

**TOWN OF OLD ORCHARD BEACH
TOWN COUNCIL MEETING
TUESDAY, MARCH 6, 2007
TOWN HALL CHAMBERS**

A Town Council Meeting of the Old Orchard Beach Town Council was held on Tuesday, March 6, 2007. Chairman Joseph Kline opened the meeting at 7:01 p.m.

Pledge of Allegiance and Roll Call:

Present were:

**Councilor Robin Dayton
Councilor Roxanne Frenette
Councilor James Long
Vice Chair Shawn O'Neill
Chairman Joseph Kline**

ACKNOWLEDGEMENTS:

COUNCILOR FRENETTE: On Saturday, February 24, 2007, Kaylee M. Godan of Old Orchard Beach was presented the Christopher Scott Cash Memorial Scholarship gift of \$1,500. The gift was presented at the home of Nancy and Bob Kelley. Christopher Cash's children, Christopher, Jr. and Matthew, along with their mother, Mrs. Samantha Cheatham and sister, Ms. Sophia Cheatham. We congratulate Kaylee on receiving this prestigious award.

COUNCILOR DAYTON: The Recreation Department again is sponsoring the Easter Parade scheduled for Saturday, May 31, 2007 and we encourage those interested in participating to contact the Recreation Department. We also extend an invitation from the Old Orchard Beach Historical Society to attend their mid-winter meeting on Tuesday, March 13, 2007 at 7:00 p.m. Refreshments will be served and this is a marvelous opportunity to join this program.

COUNCILOR O'NEILL: Congratulations to the Recreation Department for the great coverage in the Journal Tribune on a "Place for Teens." We acknowledge the work of Jason Webber and Nikki Duplisea of the Recreation Department and the opening of its doors to students from 7th to 10th grade after school until 8:00 p.m., three days a week. For their creativity and their vision, we give them a lot of credit. Best of luck in this new program.

ACCEPTANCE OF MINUTES: Town Council Minutes of February 20, 2007; and Special Town Council Minutes of February 28, 2007.

MOTION: Councilor Long motioned and Councilor O'Neill seconded to approve the Town Council Minutes of February 20, 2007 and the Special Town Council Minutes of February 28, 2007.

VOTE: Unanimous.

BUSINESS LICENSES: Jeanne LaChance dba/JJ's Eatery Too (306-5-1-B), 12B Old Orchard Street, Juke Box, Entertaining & Dancing, Sign Victualers; Randall Main (206-6-9), 26 Shady Lane, three year round rentals; Julie Erickson (105A-1-400-F3), 53 Wild Dunes Way, Unit F3, one year round rental; Michael Richard (314-14-11), 106 Ocean Avenue, one year round rental; Andy Luong dba/CK Ice Cream, Ice Cream Mobile Truck, no inspection required; and Gardner & Barbara Shaw (104-1-29-20), 116 Portland Avenue, one year round rental.

MOTION: Councilor Frenette motioned and Councilor Long seconded to approve the business licenses as read.

VOTE: Unanimous.

NEW BUSINESS:

1082 Discussion with Action: Approval of Liquor License Renewal for New Pier Pizza Corp – Lucille DeChristofore dba/Pier Pizza (306-6-1-1), 2 Old Orchard Street, malt and vinous in a Restaurant.

MOTION: Councilor O'Neill motioned and Councilor Long seconded to approve the Liquor License Renewal as read.

VOTE: Unanimous.

1083 Discussion with Action: Approval of Liquor License Renewal for Jeanne Lachance dba/JJ's Eatery (307-3-4-) 2 West Grand Avenue, malt, spirituous and vinous in a Class A Lounge.

MOTION: Councilor Long motioned and Councilor Frenette seconded to approve the Liquor License Renewal as read.

VOTE: Unanimous.

1084 Discussion with Action: Adopt the Proposed Ordinance Entitled "Old Orchard Beach Ordinance Prohibiting Operation of Chem-Free Dances in Drinking Establishments."

