

**TOWN OF OLD ORCHARD BEACH
TOWN HALL CHAMBERS
TOWN COUNCIL MEETING
TUESDAY, APRIL 21, 2020**

A Town Council Meeting of the Old Orchard Beach Town Council was held on Tuesday, April 21, 2020. Chair Thornton opened the meeting at 6:30 p.m.

The following were in attendance:

Chair Joseph Thornton
Vice Chair Shawn O'Neill
Councilor Kenneth Blow
Councilor Jay Kelley
Councilor Michael Tousignant
Town Manager Larry Mead
Assistant Town Manager V. Louise Reid
Finance Director Diana Asanza

Absent:

DUE TO COVID-19, THE PUBLIC WILL NOT BE ABLE TO ATTEND THIS MEETING IN PERSON. PLEASE WATCH THE MEETING ON SPECTRUM 1301, OR GO ON-LINE TO WWW.OOBMAINE.COM AND CLICK ON "MEETING VIDEOS" AND WATCH THE MEETING LIVE, AND IT WILL BE ARCHIVED TO WATCH AT A FUTURE DATE.

To Submit Public Comment for Good and Welfare
and Public Hearings – e-mail your comments to:

Councilcomments@oobmaine.com,
up to and during the meeting
until the time of Good and Welfare
or of the Public Hearing.

Pledge to the Flag
Roll Call

ACKNOWLEDGEMENTS:

Oceanwood is hosting a Blood Drive on Monday, April 27th from 12:00 noon to 5:00 pm. At the Oceanwood Camp and Conference Center in Ocean Park. Please call Jen Hayes at 934-9655 or e-mail her at jen@oceanwood.org and make a reservation to donate blood. Blood donations are in dire need and we appreciate your help.

GOOD AND WELFARE:

ACCEPTANCE OF MINUTES: Accept the Town Council Meeting Minutes of April 9, 2020; Town Council Budget Workshop Minutes of April 9, 2020; and Town Council Workshop of April 14, 2020.

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

VOTE: Unanimous.

PUBLIC HEARING BUSINESS LICENSES AND APPROVAL:

CHAIR: I open this Public Hearing at 6:39 p.m.

April Nelson (206-9-7-5), 90 Saco Avenue, #2, one year round rental; Audrey & Dan Cabral (322-3-3), 25 Massachusetts Avenue, one year round rental; James Albert dba/Dimitri, Inc. (211-9-17-B), 213 Saco Avenue, one year round rental; Tim Siciliano & Laura Siciliano (302-7-1-2), 152 East Grand Avenue Unit #2, one year round rental; and American Legion (205-7-8XB), 14 Imperial Street, Victualers w/prep & No Alcohol Sales; and Renewal Fee Waived.

CHAIR: I close this Public Hearing at 6:40 p.m.

MOTION: Councilor Blow motioned and Councilor Kelley seconded to approve the Business Licenses as read.

VOTE: Unanimous.

PUBLIC HEARING AMUSEMENT PERMITS AND APPROVAL:

CHAIR: I open this Public Hearing at 6:41 p.m.

Jaime LaCasse & Thomas LaCasse dba/Sunset Bar & Grill (307-1-6), 6 Fernald Street – Live Music – Hours of Entertainment – 2:00 p.m. to 10:00 p.m. – Outside; to run concurrent with the Liquor License Approved on April 9, 2020.

CHAIR: I close this Public Hearing at 6:42 p.m.

MOTION: Councilor Blow motioned and Councilor Kelley seconded to Approve the Amusement Permit as read.

VOTE: Unanimous.

TOWN MANAGER’S REPORT:

As a result of the COVID-19 Pandemic many families are facing challenging times in non-traditional ways and need assistance. The Town of Old Orchard Beach is seeking contributions to the OOB Community Resource Fund to be used for Old Orchard Beach individuals or families who are in economic distress for basic needs such as food, housing, utilities, heat, and clothing. If you would like to contribute, please mail a check made out to

the Town of Old Orchard Beach with “Community Resource Fund” in the memo line. Your donation will bring comfort and security at a difficult time. We continue to encourage everyone to practice social distance and if possible, stay at home. We are waiting for the Governor’s decision as to when to open the State up for business activities. This is of course affection our community economically but the safety of our residents is our primary concern.

