



## Regular Town Council Meeting Agenda

Tuesday, August 3<sup>rd</sup>, 2021 @ 6:30pm\*

Town Council Chambers

[www.oobmaine.com/town-council](http://www.oobmaine.com/town-council)

\* 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](https://townhallstreams.com/towns/oob_maine). FMI click on the Communications Tab @ [www.oobmaine.com](http://www.oobmaine.com).

### PLEDGE OF ALLEGIANCE

### ROLL CALL

### ACKNOWLEDGEMENTS

### GOOD & WELFARE

### ACCEPTANCE OF MINUTES

Accept the meeting minutes of the Regular Town Council Meeting from Tuesday, July 20<sup>th</sup>, 2021 **and** Town Council Workshop from Thursday, July 29<sup>th</sup>, 2021.

Chair: Shawn O'Neill

### PUBLIC HEARING

Shall the Town Council of Old Orchard Beach consider the proposed Charter Amendments to Sections 301: Petition for Overrule of Action of Council and Section 303: Referendum on Certain Expenditures for the November 2<sup>nd</sup>, 2021 ballot?

#### 1. Shall the municipality approve the charter amendment reprinted below?

##### Sec. 301. Petition for Overrule of Action of Council.

The following shall be subject to overrule by referendum as follows:

- (A.) All ordinances;
- (B.) Orders or resolves appropriating ~~\$250,000~~ 500,000.00 or more for a single capital improvement or piece of capital equipment;
- (C.) Orders or resolves authorizing the issuance of general obligation bonds or notes of \$ ~~250,000~~ 500,000.00 or more, other than tax anticipation notes, bond anticipation notes and grant anticipation notes.

~~(D) Orders or resolves appropriating \$250,000.00 or more from the Capital Improvement Fund.~~

If within thirty (30) days after the enactment of any such ordinance, order or resolve, on the written petition of a number of voters equal to at least 10% of the number of votes cast in the town at the last gubernatorial election of the Town of Old Orchard Beach is filed with the Town Clerk requesting its reference to a referendum, the Council shall call a public hearing to be held within thirty (30) days from the date of the filing of such petition with the Town Clerk, and shall within fourteen (14) days after said public hearing call a special Town election for the purpose of submitting to a referendum vote the question of adopting such ordinance, order or resolve.

Pending action by the voters of the Town, the referred ordinance, order or resolve shall be suspended from operation until it has received a vote of the majority of the voters voting on said question. An ordinance, order, or resolve defeated at a referendum, shall not be reintroduced for a period of three hundred and sixty-five (365) days from the date of the referendum.

## **2. Shall the Municipality approve the Charter amendment below?**

### **Sec. 303. Referendum on Certain Expenditures.**

The Town Council shall submit the following actions to the voters at a regular or special election following one or more public hearings:

~~(i) Any order or resolve appropriating \$500,000 or more for a single capital improvement or for a single item of equipment;~~

~~(iii) any order, resolve or ordinance authorizing general obligation bond issues of \$ 500,000 1,000,000.00 or more except for tax anticipation notes, bond anticipation notes and grant anticipation notes.~~

~~These provisions shall apply whether or not payment for the capital improvements or single item of equipment is to be made in more than one fiscal year.~~

The questions shall be submitted to the voters at the next regular municipal election held not less than thirty-five (35) days after the order, resolve or ordinance is passed; or the Town Council may order that the question be submitted to the voters at a special election to be held not less than thirty (30) days from the date of the order, resolve or ordinance.

Chair: Shawn O'Neill

## **PUBLIC HEARING – BUSINESS LICENSE & APPROVALS:**

Kristyn Barcelou: Better Fit Nutrition, LLC d/b/a Better Fit Nutrition, (206-31-8), 39 Old Orchard Street Unit B, victualers w/prep, no alcohol, retail.

Jim & Sandy Fitzsimmons, (208-1-9-10), 4 Hope Terrace, one year round rental.

*\*recent purchase from Church St, LLC: book 18737 & page 501*

Samuel M. Given Family Trust d/b/a The Cottage @ Ocean Park, (320-11-5), 15 W. Tioga Avenue, one seasonal rental.

Chair: Shawn O’Neill

## **TOWN MANAGER REPORT**

### **NEW BUSINESS**

**#7488 Discussion with Action:** Accept, with regret, the resignation of Ray Deleo from the Design Review Committee and the Zoning Board of Appeals.

Chair: Shawn O’Neill

**#7489 Discussion with Action:** Approve the Special Event Permit application for Veronica Parsloe to hold a Taco Festival/Day of the Dead Celebration at the Recreation Complex at the (Ballpark) and to authorize the Town Manager to enter into a contract for this event between the Ballpark and Veronica Parsloe. Set up on Thursday and Friday, October 21<sup>st</sup> and 22<sup>nd</sup>, 2021, event date Saturday, October 23<sup>rd</sup>, 2021, and takedown on Sunday, October 24<sup>th</sup>, 2021. Event includes food trucks, dancing and wrestling. Insurance, listing the Town as additionally insured, to be provided to the Town Clerk’s Office at least one month prior to the event.

Chair: Shawn O’Neill

**#7490 Discussion with Action:** Approve the Special Event Permit application for Pier Leasing Co. to hold their Bikefest on Saturday, September 11<sup>th</sup>, 2021 from 11 a.m. to 10 p.m., with a request to close the Square for parking of motorcycles only during that time.

Chair: Shawn O’Neill

**#7491 Discussion with Action:** Approve the Special Event Permit application for Pier Leasing Co. to hold a Jeepfest on Saturday, September 18<sup>th</sup>, 2021 from 10 a.m. to 10 p.m., with a request to close the square for parking of jeeps only during that time.