CHAIRMAN KLINE: Two Public Hearings were held on this issue and the Council listened to suggestions made by the public and have now presented those changes for consideration at this meeting. We made a couple of changes including separation of age group with one suggestion not allow any business under 17.

**OLD ORCHARD BEACH ORDINANCE
PROHIBITING OPERATION OF CHEM-FREE DANCES
IN DRINKING ESTABLISHMENTS**

WHEREAS, the Town Council of the Town of Old Orchard Beach finds that it has become an increasingly common practice for certain drinking establishments, as defined in the Old Orchard Beach Zoning Ordinance, to suspend the sale, service and consumption of alcoholic beverages for specified periods of time and to operate so-called “chem-free” dances during those times; and

WHEREAS, such chem-free dances are promoted to attract and do attract attendance by persons under the age of 21, who are not allowed to consume alcoholic beverages under Maine law; and

WHEREAS, such chem-free dances cause young people under the age of 21 to congregate and socialize on premises which are designed, arranged, configured and decorated for the purpose of selling and serving alcoholic beverages and which are ordinarily used for the consumption of alcoholic beverages; and

WHEREAS, such young persons under the age of 21 are not allowed to be present in such drinking establishments without a parent or guardian whenever alcoholic beverages are being served in such establishments; and

WHEREAS, allowing young persons under the legal drinking age to congregate and socialize in an establishment which is ordinarily used for the consumption of alcoholic beverages may have the effect of encouraging such persons under the age of 21 to mimic or imitate the behavior which normally occurs in drinking establishments and may thereby encourage underage drinking;

NOW, THEREFORE, be it hereby ordained by the Town Council of the Town of Old Orchard Beach, Maine, in Town Council assembled, as follows:

Definitions.

As used in this Ordinance, the following terms have the following meanings:

- A. *Chem-free dance* means a dance, concert, party or other social event at which no alcoholic beverages are served and which is open to persons under the age of 21.**
- B. *Drinking establishment* has the same meaning as in Section 78-1 of Chapter 78 of the Code of Ordinances, Town of Old Orchard Beach, Maine¹ and includes, but is not limited to, Class A lounges and taverns, both as defined at 28-A M.R.S.A. § 2.**

I. Chem-free dances in drinking establishments restricted.

¹ Section 78-1 of Chapter 78 of the Code provides as follows: *Drinking establishment* means any establishment which is licensed by the state to serve alcoholic beverages for on-premises consumption, unless the establishment (i) is equipped with a separate and complete kitchen and with dining room equipment; (ii) has the capacity to prepare and serve full course meals; and (iii) is primarily and regularly used for the purpose of providing full course meals. The term "full course meals" means meals consisting of a diversified selection of food which ordinarily cannot be consumed without tableware and cannot be conveniently consumed while standing or walking. The term "drinking establishment" does not include an establishment licensed under 28-A M.R.S.A § 1061 et seq. as a hotel, bed and breakfast, golf course or club.

No person, including an owner or lessee of the property on which a drinking establishment is located and any operator or manager of a drinking establishment, shall operate or permit the operation of a chem-free dance in a drinking establishment, unless the following restrictions are observed.

- a. No alcoholic beverages shall be served, sold or consumed on the property occupied by the drinking establishment during the time a chem-free dance is in progress and during the one-half hour periods preceding and following the chem-free dance.
- b. Attendance at any chem-free dance shall be restricted to one of two age groups, either ages 13 through 16 or ages 17 through 20, and at no time shall attendees from both age groups be present during a chem-free dance. This paragraph does not apply to persons employed in connection with the operation of the chem-free dance or to parents of attendees.
- c. All chem-free dances must end and all attendees must leave the property, including exterior portions of the property and any public street, sidewalk or parking area adjacent to the property, no later than 11:00 p.m.
- d. All signage, displays or artwork advertising or depicting alcoholic beverages or the consumption of alcoholic beverages, including labels and packaging materials, shall be fully covered or removed from the property so as not to be visible at any time during the chem-free dance and during the one-half hour periods preceding and following the chem-free dance.
- e. All alcoholic beverages shall be removed from any portion of the property where persons under the age of 21 are permitted to be present during the chem-free dance and during the one-half hour periods preceding and following the chem-free dance.
- f. The person operating the chem-free dance shall provide police protection both indoors and outdoors during the chem-free dance and during the one-half hour periods preceding and following the chem-free dance at that person's expense. The police protection may be an officer of the Old Orchard Beach Police Department or another police officer or security officer approved in advance by the Chief of the Old Orchard Beach Police Department.