NEW BUSINESS:

7204 Discussion with Action: Convey foreclosed property identified as 17 Wilson Drive, Parcel Numbers T0675-00000-00000 to owners of record Dianne Curry, for the total amount of \$800.94 in outstanding taxes and accumulated interest, due on the effective date of conveyance, including FY 2007 taxes, plus any legal costs incurred by the Town of Old Orchard Beach.

Background:

The assessed value of this Mobile Home has been greatly reduced due to its condition since 2009. The value was further reduced to \$1,600 assed value in 2017. Based on the review of the Mobile Home, it has no value going forward.

MOTION: Councilor Blow motioned and Vice Chair O’Neill seconded to Convey foreclosed property identified as 17 Wilson Drive, Parcel Numbers T0675-00000-00000 to owners of record Dianne Curry, for the total amount of \$800.94 in outstanding taxes and accumulated interest, due on the effective date of conveyance, including FY 2007 taxes, plus any legal costs incurred by the Town of Old Orchard Beach.

VOTE: Unanimous.

CURRENT OWNER		TOPO	UTILITIES		STRT / ROAD	LOCATION	CURRENT ASSESSMENT				4521 OLD ORCHARD BEACH, ME VISION					
CURRY DIANNE		1 Level	2 Public Water	1 Paved	2 Suburban	Description	Code	Assessed	Assessed							
17 WILSON DR OLD ORCHARD ME 04064		SUPPLEMENTAL DATA		Alt Prcl ID OLD ORCHARD VILLAGE MH MBL'S 107-3-2		LND	1031	0	0							
GIS ID 628		NOTES 1 NOTES 2 NOTES 3 NOTES 4 ACCESS		NOTES 7 NOTES 8 PFTC MVR EXE		Total		0	0							
RECORD OF OWNERSHIP		BK-VOL/PAGE	SALE DATE	Q/U	V/I	SALE PRICE	VC	PREVIOUS ASSESSMENTS (HISTORY)								
CURRY DIANNE		NON	06-29-1998	U	V	0		Year	Code	Assessed	Year	Code	Assessed	Year	Code	Assessed
PENDEXTER GARY E		NON	04-27-1990			0		2020	1031	500	2020	1031	500	2019	1031	500
ALLEN RICHARD ESTATE OF		NON	01-01-1989	U	I	1 04			1031	1,100		1031	1,100		1031	1,100
Total								Total	1600	Total	1600	Total	1600	Total	1600	1600
EXEMPTIONS				OTHER ASSESSMENTS				This signature acknowledges a visit by a Data Collector or Assessor								
Year	Code	Description	Amount	Code	Description	Number	Amount	Comm Int								
Total			0.00													
ASSESSING NEIGHBORHOOD																
Nbhd	Sub	Nbhd Name	B	Tracing	Batch											
0001	A															
NOTES																
GREENBRIER - YELLOW HMSTD EX ADDED 3/25/08																
RV = MH HAS NO VALUE 3/23/20																
REMOVED SHED																
AP = PER VISIT 11/2/07																
ALUMINUM SKIRTING																
BUILDING PERMIT RECORD								VISIT / CHANGE HISTORY								
Permit Id	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp	Comments	Date	Id	Type	Is	Cd	Purpost/Result		
									03-23-2020	WD	03		11	Assessor Review		
LAND LINE VALUATION SECTION																
B	Use Code	Description	Zone	Land Type	Land Units	Unit Price	Size Adj	Site Index	Cond.	Nbhd.	Nbhd. Adj	Notes	Location Adjustment	Adj Unit P	Land Value	
1	103V	Mobile Hom MD	R-4		0 SF	0.01	1.00000	0	1.00		1.000		0.0000	0.01	0	
Total Card Land Units					0 SF	Parcel Total Land Area					0.0000	Total Land Value				0

