

**TOWN OF OLD ORCHARD BEACH
TOWN HALL CHAMBERS
TOWN COUNCIL MEETING
FEBRUARY 18, 2020**

A Town Council Meeting of the Old Orchard Beach Town Council was held on Tuesday, February 18, 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**

Absent:

ACCEPTANCE OF MINUTES: Accept the Town Council Minutes of February 4, 2020.

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

VOTE: Unanimous.

GOOD AND WELFARE:

PUBLIC HEARING: Community Development block Grant Funds

CHAIR: I open this Public Hearing at 6:33 p.m.

Shall we Accept the Community Development Block Grant Funds from a Community Enterprise Grant to refurbish the Basket Ball Courts and improve the park space on Atlantic Avenue near Washington Square?

The Town of Old Orchard Beach, Community Friendly Connection (CFC), has been working with residents of the Atlantic Courts Park area and town officials on a plan to refurbish the basketball court and park area between Atlantic Avenue and Central Avenue as part of a neighborhood redevelopment. Meetings have been held with members of the community to gather input and have shaped plans for the area. To date, CFC has been awarded initial funding from AARP, the Maine Red Claws basketball franchise, neighborhood fundraisers, and has received in-kind support from the Town. This effort involves resurfacing the court space; installation of security cameras and lights; purchase and installation of fencing, adult and youth recreation/exercise equipment, handicapped accessible paths, and landscaping; and sidewalk preparation. The Town of OOB's CFC has been invited to apply for grant funding from the State of Maine Community Development Block Grant Program, 2020 Community Enterprise Program, to complete this court and park refurbishing, together with the funding above and in-kind support from volunteers and the Town.

HOLLY KORDA:

Good evening. My name is Holly Korda, Development Volunteer with the Old Orchard Beach Age-Friendly Community for all ages, Community Friendly Connection (CFC), to introduce a grant opportunity – the Community Enterprise grant from the State of Maine’s Community Development Block Grant--relating to our work to refurbish the basketball court and park space on Atlantic Avenue, a block and a half from the Washington Square area where neighborhood property improvements are underway.

This grant opportunity allows the Town to apply for up to \$100,000 for neighborhood “streetscapes and parks” improvements, with a 25% cash match. We do have the match, from grants awarded to Community Friendly Connection by AARP (\$10,000), the Maine Red Claws (\$5,000), and the Salvation Army (\$3,000), and neighborhood fundraisers (\$1400 and \$940). An additional fundraiser is being planned.

Old Orchard Beach meets eligibility requirements due to the fact that 56.43% of the year-round residents are considered to be below 80% of the county median income for their household size. In order for CDBG to be utilized we need at least 51% to be income eligible. The State has \$600,000 to distribute.

This project has its roots in Community, like Community Friendly Connection. The CFC, as you know, seeks to improve the quality of life and connection for Old Orchard Beach residents of all ages. It is led by Chair Louise Reid, who is also our Assistant Town Manager, with co-facilitators Pat Brown and Helene Whittaker. I help with Development, including grant writing. And more than 20 local organizations and more than 30 individual volunteers help support our activities.

The Atlantic Courts Park refurbishing came about as an idea from resident Don Hill, who recalls the days when the basketball court was active with players, and who was the first volunteer to step up. Community Friendly Connection has held several neighborhood meetings and celebrations over the past year to gain neighborhood input for the project.

Many volunteers, including Boy Scouts, the Rotary, and others, are available to help.

What is involved?

Phase 1: Cleanup of the courts and surrounding area, by CFC volunteers.

Phase 2: Refining the plans, which include resurfacing the courts, installing lighting and cameras, landscaping, installing fencing, picnic tables, and adult exercise equipment (at the request of neighbors).

Phase 3: Resurfacing and equipping the area with items above.

Phase 4: New Life and New Hope in this neighborhood hub.

This grant opportunity is very competitive. We submitted a letter of Intent to apply, and were recently invited to apply by the State of Maine, Office of Community Development. I am here to entertain your questions and support to move forward with the application.

Thank you.

CHAIR: I close this Public Hearing at 6:38 p.m.

PUBLIC HEARING BUSINESS LICENSES AND APPROVAL:

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

Liz & Mike Marks (311-22-6), 11 12th Street, one year round rental.

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

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

VOTE: Unanimous.

PUBLIC HEARING AMUSEMENT PERMITS AND APPROVAL:

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

New England Restaurant Group, Inc. dba/Pirate's Patio & Gallery (304-2-9), 2 Walnut Street, amplified music, karaoke, noon to 8:00 p.m.- inside and outside; and **James Albert dba/Dimitri, Inc. dba/Jimmy the Greeks** (211-1-1), 215 Saco Avenue, bands, comedy, and DJ, noon to midnight, inside and outside (change of hours from 5:00 p.m. to 1:00 a.m.).

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

MOTION: Councilor Blow motioned and Councilor Kelley seconded to approve the Amusement Permits as read.