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II. Violations, penalties, remedies.

Any person who violates Section II of this Ordinance commits a civil violation punishable by a civil penalty of no less than \$500 and no greater than \$_____ for each violation. Each chem-free dance held in violation of this Ordinance is a separate offense and each person who operates or permits the operation of a chem-free dance is separately liable for the penalties set forth in this section. In addition, the Town may enjoin the operation of any chem-free dance planned or proposed in violation of this Ordinance.

III. Enforcement.

This Ordinance shall be enforced by the Police Department of the Town of Old Orchard Beach.

IV. Purpose.

The purpose of this Ordinance is not to control the sale, service or consumption of alcoholic beverages, but to regulate conduct in drinking establishments only during those times when the establishments are not serving alcoholic beverages.

V. Applicability.

Upon enactment, this Ordinance shall apply to all drinking establishments, existing or proposed.

VI. Severability.

A determination of invalidity of any provision of this Ordinance shall not invalidate any other part hereof.

COUNCILOR DAYTON: I personally feel that we should only have the 17 to 20 year olds and that the 13 to 16 be eliminated.

COUNCILOR O'NEILL: It is my understanding that we are adopting this ordinance as it was given to us. Is that correct? What we were presented in our packet is what we are going to adopt.

CHAIRMAN KLINE: Yes that it true. 13 to 16 years are to be separated; 17 to 20 year olds. I just wanted to know if you wanted to make any further changes.

COUNCILOR O'NEILL: I recommend that we adopt the ordinance as it is written .

COUNCILOR FRENETTE: Second for discussion. I would in the future like to have an off duty police offer at the door but having a Workshop to discuss what goes on inside and outside. I concur that we should have police inside and out.

CHAIRMAN KLINE: That is already included. There was not a consensus.

COUNCILOR DAYTON: Who pays for the police officers? It is not taxpayer expense.

CHAIRMAN KLINE: It is the business owner's responsibility that does that.

MOTION: Councilor O'Neill motioned and Councilor Frenette seconded to Adopt the Proposed Ordinance Entitled "Old Orchard Beach Ordinance Prohibiting Operation of Chem-Free Dances in Drinking Establishments."

VOTE: Yea: Councilors Long, Frenette, Dayton and Chairman O'Neill.
Nea: Councilor Dayton

COUNCILOR LONG: There is a blank for the fine.

CHAIRMAN KLINE: Going by the State law. This follows the State law. As the State changes – the ordinance changes with it.

**# 1085 Discussion with Action: Amend Article VI, Section 38-236 through 245 –
Boarding Up of Seasonal Facilities.**

CHAIRMAN KLINE: Two Public Hearings were recently held on this issue and the Ordinance Amendment is now being brought before the Council for a vote.

ARTICLE VI. BOARDING UP OF SEASONAL FACILITIES

Sec. 38-236. 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:

Boarding up permit means a Permit issued to allow the installation of security panels in compliance with this article.

Boarding up plan means a written proposal, which may include drawings, photographs, diagrams, and samples of materials explaining how proposed security panels will meet the design criteria of section 38-241.

Building means any enclosed structure offering support, shelter, or enclosure to persons, animals, or property of any kind.

Dwelling means a building or portion thereof used exclusively for residential occupancy, including one-family, two-family and multifamily dwellings, but not including hotels, motels, lodging houses or boarding houses.