CONSTRUCTION DETAIL			CONSTRUCTION DETAIL (CONTINUED)									
Element	Cd	Description	Element	Cd	Description							
Style: 99		Vacant Land										
Model: 00		Vacant										
Grade:												
Stories:												
Occupancy:												
Exterior Wall 1:												
Exterior Wall 2:												
Roof Structure:												
Roof Cover:												
Interior Wall 1:												
Interior Wall 2:												
Interior Fir 1:												
Interior Fir 2:												
Heat Fuel:												
Heat Type:												
AC Type:												
Total Bedrooms:												
Total Bthrms:												
Total Half Baths:												
Total Xtra Fixtrs:												
Total Rooms:												
Bath Style:												
Kitchen Style:												
			CONDO DATA Parcel Id: [C] [B] [S] Owne: 0.0 Adjust Type: [] Code: [] Description: [] Factor: [] Condo Fir: [] Condo Unit: []									
			COST / MARKET VALUATION Building Value New: [] Year Built: [] Effective Year Built: [] Depreciation Code: [] Remodel Rating: [] Year Remodeled: [] Depreciation %: [] Functional Obsol: [] External Obsol: [] Trend Factor: [] Condition: [] Condition %: [] Percent Good: [] Cns Sect Rcnld: [] Dep % Ovr: [] Dep Ovr Comment: [] Misc Imp Ovr: [] Misc Imp Ovr Comment: [] Cost to Cure Ovr: [] Cost to Cure Ovr Comment: []									
OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)												
Code	Descript	Sub	Sub Ty	L/B	Units	Unit Pric	Yr Bilt	Cond. C	% Gd	Grade	Grade A	Appr. V
BUILDING SUB-AREA SUMMARY SECTION												
Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value						
Ttl Gross Liv / Lease Area		0	0	0		0						

No Sketch



7205 Discussion ith Action: Approve the Services of Automatrix Automation Engineers in the amount of \$30,340 to fully automate the Wastewater Pump and the associated processes, from Account Number 30181 – 50330 – Sewer Reserve Fund, with a balance of \$856,177.44.

BACKGROUND:

As part of the dewatering upgrade that took place in 2017 a serviceable pump was left over. The Department worked closely with T-Buck Construction and Nova Electric to install and repurpose the pump. This quote is to fully automate the pump and the associated processes. This would have been included in any future upgrade. One quote was provided by Automatrix Automation Engineers. Results Engineering declined to quote. Those are the only two companies this Department uses when performing control work.

MOTION: Councilor Blow motioned and Councilor Kelley seconded to Approve the Services of Automatrix Automation Engineers in the amount of \$30,340 to fully automate the Wastewater Pump and the associated processes, from Account Number 30181-50330 – Sewer Reserve Fund, with a balance of \$856,177.44.

VOTE: Unanimous.



Automatrix

AUTOMATION ENGINEERS



March 31, 2020

P.O. Box 56
Winthrop, Maine 04364
Tel: 207-377-3487
Fax: 240-255-2367
e-mail: Info@AutomatrixInc.com

Mr. Christopher White
Mr. Mike Hersey
Old Orchard Beach Wastewater

Re: WWTP WAS/RAS Controls
Automatrix Quote #: 11506-R2

R1: Added IO and increased enclosure size

R2: removed 1 Ain and 1 Aout card

Automatrix is pleased to provide the following estimate for one PLC Control Panel with controls programming for WAS/RAS and yard drain pump systems.

PLC Enclosure w/ PLC and PanelView:

- (1) NEMA 4/12 Wall Mounted Enclosure, 60"H x 36"W x 12"D Single door, painted steel back panel. Fully assembled and wired with control hardware.
- Enclosure light with switch
- (1) 120 VAC Main Circuit Breaker and associated 120 VAC fusing for AC power distribution.
- (2) 24 VDC 10A Lutz Power supplies with status contacts and associated 24VDC fusing for DC power distribution.
- (1) Ethernet Switch – 5 port
- Misc. CAT6 Shielded Ethernet Patch Cables
- Phoenix Contact Terminals & Fuse blocks.
- (1) GFCI Duplex convenience outlet

- **HMI Hardware:**
 - PanelView Plus 7 Standard Terminal, Touch Screen, 6.5 inches, TFT Color, Single Ethernet, 24V DC, Windows CE

- **PLC Hardware:**
 - (1) 1769-L33ER CompactLogix 5370 L3 Controller, 2MB memory
 - (1) 1769-PA4 Power Supply
 - (2) 1769-OF8C 8 Channel Analog Current Output Module (need 7)
 - (2) 1769-IF8 8 Channel Analog Current/Voltage Input Module (need 8)
 - (2) 1769-OW16 16 Point VAC/VDC Relay Output (need 7)
 - (2) 1769-IQ16 16 Point DC Digital Input Module (need 7)

Engineering and Panel Fabrication Details:

- Engineering and electrical design of control panel layouts, wiring and grounding details..
- CADD of all drawings to be submitted For Approval, For Construction, and As-Built. AutoCAD DWG files to be provided at the end of the project.

