



Regular Town Council Meeting Agenda

Tuesday, April 6th, 2021 @ 6:30pm*

Town Council Chambers

www.oobmaine.com/town-council

**Due to covid-19 restrictions, space within Council Chambers is limited. Members of the public interested in attending the meeting will need to follow all covid-19 protocols; including the use of face masks. Members of the public wishing to view the meeting from home may tune into Local Access TV or by logging onto https://townhallstreams.com/towns/oob_maine. FMI click on the Communications Tab @ www.oobmaine.com.*

PLEDGE OF ALLEGIANCE

ROLL CALL

ACKNOWLEDGEMENTS

GOOD & WELFARE

ACCEPTANCE OF MINUTES

Accept the Regular Council Meeting Minutes from Tuesday, March 16th, 2021 and the Executive Session Meeting Minutes from Tuesday, March 23rd, 2021.

Chair: Shawn O'Neill

PRESENTATION

Presentation of Legislative Sentiment to the Spirit of America 2020 recipients by Senator Donna Bailey & Representative Lori Gramlich

PUBLIC HEARING – BUSINESS LICENSE & APPROVAL:

Michael & Ashley Peterson, (205-8-9), 27 Portland Avenue, one year round rental.

Kathryn Scott, (311-2-1), 128 Union Avenue, one seasonal rental.

Joseph Elder, (319-10-4), 13 Pavia Avenue, one seasonal rental.

Debra Ronga, (207-2-13-311), 161 Saco Avenue #311, one year round rental.

Moshe Agam d/b/a Beach Fantasy, (305-5-3), 57 East Grand Avenue, retail victualers with preparation with beer, wine, and/or liquor off premise.

Janet Peters d/b/a Epoxy ME, (206-32-2), 11 First Street, retail – furniture refinishing.

Glenn Johnson d/b/a Rossetti's Pizza, (306-4-4-A), 15 East Grand Avenue, victualers with preparation, no alcohol.

Chair: Shawn O'Neill

PUBLIC HEARING – SPECIAL AMUSEMENT PERMIT APPROVAL:

William Marshall d/b/a The Whaler Bar & Restaurant, (206-31-17), 20 Staples Street, outside music, band, May 15th, 2021 from 1:00pm to 6:00pm for the Whaler's 50th Anniversary Celebration.

David Cluff:Duffy's Tavern & Grill OOB, Inc. d/b/a Duffy's Tavern & Grill, (208-1-6), 168 Saco Avenue, DJ & small bands noon-9:00pm outdoors & noon-midnight indoors*
*[*Note: this is a change from last year's approval of DJ & bands for weddings and special events inside from noon-midnight.]*

William & Linda Newman: Last Call, Inc d/b/a Last Call. (206-31-1), 4 First Street, inside live bands/amplified music from noon-1:00am.*
*[*Note: this is a change from last year's approval of inside live bands amplified from 11am-1am.]*

Chair: Shawn O'Neill

TOWN MANAGER REPORT

NEW BUSINESS

#7393 Discussion with Action: Approve the services of Ted Berry Company in the amount of \$17,300.00 out of Wastewater account #20161-50342 Waste Pumping expenses with a balance of \$35,000.00.

Chair: Shawn O'Neill

#7394 Discussion with Action: Approve the quote from Huber Technology for replacement of scraper blades on the Huber screw press in the amount of \$27,516.02 out of Wastewater account #30181-50551 sewer reserve operating equipment with a balance of \$525,500.41.

Chair: Shawn O'Neill

#7395 Discussion with Action: Re-appointment Margaret Bayles as a regular member of the Community Animal Watch Committee, term to expire 12/31/22.

Chair: Shawn O'Neill

#7396 Discussion with Action: Approve the liquor license renewals for:

William Marshall d/b/a The Whaler Bar & Restaurant, (206-31-17), 20 Staples Street, Request for Extension of License on Premise to allow for a band to play in the parking lot on May 15th, 2021 for the Whaler's 50th Anniversary Celebration.

Bryan Gale: Jumpin' Jakes Seafood Cafe d/b/a Jumpin' Jakes Seafood, LLC, (208-3-3), Class A restaurant.

David Cluff: Duffy's Tavern & Grill OOB, Inc. d/b/a Duffy's Tavern & Grill, (208-1-6), 168 Saco Road, Class A restaurant.

William & Linda Newman: Last Call, Inc. d/b/a Last Call, (206-31-1), 4 First Street, Class A Lounge.

Cameron Langlois: Big Bites Big Shots, Inc., (307-3-1-A), 8 West Grand Avenue, Class A Lounge.

Rafi Jacobi: Golan, Inc. d/b/a Coastal Convenience/Bella Pizza, (206-26-4-A & C), 34 Saco Avenue, m-v restaurant.

James Albert: JTG Hospitality, Inc. d/b/a Ballpark Beer, (207-3-6X), 7 Ballpark Way, malt in an outdoor stadium.