Not occupied means not in use because the building is closed for a season or for some similar extended period of time. A building will be presumed to be not occupied if it is closed for three or more consecutive weeks.

Security panel means any materials attached to cover the openings of a building when it is not occupied, and which are placed over or attached in place of the permanent windows, doors or other working coverings regularly utilized when the building is occupied. The term "security panel" includes permanently installed overhead doors, sliding gates, shutters and similar fixtures which close over the regularly utilized doors and windows.

(Ord. of 5-6-2003, § 3)

Cross references: Definitions generally, § 1-2.

Sec. 38-237. Purpose.

The town has numerous seasonal facilities, which must secure their buildings during the off-season months to protect against vandalism and the elements. The purpose of this article is to regulate the methods of boarding up buildings to promote consistency in design, materials, and installations, so as to avoid the appearance of economic depression, social blight, and to protect surrounding property values.

(Ord. of 5-6-2003, § 1)

Sec. 38-238. Applicability.

This article shall apply to all buildings, other than dwellings and their accessory structures, located in the general business districts 1 and 2 (GB-1, GB-2), the downtown design districts 1 and 2 (DD-1, DD-2), the beachfront resort district (BRD), the amusement overlay district (AO), neighborhood commercial districts 1 and 2 (NC-1, NC-2), and that portion of residential district 3 (R-3) situated between the Atlantic Ocean and West Grand Avenue, including all property with road frontage on West Grand Avenue as delineated on the official zoning map and described in chapter 78, zoning. Ord. of 5-6-2003, § 2)

Sec. 38-239. Enforcement.

The town code enforcement officer shall enforce the requirements of this article. If a property violates any portion of this article, the code enforcement officer shall notify the property owner of the violation by certified mail or hand delivery. Failure to correct the violation cited within ~~30~~ 7 days from the date notification was mailed or 5 days from the date notification was hand delivered shall subject the property owner to all penalties and legal remedies available to the town under section 38-244.

(Ord. of 5-6-2003, § 8)

Sec. 38-240. Permit required.

(a) No person shall install or cause to be installed any security panel on any building subject to this article without first obtaining a boarding up permit from the town design review committee or a renewal permit from the code enforcement officer.

(b) No person who owns a building subject to this article shall permit the installation of any security panel on that building without first obtaining a boarding up permit from the town design review committee or a renewal permit from the code enforcement officer.

(c) In case of any emergency need to secure a building because of fire, storm or other sudden damage, the code enforcement officer may issue a temporary boarding up permit without review under subsection (a) or (b) of this section, such permit to expire no later than 60 days after issuance.

(d) This article shall not apply to any action taken by the town under statute, code or ordinance to protect health or safety by securing a vacant structure against unauthorized entry.

(Ord. of 5-6-2003, § 4)

Sec. 38-241. Design criteria.

(a) Security panels shall be consistent in design, texture and color with the appearance of the building to which they are attached, shall be securely installed so as to prevent removal by vandalism or dislocation by action of the elements and shall be attached so as to present a neat and orderly appearance.

(b) Oriented strand board (OSB), particleboard, homesote, or similar glue and fiber building products shall be prohibited as a suitable material for security panels.

(Ord. of 5-6-2003, § 5)

Sec. 38-242. Permit process.

(a) **Submission.** All applications for an initial boarding up permit shall be submitted to the code enforcement officer on forms provided by the building department at least ten days prior to the next regularly-scheduled meeting of the design review committee. An application for a permit under this article shall be accompanied by a nonrefundable fee as specified in the schedule of license, permit and application fees in Appendix A of this Code.

(b) **Site walk.** The design review committee may, at its discretion, conduct a public site walk of the property to acquaint members with the subject property and investigate the compliance of the proposed boarding up scheme with this article.

(c) **Decision.** Within 30 days of receiving a boarding up application, the design review committee shall render a decision to grant or deny the boarding up permit. Failure by the committee to render a decision within the 30-day review period shall represent a denial of the application by default.