Programming Services:

- PLC programming services of WAS/RAS, secondary clarifier level controls, and yard pump as requested via 8 Ain, 7 Aout, 7 DO, 7 DI



1 of 2

- PanelView Graphic terminal programming for above controls. Main graphic and alarming

Commissioning (T&M):

Estimate includes (2) days onsite as required to assist with installation and to commission the new controls.

Actual time will be billed at \$135 per hour and \$60 per hour during travel. Mileage is billed at \$0.60 per mile. All expenses will be billed as actual. Quote valid for 90 days

Pricing Summary:

Hardware/Services Estimate:	\$27,700
Commissioning Estimate (T&M):	\$2,640

Delivery in about 6 weeks

Lump Sum Terms:

1. 45% of Project Total upon order submittal
2. 55% of Project Total upon project completion

Terms are per progress schedule. NET 30 days from date of invoice. Freight is prepaid and added. F.O.B. Shipping point.

Quote valid for 45 days.

I look forward to working with you. Please call with any questions.

Sincerely,



Jason Momeault
Senior Automation & Controls Engineer
www.AutomatrixInc.com

7206 Discussion with Action: Approve the Liquor License Renewal for Richard Payette dba/The Landmark (306-5-6), 28 East Grand Avenue, m-s-v in a Restaurant.

MOTION: Councilor Blow motioned and Councilor Kelley seconded to Approve the Liquor License Renewal for Richard Payette dba/The Landmark (306-5-6), 28 East Grand Avenue, m-s-v in a Restaurant.

VOTE: Unanimous

7207 Discussion with Action: Per State LD 2167, Grant the Town Clerk authority to Sign License Renewals under Title 28-A, Part 3 of the Maine Revised Statutes, retroactive to April 9th, 2020.

Background:

On March 17, 2020 the 129th Legislature of the State of Maine passed LD 2167, which is titled “An Act To Implement Provision Necessary to the Health Welfare and Safety of the Citizens of Maine in Response to the COVID-19 Public Health Emergency.” LD 2167 was an emergency measure and became effective immediately. Part of LD 2167 authorizes the “municipal officers,” in our case the Town Council, to approve the renewal of licenses under Title 28-A, Part 3, without a Public Hearing. Licenses under said Part 3 include Liquor Licenses and Special Amusement Licenses. This Order would grant the Town Clerk the authority to sign those License Renewals after the Town Council approves them.

MOTION: Councilor Kelley motioned and Councilor Blow seconded to: Per State LD2167, Grant the Town Clerk authority to Sign License Renewals under Title 28-A, Part 3, of the Maine Revised Statutes retroactive to April 9, 2020.

VOTE: Unanimous.

7208 Discussion: Consider granting to Mezoian Development LLC. a 50’ wide easement on Town property located on Ross Road, Assessor’s Map 107, Block 2, Lot 18, for the purpose of providing access from Ross Road to a proposed 34 lot residential subdivision. In return for granting the easement Mezoian Development LLC will convey to the Town a 27 +/- acre parcel of land that is contiguous to the existing Town property.

Background:

Mezoian Development is proposing a 34 lot cluster subdivision of single family houses. The proposed development is located on Ross Road, adjacent to Town land. The area is generally known as Blueberry Plains. While most of this area has been privately owned public access for hiking and other passive recreational use has been allowed for many the years. The Town owns an 8 acre parcel and a 4 acre parcel in this area that are managed by the Conservation Commission.

The Town Manager read into the Minutes an e-mail from Kimbark G. Smith, Chair of the Conservation Commission. “As you all know, we only have a few pieces of land available for trails. All of the viable plots we have already developed. In fact the two pieces of land in this area have been landlocked by private ownership. This added piece will allow us to

expand Blueberry Plains and make it a more viable destination. Although it is being used now we have found in other developments around Milliken Mills Woods for example, that the new owners embrace the trail areas and help to monitor and maintain them and usage goes up exponentially especially where a number of the new owners are retirees. We would expect similar results from new owners in Sumpter Landing. Lastly, this new acreage will also provide protection for part of the Goosefare Brook Watershed that Maine DEP is focusing on cleaning up and some of the cleanest water that exists in the watershed is in this area.