Chair: Shawn O'Neill

**#7492 Discussion with Action:** Approve the Special Event Permit application for the Salvation Army to hold their annual parade from Saco and Biddeford Savings Bank to the Square on the following Sundays: July 24<sup>th</sup>, 2022 and July 30<sup>th</sup>, 2023. Set-up from 2:30 p.m. to 3 p.m. Event occurs from 3 p.m. to 5 p.m. 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 event.

Chair: Shawn O'Neill

**#7493 Discussion with Action:** Approve the Special Event Permit application for the Salvation Army to hold their evening programs in the Square; July 22<sup>nd</sup> through July 29<sup>th</sup>, 2022, including set-up and takedown; July 28<sup>th</sup>, through August 4<sup>th</sup>, 2023, including set-up and takedown. Inspection of the stage that is constructed in the Square by the Fire Prevention and Code Enforcement Office to ensure compliance with applicable fire and building codes, to take place prior to any performance. 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 event.

Chair: Shawn O'Neill

**#7494 Discussion with Action:** Approve the Special Event Permit application for the Salvation Army to host Family Fun Night, closing the section of Church Street adjacent to their property (Sixth Street to end of Salvation Army Property), on the following Tuesdays; July 26<sup>th</sup>, 2022 and August 2<sup>nd</sup>, 2023, from 3 p.m. to 9 p.m., including setup and takedown. Public Safety notification required the day of the road closings. Insurance, listing the Town as additionally insured, to be provided at least one month prior to each event.

Chair: Shawn O'Neill

**#7495 Discussion with Action:** Convey foreclosed property identified as 132 EAST GRAND AVE, Parcel Number 00303-00004-00009 to owners of record GAGLIARDI VINCENT L & SUSAN C, for the total amount of \$36,397.95 in outstanding taxes and accumulated interest, due on the effective date of conveyance, including FY18, FY19, FY20, FY21 and estimated taxes for FY22, plus any legal costs incurred by the Town of Old Orchard Beach.

Chair: Shawn O'Neill

**#7496 Discussion with Action:** Convey foreclosed property identified as 18 ST JOHN ST, Parcel Number 00206-00024-00029 to owner of record VIOLETTE JENNIFER ETALS, for the total amount of \$38,725.84 in outstanding taxes and accumulated interest, due on the effective date of conveyance, including FY10, FY11, FY12, FY13, FY14, FY15, FY16, FY17, FY18, FY19, FY20, FY21 and estimated taxes for FY22, plus any legal costs incurred by the Town of Old Orchard Beach.

Chair: Shawn O'Neill

**#7497 Discussion with Action:** Approve the Municipal Station Agreement between the National Railroad Passenger Corporation (Amtrak), Northern New England Passenger Rail Authority (NNEPRA) and the Town of Old Orchard Beach for the use, operation, repair and maintenance of the Train Station Facility in Old Orchard Beach for the Downeaster seasonal train service.

Chair: Shawn O'Neill

**#7498 Discussion with Action:** Designate the Town Manager as the voting representative for Maine Municipal Association (MMA) Annual Business meetings to vote for the Town of Old Orchard Beach for MMA Candidates.

Chair: Shawn O'Neill

**#7499 Discussion with Action:** Approve the purchase of 3" resolution aerial imagery capture from the Maine Library of Geographic Information in the amount of \$8,500.00 from account number 20102-50809 Town Manager GIS Program Expense Account with a balance of \$45,883.34.

Chair: Shawn O'Neill

**#7500 Discussion with Action:** Accept the quote for the purchase of one Wireless IP PTZ Surveillance Camera from Setronics Security Integrators to replace existing Pier camera that is integrated into the town-wide security system in the amount of \$7,423.00 from account number 52002-50865 CIP Account Police Security Camera Equipment with a balance of \$21,304.36.

Chair: Shawn O'Neill

**#7501 Discussion with Action:** Approve the purchase of a 2021 RAM 5500 6.7L Diesel 4x4, Braun Chief XL Ambulance from Autotronics/Braun, in the amount not to exceed \$305,000.00 and a stretcher and power lift system with extended warranty from Stryker Medical in the amount not to exceed \$34,351.48 which may be reduced by grant funds, if any, received by the Town for this purpose, and the balance to be financed through a lease purchase agreement.

Chair: Shawn O'Neill

**#7502 Discussion with Action:** Approve Council Order # 2021-1 entitled, "Order to Authorize Lease Purchase of an Ambulance and Stretcher/Lift System in Principal Amount Not To Exceed \$339,351.48."

Chair: Shawn O'Neill

**#7503 Discussion with Action:** Amend the code of ordinances Chapter 2, Administration, Article III, Officers and Employees, amending Section 2-126, Assistant Town Manager.

Chair: Shawn O'Neill

**#7504 Discussion with Action:** Amend the Code of Ordinances, Chapter 2, Administration, Article VI, Departments, amending Section 2-471, Department of Planning and Development, and 2-472, Department of Finance.

Chair: Shawn O'Neill

**#7505 Discussion with Action:** Confirm the Town Manager's nomination, per the Town of Old Orchard Beach Charter- Section 507.2, of Virginia Deering as the General Assistance Administrator.

Chair: Shawn O'Neill

**#7506 Discussion with Action:** Confirm the Town Manager's nomination, per the Town of Old Orchard Beach Charter -Section 507.3, of Gidgette Ledoux as Tax Collector.

Chair: Shawn O'Neill

**#7507 Discussion with Action:** Approve the American Federation County and Municipal Employees (AFCME) Council 93, Local 481 Union Contract for the Public Works Department effective July 1, 2021 through June 30, 2024.

Chair: Shawn O'Neill

## ADJOURNMENT