(d) **Renewals.** Annual renewals of boarding up permits shall be issued by the code enforcement officer under the conditions of section 38-243.

(Ord. of 5-6-2003, § 6)

Sec. 38-243. Duration of boarding up permits.

(a) All boarding up permits shall be valid for a period of one year from the date of issuance.

(b) Permits may be renewed on a yearly basis by the code enforcement officer and without review by the design review committee under section 38-242, provided that all of the following conditions are fulfilled:

(1) The color, texture, or design of the security panels or the building facade has not been substantially altered during the permit period.

(2) The security panels remain in good structural, physical, and visual condition as originally approved by the design review committee, and there is no evidence of peeled, faded, or flaking paint, damage to support and structural elements of the panel, or deterioration of the panel fastens.

(3) The applicant has submitted a completed boarding up permit renewal application on forms available from the building department, prior to the expiration date of the boarding up permit.

(c) Expired boarding up permits and all applicants that have failed to submit renewal applications before the expiration period shall be required to submit new permit applications to the design review committee in accordance with section 38-242.

(Ord. of 5-6-2003, § 7)

(d) Security panels shall not be installed before November 1st and must be removed no later than May 1st each year.

Sec. 38-244. Penalties.

~~Any person who violates any provision of this article commits a civil violation punishable by a civil penalty of \$100.00 for each day the violation continues after notice, and the expiration of the 30-day correction period as set forth in section 38-243. In addition, the town may pursue all remedies and relief available at law or in equity, including without limitation the remedies and relief provided in 30-A M.R.S.A. § 4452.~~

~~(Ord. of 5-6-2003, § 9)~~

Any person who violates any provision of this Article and any person who owns a building which is boarded up in violation of this Article commits a civil violation punishable as provided in 30-A M.R.S.A. section 4452.

Sec. 38-245. Appeals.

Appeals of the decision of the code enforcement officer in enforcement of this article shall be made to the design review committee on forms provided by the building department. Appeals from the decisions and actions of the design review committee shall be made to the York County Superior Court pursuant to rule 80E of the section.

(Ord. of 5-6-2003, § 10)

Secs. 38-246--38-270. Reserved.

CHAIRMAN KLINE: I did a reversal on this and make the changes on the dates only and that is the only change and to have a Workshop later on this.

COUNCILOR LONG: Is this Town wide or is it just a certain section. If we have done away with listing the zones – how does this affect people safeguarding their property.

CHAIRMAN KLINE: It is the existing ordinance; only the times are changed.

COUNCILOR LONG: At the last Public Hearing the zones were listed. If we have done away with listing the zones how does this ordinance affect those people trying to protect their property?

COUNCILOR FRENETTE: It is just the business section not residences.

CHAIRMAN KLINE: The only change was the dates. We have updated the State law penalties. We do plan to have Workshops when people who are not here in the winter will have an opportunity to express their opinion.

COUNCILOR FRENETTE: I just want to hold you to your promise to have Workshops.

MOTION: Councilor O'Neill motioned and Councilor Frenette seconded to Amend Article VI, Section 38-236 through 245 – Boarding Up of Seasonal Facilities.”

VOTE: Unanimous.

1086 Discussion with Action: Set a Workshop for Tuesday, March 13, 2007 at 7:00 p.m. to discuss School, Department Head, Town Council and Capital Needs and Goals.

CHAIRMAN KLINE: The desire of the Town Council to address issues of goals and capital concerns of the School, Department Heads, and Town Council will be addressed at this Workshop.

MOTION: Councilor Frenette motioned and Councilor Dayton seconded to Set a Workshop for Tuesday, March 13, 2007 at 7:00 p.m. to discuss School, Department Head, Town Council and Capital Needs and Goals.”

COUNCILOR LONG: I would request that be televised.

CHAIRMAN KLINE: Yes it would be televised.