MOTION: Councilor Blow motioned and Councilor Kelley seconded to move forward to the next agenda the proposal to grant to Mezoian Development LLC. a 50' wide easement on Town property located on Ross Road, Assessor's Map 107, Block 2, Lot 18, for the purpose of providing access from Ross Road to a proposed 34 lot residential subdivision. In return for granting the easement Mezoian Development LLC will convey to the Town a 27 +/- acre parcel of land that is contiguous to the existing Town property.

VOTE: Unanimous.

Sumpter Landing

Ross Road, Old Orchard Beach

- The plan includes two 20' access easements for drainage. The developer should discuss with public works to ensure the access is adequate and the Town has rights to access in case of maintenance.
- The applicant submitted a mini traffic analysis which shows peak hour trips are well under the required number that warrant a traffic movement permit. Our concern is the crash history data does not extend down to the Ross Rd/Cascade Rd intersection. If this area was included what would the numbers look like?
- Safety on Ross Road is one of the primary abutter concerns- more traffic and dangerous for pedestrians. Is the applicant proposing anything to help address these concerns?
- Make sure building envelopes reflect setbacks and green perimeter strips which essentially serve as a setback.
- Is the PB ok with street light locations and numbers. Winter St. has an 1,100 foot stretch without any light.
- The Nason property, adjacent to the Winter St. access to Ross Rd, should be buffered/screened from noise and headlights
- The Nelson property, across Ross Rd from the Winter St. access, will have headlight impacts. How can this be addressed?
- The Bartley property, adjacent to the Summer St. access, should be screened/buffered.
- What is the use and ownership of the small triangle of land between lot 1 and Ross Rd? I assume it's open space. Please identify on the preliminary plan.
- In the plan notes include the amount of open space and state: "shall not be used for future building lots."
- Cluster subdivisions require property owners to meet certain standards in Sec. 74-278 (a) – (d). These standards are heavy on building as an important part of the overall design and dedication and maintenance of open space. Regarding site overall design, we feel the applicant needs to provide more information including building orientation and location on the lot, how each building is an element of the overall plan, buffering/screening location and type, landscaping, how existing vegetation will be left intact. Regarding open space, the HOA does include paragraph on this but we question if this is enough to demonstrate conformance with 74-278 (c). Maintenance responsibilities? What are the rights, interest and privileges for each lot owner? Remember, cluster subdivision allows for smaller lot sizes and frontage but to receive this the development must be designed to meet the cluster subdivision standards.
- Related to the bullet directly above, Sec. 74-278 (d) (4) requires a 20' wide (minimum) green perimeter strip along each side or rear lot line and the entire front lot line except for the driveway. The proposal shows a 20' rear green perimeter strip so the side lot perimeter strip is not required. Also, there is a front lot setback of 25' which could include this green perimeter strip. Note #19 on the preliminary plan helps memorialize this comment but we recommend it is changed so it states only the side and rear lot has this perimeter strip. The developer will want to be sure that each homeowner and building contractor is aware these 20' zone exist as a no build (except for a driveway) area. We recommend the same language in the note is added to each deed.
- DEP permitting status?
- Stephanie Hubbard will provide comments within a separate memo. We ask the applicant to address these comments.
- Assessing Comments. Part of Assessing responsibilities include addressing for E-911 purposes. Assessing states the proposed Street names, Summer and Winter, are too similar to existing street names, Summit and Wintergreen. Also, they ask for the E-911 street numbers to be added to the plan.
- It would be nice to see an area within the subdivision dedicated as a public park/meeting place.
- A trail system within the subdivision linking to the open space and sidewalks would be a nice touch.

RECOMMENDATIONS:

We believe this proposal is close to a determination of completeness but the Board should consider a few questions and we feel the Board needs more information.

Questions for the PB:

1. Second Access: How does the PB feel about moving forward with the proposal without Council approval of the easement? Should the applicant secure Council approval before the PB rules or will a condition attached to

approval (if approved) be acceptable? Should anything be done before a determination of completeness? Remember, the proposal requires a second access and the only way to avoid is through a waiver.