VOTE: Unanimous.

TOWN MANAGER'S REPORT:

CDBG Grant Application – Atlantic Avenue Basketball Court:

CDBG Grant Application Atlantic Ave basketball court: There is a public hearing at the beginning of the meeting and subsequently a separate order to authorize me as Town Manager to apply for and accept if awarded a grant for up to \$100,000 for improvements to the basketball court and park area located on both Atlantic Ave and Central Park Ave (the lot has frontage on both streets). Several meetings have been held with neighborhood residents and community members to get input and have shaped plans for the area. This effort involves resurfacing the court, installation of security cameras and lights, installation of fencing, adding exercise equipment, landscaping, and improvements to accessible walkways.

The project is an initiative of the Community Friendly Connection and is part of the broader efforts to make improvements in the Washington Avenue neighborhood. To date, CFC has been obtained contributions from AARP, the Maine Red Claws basketball franchise, and neighborhood fundraisers. Because the application is to

the State's Community Enterprise Program having the CFC taking the lead in the grant application should give the Town a better chance at receiving the grant because the Community Enterprise program is intended to benefit and reward community based activities. Holly Korda, who serves on the CFC leadership team, wrote the grant and will make the presentation at the public hearing.

55+ Housing – Portland Avenue

55+ Housing Portland Ave: Nathan Szanton and Kristin Martin from Szanton Co. are involved in this proposal to build a 4-story building with 55 apartments on the property of the Old Orchard Beach funeral home. The project would include 40 affordable units (est. \$1,000/mo including utilities) and 15 market rate units (est. \$1,500/mo). In order to be able to offer affordable housing, the developer is seeking a 75% TIF from the Town (30 year total, 15 years at 75%, then reduced 4% each year for 15 years). I am aware that the City of Portland in the past year has approved two similar projects with 75% TIF's. We will follow up with some additional inquiries and will consult with Bernstein Shur which does a lot of work on TIF's in Maine. The developer made an informational presentation to the Planning Board this past Thursday. In addition Szanton held a meeting tonight (Monday) at Town Hall so that neighborhood residents can obtain information and ask questions. The option on the property expires on March 6.

Proposed Gas Station/Convenience Store

Proposed gas station/convenience store 15 Ocean Park Rd: The Town Council approved late last year a zoning change for the property on Ocean Park Rd near the Smithwheel Road intersection on the inbound side of the street. The owner is seeking to put an Irving-type gas station/convenience store with storage units in the rear. Because this is a state highway (Rt. 5) the proposal is now being processed for its traffic implications by MDOT. An initial review meeting was held by MDOT two weeks ago to consider submittals from the developer's traffic engineering consultant. The Town's Planning Department has retained Gorrill/Palmer Engineering to represent the Town's interests. Also attending were State Rep. Lori Gramlich and State Sen. Justin Chenette, as well as about 15 area residents. The residents and the state legislators voiced concerns that this road is already overly burdened with traffic and that the proposed development would make the situation that much worse. Requests were made to not allow any new development until a roundabout or rotary is put in at the Saco Ave/Temple Ave intersection. Here is a link to the news article in the Courier about this meeting. <https://www.pressherald.com/2020/02/13/traffic-safety-discussed-at-dot-session-on-proposed-oob-project/> MDOT is requiring that traffic studies be conducted this summer by the developer. I do not know when the proposal might be submitted to the Planning Board.

NEW BUSINESS:

- # 7175 Discussion with Action: Accept the Community Development Block Grant funds from a Community Enterprise Grant to refurbish the Basketball Courts and improve the park space on Atlantic Avenue near Washington Square.**

A Public Hearing was held at the beginning of this meeting. A separate order is now authorize the Town Manager to apply for and accept, if awarded, a grant for up to \$100,000 for improvements to the basketball courts and park area located on both Atlantic Avenue and Central Park Avenue (the lot has frontage on both streets). Several meetings have been held with neighborhood residents and community members to get input and have shaped plans for the area. This effort involves resurfacing the court, installation of security cameras and lights, installation of fencing, adding exercise equipment, landscaping, and improvements to accessible walkways.

The project is an initiative of the Community Friendly Connection and is part of the broader efforts to make improvements in the Washington Avenue neighborhood. To date Community Friendly Connection has obtained contributions from the AARP, the Red Maine Claws Basketball Franchise, and neighborhood fundraisers. Because the application is to the State's Community Enterprise Program having the CFC taking the lead in the grant application should give the Town a better chance at receiving the grant because the Community Enterprise Program is intended to benefit and reward community based activities. Holly Korda, who serves on the CFC leadership team, wrote the grant and as noted made the presentation at the meeting.

MOTION: Councilor Blow motioned and Councilor Kelley seconded to Apply for and Accept, if awarded, Community Development Block Grant funds from a Community Enterprise Grant to refurbish the Basketball Courts and improve the park space on Atlantic Avenue near Washington Square.

VOTE: Unanimous.