COUNCILOR O’NEILL: I have a sense of frustration. We need to break this down into departments. Given our history entering into the budget cycle we have always had department heads sitting and waiting to make their presentation and then we have not gotten to them. This is unfair to them. We need to set the order so they know who is expected to be presented that evening.

CHAIRMAN KLINE: The School will speak first followed by the Department Heads. We would then set a continuance based on how far we get along. Right now we don’t know how long each one is going to take.

COUNCILOR O’NEILL: Given history, these take a long time. A minimum of a half hour is adequate but it is fair to let them know when we are going to discuss that night so the department heads don’t sit here for three hours. It is not fair to the department heads.

CHAIRMAN KLINE: It is only the capital needs. When we have their meetings individually we will consider the time frame but these are only capital needs. This should not take more than two hours. Let’s have the school and who would you recommend next?

COUNCILOR DAYTON: Why can’t we start at 6:00 p.m? Does it just have to be one day?

COUNCILOR FRENETTE: I agree with Councilor O’Neill’s request because we can’t schedule meeting after meeting and expect us to attend each one.

CHAIRMAN KLINE: Let’s exclude Police and Fire. The School is not going to take that long. We are not deliberating; we are just hearing capital needs. When we start talking about the budget that is when we get into the details.

COUNCILOR LONG: I agree with Councilor O’Neill and still have a number of folks who have not spoken. The budget is to be presented the end of March. I agree with Councilor O’Neill that we have in the past sat here for hours. I appreciate these

workshops but I fully expect to hear requests in many millions of dollars and we will have questions about that. Unless we restrict the departments to certain amount of time and they have to squeeze their presentation into that time frame, this will not work. It is unfair for the department heads to sit in the audience and watch the clock go by and they do not have an opportunity to present.

CHAIRMAN KLINE: This is a workshop to hear what they are proposing. It is not to deliberate. It is a presentation by power point or paper. There is no reason in the two hours that we can't present the school and the department heads.

COUNCILOR O'NEILL: I can read. If that is your reason for a workshop I see no need for a Workshop.

CHAIRMAN KLINE: I know that but the public has to be knowledgeable as well.

COUNCILOR LONG: I would like to have a written presentation from each department head. I would not want to speak for the School. I would think they have more than two hours.

CHAIRMAN KLINE: They don't have that much infrastructure to fill two hours. This is capital needs. It does not take a lot of time to talk about their needs. You have plenty of time to do your homework and then when we will have more opportunity to present big ticket items down to their operating budget. The operating budget is the one that takes a great deal of time and I will be specific about time frames in that.

COUNCILOR FRENETTE: We should not be limiting the conversation to capital needs. They have asked for a meeting with us. I do think that we owe it to the school board that we meet with them and I would like to meet with them and discuss not just their capital needs but other needs that they have presented. It is going to boil down to that but we should not be limiting the conversation to just capital needs. I don't have a problem committing a meeting to them and another night to the department heads. I do want to sit down and discuss their concerns.

CHAIRMAN KLINE: The purpose of the workshop is to review their capital needs and you can do your own homework and then when we have more detailed workshops it would take more than the presentation of capital. I know this is a new direction for the Council and change is difficult and changing and breaking the paradigm is the purpose of this workshop.

TOWN MANAGER: I don't want to speak for the School. I did have a conversation with Mr. Matthews. We have met several times. My team will be able to meet their capital needs in an hour in a half. I believe we can cover the whole gamut in a couple of hours. The Town Administration will do theirs in 90 minutes and the school can do theirs in 30 minutes.