2. Waiver- what are the PB's thoughts?
3. Zoning Map Amendment. The PB decided to run subdivision review and the zoning map amendment on parallel tracks. When should the PB resume its consideration of the map amendment proposal?

Need more information:

1. Submission of additional information to demonstrate conformance with the cluster subdivision standards.
2. Address the March 2019 Preliminary Plan comments.
3. Address peer review comments from Stephanie Hubbard.

1. Looking South
towards creek



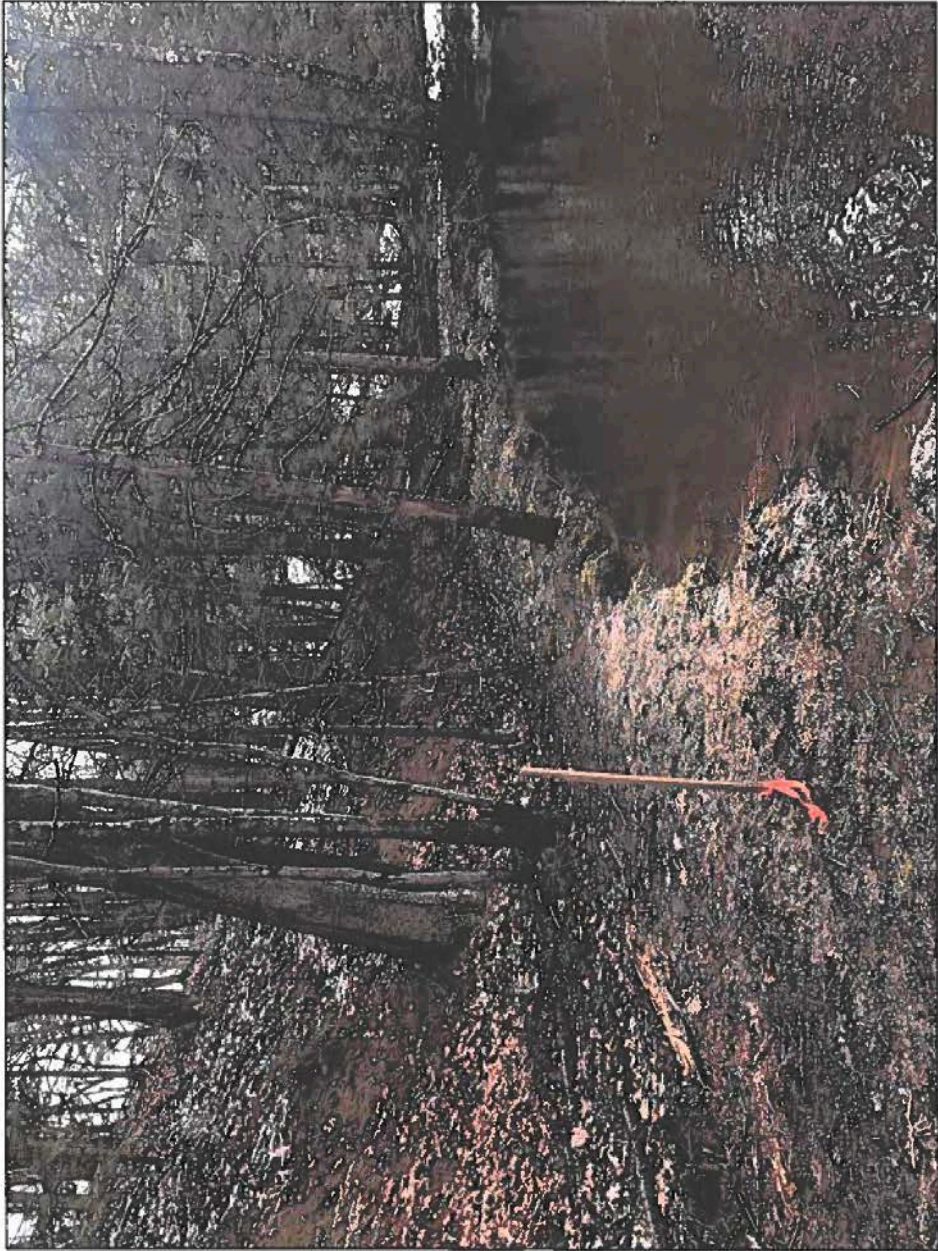
2. Looking South
towards creek



3. Creek Looking south
into Saco



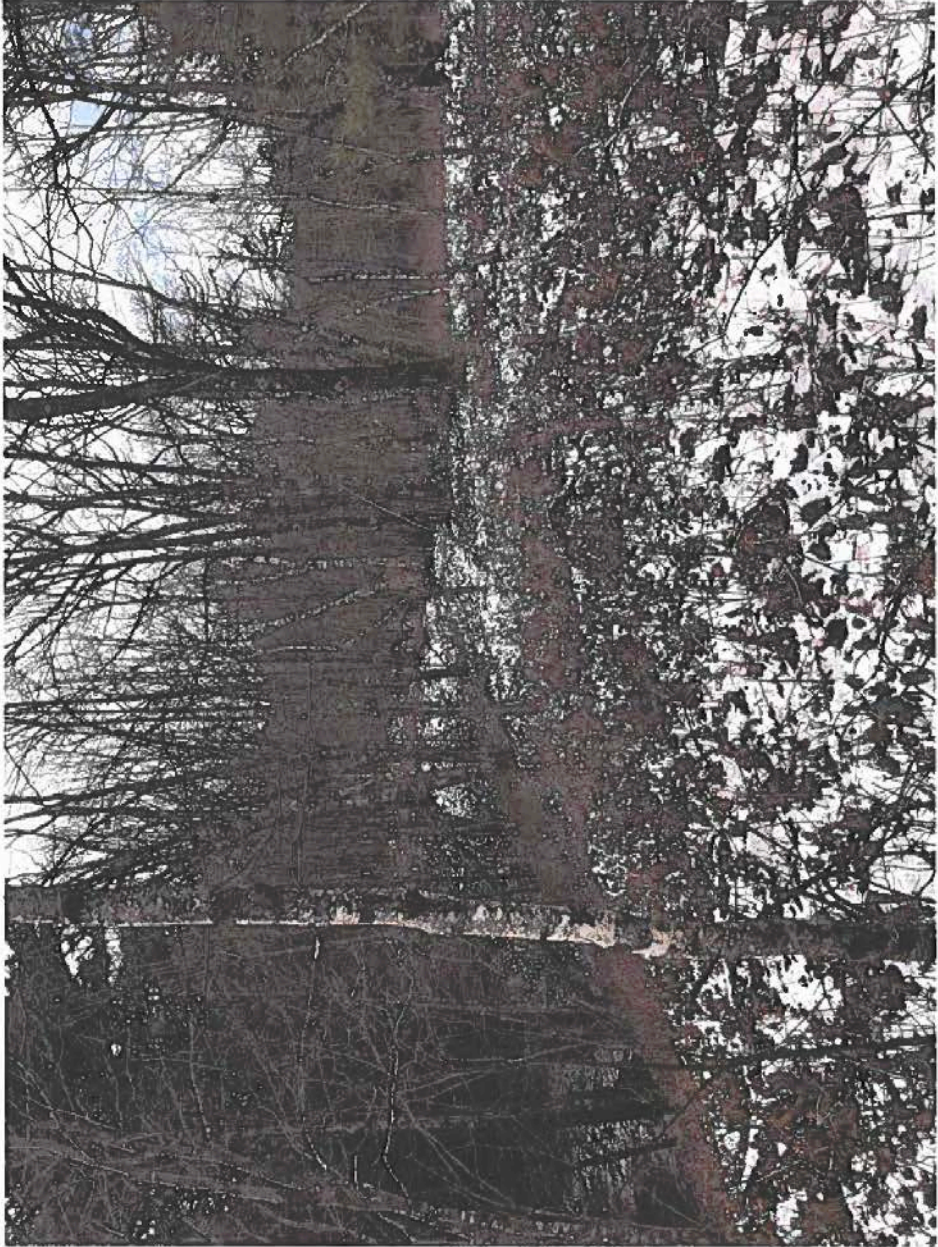
4. Looking east up stream



5. Looking east up stream



7. Looking southwest
along bank



8. Looking southwest
along stream



9. Looking northeast
towards road



ADJOURNMENT:

MOTION: Councilor Tousignant motioned and Councilor Blow seconded to Adjourn the Town Council Meeting at 7:15 p.m.

VOTE: Unanimous.