read.**

**VOTE: Unanimous.**

**# 6533 Discussion with Action: Approve the Special Event Permit for OOB365 to hold Winter Carnival 2016, 2017 and 2018 (last Friday and Saturday of school vacation each year), to include a snow hill, grill for hot cocoa, pony rides, and music. For 2016, the dates are Friday and Saturday, February 19<sup>th</sup> and 20<sup>th</sup>; OOB365 members working with Public Works to build the snow hill. Old Orchard Street closed Friday and Saturday, all day, and close Veteran's Square (behind Town Hall) on Saturday for set-up and access; Insurance, listing the Town Old Orchard Beach as additionally insured, to be provided to the Town Clerk's Office at least one month prior to each year's event; and a request to waive the fee, as the event co-sponsored by the Recreation Department.**

**MOTION: Councilor Blow motioned and Vice Chair Thornton seconded to Approve the Special Event Permit as read.**

**VOTE: Unanimous.**

**# 6534 Discussion with Action: Approve the Special Event Permit application for the Eastern Trail Alliance to hold the "Maine Lighthouse Bike Ride" Saturday, September 10<sup>th</sup>, 2016 from 7 a.m. to 3 p.m.; Rest stop in Memorial Park and Heath Street; Insurance, listing the Town of Old Orchard Beach as additionally insured, to be provided to the Town Clerk's Office at least one month prior to the event.**

John Gallo spoke about the importance of nothing disrupting the Parkinson's race which is held at the same time. The Town Clerk indicated that it is really two different routes. Vice Chair Thornton requested that it be noted in the motion that there should be no conflict.

**MOTION:** Vice Chair Thornton motioned and Councilor Blow seconded to Approve the Special Event Permit as read with the understanding that no conflict with the Parkinson race scheduled for the same time period.

**VOTE:** Unanimous.

**# 6535 Discussion with Action:** Approve the Special Event Permit application for the Special Olympics of Maine to hold their annual Lobster Dip on the beach by the Brunswick on Friday, January 1<sup>st</sup>, 2016 from 9 a.m. to when the "Dip" takes place at noon; clean up by 1 p.m. No parking allowed on West Grand Avenue; two police officers required; Insurance, listing the Town of Old Orchard Beach as additionally insured, to be provided to the Town Clerk's Office at least one week prior to the event.

**MOTION:** Councilor Tousignant motioned and Councilor Blow seconded to Approve the Special Event Permit as read.

**VOTE:** Unanimous.

**# 6536 Discussion with Action:** Approve the Special Event Permit application for Donald and Michele Grotton to hold a wedding ceremony on the beach to the left of the Pier on Saturday, September 10<sup>th</sup>, 2016. Set-up of roped off area, including tiki torches, begins at 10 a.m., ceremony at noon, and takedown by 2 p.m. Rain date of September 17<sup>th</sup>, 2016. Insurance, listing the Town of Old Orchard Beach as additionally insured, to be provided to the Town Clerk's Office at least one month prior to the event.

**MOTION:** Councilor Tousignant motioned and Councilor Kelley seconded to approve the Special Event Permit as read.

**VOTE:** Unanimous.

**# 6537 Discussion with Action:** Amend the Chamber of Commerce Special Event Permit for the Season by the Sea event for December 6, 2015; approved on October 6, 2015; to include closing First Street from Staples Street to the train station from 12:00 p.m. to 4:30 p.m.

**MOTION:** Councilor Tousignant motioned and Councilor Kelley seconded to Amend the Chamber of Commerce Special Event Permit for the Season by the Sea event for December 6, 2015; approved on October 6, 2015; to include closing First Street from Staples Street to the train station from 12:00 p.m. to 4:30 p.m.

**VOTE:** Unanimous.

**ADJOURNMENT:**

**MOTION: Councilor Kelley motioned and Councilor Kelley seconded to Adjourn the Town Council Meeting at 7:39 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 thirteen (13) pages is a copy of the original Minutes of the Town Council Meeting of December 1, 2015.  
V. Louise Reid**