- # 7176 Discussion with Action: Approve the Special Event Permit Application for the Town of Old Orchard Beach to hold the annual Memorial Day Parade on Monday, May 25th, 2020 from 8 a.m. (set up in Memorial Park) to 4 p.m. (takedown); line-up on E. Emerson Cummings Blvd at Noon, parade to begin at 1:00 p.m.; ceremony in Memorial Park; allow horses in the parade to walk on the beach, with bags, from Ocean Park to Union Avenue, to the starting point of the parade, and back to Ocean Park following the parade.**

MOTION: Councilor Blow motioned and Councilor Kelley seconded to Approve the Special Event Permit Application for the Town of Old Orchard Beach to hold the annual Memorial Day Parade on Monday, May 25th, 2020 from 8 a.m. (set up in Memorial Park) to 4 p.m. (takedown); line-up on E. Emerson Cummings Blvd at Noon, parade to begin at 1:00 p.m.; ceremony in Memorial Park; allow horses in the parade to walk on the beach, with bags, from Ocean Park to Union Avenue, to the starting point of the parade, and back to Ocean Park following the parade.

VOTE: Unanimous.

7177 Discussion with Action: Approve the Special Event Permit application for the Eastern Trail Alliance to hold the "Maine Lighthouse Bike Ride" Saturday, September 12th, 2020, 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.

MOTION: Councilor Blow motioned and Councilor Tousignant seconded to Approve the Special Event Permit application for the Eastern Trail Alliance to hold the "Maine Lighthouse Bike Ride" Saturday, September 12th, 2020, 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.

VOTE: Unanimous.

7178 Discussion with Action: Approve the replacement of windows and the "Store Front Glass" by Beach Glass for the Fire Department in the amount of \$18,546; from Account Number 52002-50813 – Facility Improvements, with a balance of \$45,670.08. Chair Joseph Thornton

Background:

The Fire Department has been remodeling the Fire Station and part of the renovation has been to replace windows and the "Store front glass" at the Station. The request is made to expend \$18,546.46 from Account Number 52002-50813 – Facility Improvements to Beach Glass for the window and glass projects which includes:

Remove and install four exterior windows;

Remove and install two entrance doors with LOW E insulated Store front type doors with sidelights – including kitchen door and side entry door.

Install an interior glass door with side lights to create a work station for use by the Fire Inspector.

Two quotes were received:

Beach Glass	\$18,546.46
Portland Glass	\$18,350.00

The only discernable difference in performance is that Beach Glass will trim the exterior of the windows.

MOTION: Councilor Kelley motioned and Councilor Tousignant seconded to Approve the replacement of windows and the "Store Front Glass" by Beach Glass for the Fire Department in the amount of \$18,546; from Account Number 52002-50813 – Facility Improvements, with a balance of \$45,670.08.

VOTE: Unanimous.

7179 Discussion with Action: Approve conditionally the Liquor License Renewal for Dimitri Inc. dba/Jimmy the Greek's subject to written verification by the Fire Department that all violations identified by the State Fire Marshall's office in a Notice of Violations dated October 4, 2018, have been corrected, and that all violations identified by the Old Orchard Beach Fire Department Inspection of February 13, 2020 have been corrected. Chair Joseph Thornton

This liquor license renewal is recommended to be approved conditionally and would go into effect only when the Fire Department has verified that existing code violations cited by the State Fire Marshall's Office and the OOB Fire Department have been corrected. Owner Jim Albert has been in communication with both the Fire Department and the Town Manager's office. He is aware that the license which expires February 27 will not be renewed until the violations have been corrected. He is taking steps to try to address the violations. Mr. Albert has had over a year to resolve the violations reported by the State fire Marshall's office.

MOTION: Councilor Blow motioned and Councilor Tousignant seconded to Approve conditionally the Liquor License Renewal for Dimitri Inc. dba/Jimmy the Greek's subject to written verification by the Fire Department that all violations identified by the State Fire Marshall's office in a Notice of Violations dated October 4, 2018, have been corrected, and that all violations identified by the Old Orchard Beach Fire Department Inspection of February 13, 2020 have been corrected.

VOTE: Unanimous.

7180 Discussion with Action: Approve Liquor License Renewal for Anthony Giudici dba/New England Restaurant Group, dba/Pirate's Patio & Galley (304-2-9), 2 Walnut Street, m-s-v in a Restaurant.

MOTION: Councilor Blow motioned and Councilor Kelley seconded to Approve Liquor License Renewal for Anthony Giudici dba/New England Restaurant Group, dba/Pirate's Patio & Galley (304-2-9), 2 Walnut Street, m-s-v in a Restaurant.

VOTE: Unanimous.

ADJOURNMENT:

Motion: Councilor Kelley motioned and Councilor Tousignant seconded to Adjourn the meeting at 7:15 p.m.

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 seven (7) pages is a copy of the original Minutes of the Town Council Meeting of February 18, 2020.