LAURA BOLDUC: I serve as the Chair of the School Board. We asked last October for a meeting with the Town Council and we wanted to talk about consolidation and regionalization. We have had a couple of requests to meet – we have not been able to get a date – no dialogue. I need some clarity of the workshop. That is not what we have consistently asked for since October. Is the town going to support the school or not? The Chair of the Council has presented some myth dates of meetings and now we have a date

and a sudden clarity of what we are going to be able present. You said you don't play games but after five months I question that. On January 20th we were told that we would have a meeting in February that we would get dates to meet and we still don't have a date. We wanted to discuss school improvements, direction about grade levels, a variety of topics related to our school and the children that we represent. The Council has been unresponsive under your leadership. Phone mails, non-response, you have received our request. I feel this is the most unprofessional Council I have ever had to work with.

CHAIRMAN KLINE: The meeting with Rick Matthew was held and I asked him to discuss those issues with you and when all those parts of information are available we would have an opportunity to discuss and things would not be disjointed.

LAURA BOLDUC: The Superintendent sent out an e-mail asking for a meeting again and saying perhaps it is just a difference of opinion with the Chair. The Council has been unresponsive. I do know that you have received our request. I feel this is the most unprofessional Council I have ever worked with but he is your chosen leader. Is it a presentation – or is it a workshop? You have broad stroked what it will be and the protocol is set by you. Is that how typical workshops are done by the Council?

COUNCILOR LONG: We have a motion and a second before us – discussion is within the Council and certainly under good and welfare they can present their grievances.

CHAIRMAN KLINE: If we adhered to that order all along – but we have not. I am not going to censure because I don't agree with you because we have broken that rule many times. We don't follow and practice that rule.

LAURA BOLDUC: Roberts Rules? You have your own set of rules? I appreciate your honesty on the lack of dates being provided by you to the Superintendent.

VOTE: Yea: Councilors Long, Frenette, Dayton and Chairman Kline.
Nea: Councilor O'Neill

CHAIRMAN KLINE: I would suggest we move Good and Welfare to before the Executive Session.

GOOD AND WELFARE:

JEANNIE LECHANCE – JJ's Eatery II will be hosting a pancake breakfast for the children before the Easter Parade on the 31st of March and we are pleased to do this for them.

DANNIE SISSON: So what I understand is you want the Galaxy to stay open. I understand the age difference and I met with the Police and they understand that it is difficult to ID young people. I agree with your age difference and having a police officer at the door - \$160 a night – I agree with that too. But closing at 11:00 p.m. will put me out of business. I am just throwing that to you. Closing at 11:00 seems unfair to me. Old Orchard Beach comes alive at 11:00 p.m. We didn't know anything about this being on the agenda. If you don't read the paper you don't know. If you want to go that way – go .

SHERRIE MACDONALD: We invite members of the Council to the Basketball Tournament on Friday night – all the raise money for Old Orchard Beach graduates.

ASSISTANT TOWN MANAGER: I wish to publicly express my appreciation to BRASS for the very generous donation of \$500 to Junior Achievement. They expressed their appreciation for the Junior Achievement program which we have conducted here in Town Hall over the past two years and they support the program completely. Again, the Junior Board of Achievement wishes to express appreciation publicly for their generosity.

COUNCILOR LONG: I wish to express thanks to the children of the 5th Grade for their excellent letters of thanks they have sent to departments head and the Town Council for their special visit to our town hall in February. My compliments to the children and their teachers.

1087 Executive Session Pursuant to 1 M.R.S.A. Section 405(6)© for discussion of the use of publicly held real and personal property. (Note: The Council anticipates the discussion portion will occur in Executive Session.)

MOTION: Councilor Frenette motioned and Councilor Long seconded to enter into Executive Session Pursuant to 1 M.R.S.A. Section 405(6)© for discussion of the use of publicly held real and personal property. (Note: The Council anticipates the discussion portion will occur in Executive Session.)

VOTE: Unanimous.

MOTION: Councilor Frenette motioned and Councilor O'Neill seconded to close the Executive Session.

VOTE: Unanimous.

ADJOURNMENT:

MOTION: Councilor Frenette motioned and Councilor Dayton seconded to adjourn the meeting at 7:43 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 true copy of the original Minutes of the Town Council Meeting of March 6, 2007.

V. Louise Reid