Chair: Shawn O'Neill

#7397 Discussion with Action: Approve the Special Event Permit application for Tony Myatt to hold a 10k on the beach and East Grand Avenue on Sunday, October 17th, 2021 10:00am to 1:00pm. They will race on the beach from the Pier and into Scarborough and race back on East Grand Avenue ending in the Square. Request to close the square during the race hours, for the finish line. Requirement of one police officer for traffic control. The sponsor and the host facility will need to ensure compliance with all Federal, State, County and Local Orders, Rules and Regulations and Guidance relating to COVID-19 in effect at the time of the event. 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.

Chair: Shawn O'Neill

#7398 Discussion with Action: Approve the Special Event Permit application for the Lawson family to hold a wedding on the beach between Randall and Temple Avenue on Saturday, September 25th, 2021 10:00am to 7:00pm, including set-up and takedown. The host will

need to ensure compliance with all Federal, State, County and Local Orders, Rules and Regulations and Guidance relating to COVID-19 in effect at the time of the event. 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.

Chair: Shawn O'Neill

#7399 Discussion with Action: Approve the pole permit for Central Maine Power to place a telephone pole at P25 Ross Road-Saco at the Goosefare Stream Town Line.

Chair: Shawn O'Neill

#7400 Discussion with Action: Set the date of April 20th, 2021 to hold a public hearing to consider whether to approve a Contract Zone Agreement between Estates at Bay View, LLC and the Town of Old Orchard Beach, for the property located at 211 East Grand Ave., Map 202, Block 2, Lot 2 in the RBD district and RA shoreland zoning district, pursuant to 30A M.R.S.A., Section 4352 (8) and Section 1.8 of the Old Orchard Beach Zoning Ordinance.

Chair: Shawn O'Neill

#7401 Discussion with Action: Approve the contract with Fisher James Company, for the purchase delivery and assembly of tables & chairs for the Fire Department training room in the amount of \$11,109.36 from account number 20138-50501 Fire Department CIP – Facilities Improvement Expense Account with a balance of \$29,107.00.

Chair: Shawn O'Neill

#7402 Discussion with Action: To accept the FY 19 Assistance to Firefighters Grant in the amount of \$43,147.50 from the Federal Emergency Management Agency (FEMA) for the purpose of the health and safety of the firefighting personnel through the development of a wellness and fitness program.

Chair: Shawn O'Neill

#7403 Discussion with Action: Approve the contract with O2X Human Performance, LLC, for the execution of firefighter physical fitness assessments and ongoing physical fitness support until April 2022, in the amount of \$10,000.00 from account number 31137-50543 FY 2019 FEMA Aid to Firefighters Grant in the amount of \$43,147.50.

Chair: Shawn O'Neill

#7404 Discussion with Action: Approve the contact with Gear Grid Corporation, for the purchase and delivery of firefighting gear racks in the amount of \$7,402.00, from account number 31137-50543 FY 2019 FEMA Aid to Firefighters Grant in the amount of \$43,147.50.

Chair: Shawn O'Neill

#7405 Discussion with Action: Award the paving contract to Pike Industries effective April 11th, 2021 through April 10th, 2022 from account 50002-50506 CIP Road Maintenance with a proposed FY 22 budget in the amount of \$479,000.00.

Chair: Shawn O'Neill

#7406 Discussion with Action: Authorize the Town Manager to enter into contract with Central Maine Power and Revision Energy for the acquisition of two (2) electric vehicle charging stations at Town Hall in the amount of \$8,779.00 from account number 20115-50450 Town Hall Building Maintenance with a balance of \$11,854.20.

Chair: Shawn O'Neill

#7407 Discussion with Action: To approve the estimate not to exceed \$40,000.00 from Poirier Guidelines for striping all Town Roadways, including parking stalls, stop bars, pedestrian and handicap symbols and railroad crossings, from account number 20151-50506 Public Works Roadway Maintenance Non-Capital Account with a balance of \$48,000.00.

Chair: Shawn O'Neill

#7408 Discussion with Action: Authorize the Town Manager to enter into an Amendment to the existing agreement with the Maine Public Employees Retirement System (MainePERS) clarifying and reaffirming that membership in MainePERS is limited to permanent full-time employees.

Chair: Shawn O'Neill

#7409 Discussion with Action: Set the public hearing date of April 20th, 2021 to amend the Town of Old Orchard Beach Code of Ordinances, Chapter 42, Parks and Recreation, Section 42-144, Prohibitions and Restrictions, by adding the sub-section "There shall be no surf fishing from the beach from Memorial Day to Labor Day, from 9 a.m. to 5 p.m."

Chair: Shawn O'Neill

BUDGET WORKSHOP

There will be a Town Council Budget Workshop following the regular meeting of the Town Council to discuss the Fire Department budget including Lifeguards and Capital Improvement Plan.

Chair: Shawn O'Neill

EXECUTIVE SESSION:

(Note: This item discusses labor contract issues related to the AFSCME union contract, as defined under Title 1 M.R.S.A. Section 405(6)(D), and the Council anticipates that the discussion will be held in Executive Session). Executive Session is to provide guidance to the Town Manager regarding entering into Collective Bargaining Agreements with AFSCME representing Department of Public Works Laborers.

Chair: Shawn O'Neill

ADJOURNMENT