

**TOWN OF OLD ORCHARD BEACH  
REGULAR TOWN COUNCIL MEETING  
TUESDAY, JULY 17, 2018  
TOWN HALL COUNCIL CHAMBERS  
6:30 p.m.**

Pledge to the Flag  
Roll Call

**ACKNOWLEDGEMENTS:**

**GOOD AND WELFARE:**

**ACCEPTANCE OF MINUTES:** Town Council Minutes of June 19, 2018; Special Town Council Meeting Minutes of July 11, 2018; and Town Council Workshop Minutes of July 11, 2018.

**PUBLIC HEARING:** **Marijuana Ordinance**

Shall We Amend the Town of Old Orchard Beach Code of Ordinances as follows: Amendment to Chapter 18 - Businesses, Article XI - Medical Marijuana Registered Dispensary or Medical Marijuana Production Facility Amendments, title; Amendment to Chapter 18 - Businesses, Article XI - Medical Marijuana Registered Dispensary or Medical Marijuana Production Facility, Division 1 - Generally, Section 18-601 – Definitions; Amendment to Chapter 18 - Businesses, Article XI - Medical Marijuana Registered Dispensary or Medical Marijuana Production Facility, Division 1 - Generally, Section 18-604 – Prohibition on Medical Marijuana Storefronts; Amendment to Chapter 78 - Zoning, Article I – In General, Section 78-1 – Definitions; Amendment to Chapter 78 - Zoning, Article VII – Conditional Uses, Division 2 - Conditions, Section 78-1277 – Medical Marijuana?

**PUBLIC HEARING BUSINESS LICENSES AND APPROVAL:**

Cynthia Clifford (108-1-6-7), 131 Temple Avenue, #7, one (1) year round rental; Lynda J. R. Bond (201-1-7-6E), 221 East Grand Avenue, #6E, one (1) year round rental; John Rohner (206-11-11), 10 Fern Park Avenue, two (2) year round rentals; Heather & Bill Siebert (206-29-17), 11 Adelaide Road, one (1) year round rental; Stacy & Mike Maguire (207-2-14), 10 Forest Avenue, one (1) seasonal rental; Omayya Ismail (304-1-2-22), 1 Walnut Street, #22, one (1) year round rental; Steven J. Hilton (301-3-1-105), 189 East Grand Avenue, # 105, one (1) year round rental; Daniel L. Lycan, Jr. (301-3-1-107), 189 East Grand Avenue, #107, one (1) year round rental; Diana Gilliam dba/Cranberry Prims (Gift Shop) (306-4-3), 19 East Grand Avenue, Unit C, Retail; Playtime Promotions Inc./James Ellis dba/Viper Photos (307-1-1), 1 Staples Street, Palace Playland, Personal Services; James F. Timmins (308-2-1), 22 Washington Avenue, two (2) year round rentals; Kirt Hutchinson (309-7-5), 4 Short Street, #2, one (1) year round rental; Ahmad J. Muti (309-9-12), 35 Fort Hill Avenue, one (1) year round rental; Arbana Bleta dba/Ipazzi Gelato (310-7-3), 62 West Grand Avenue, Victualers with Preparation and No Alcohol Sales; Jane Hewes (312-1-10), 55 Fern Avenue, one (1) year round rental – back unit only; Elinda Bones (316-2-3), 14 Odessa Avenue, one (1) seasonal rental; and Jon Klinkhamer (322-1-5), 20 Bridge Street, Ocean Park, one (1) seasonal rental.

**TOWN MANAGER'S REPORT:**

**NEW BUSINESS:**

**# 7192 Discussion with Action: Amend the Code of Ordinances, Chapter 54, Section 54-187, Restrictions and Prohibitions, Winona Avenue, by changing the parking on Winona Avenue on the left-hand side facing the ocean to no parking. Chair Joseph Thornton**

**# 7193 Discussion with Action: Amend the Code of Ordinances, Chapter 54, Section 54-187, Restrictions and Prohibitions, amending Saco Avenue by changing the parking to one-hour parking for the northwesterly side from Washington Avenue to Pine Lane. Chair Joseph Thornton**

**# 7194 Discussion with Action: Accept the bid for the purchase of a 2019 Freightliner 10 Wheel Dump Truck – Model 114SD, from Freightliner of Maine, in the net amount of \$176,250.00, and to approve Order #2018-1 entitled “Order to Authorize Lease Purchase of a Public Works Dump Truck in the principal amount of \$176,250.00, through Androscoggin Bank at 3.74%, for five (5) annual payments, in the amount of \$37,884.91- from Account Number 20197-50330 - Lease Debt Service Expense, with a balance of \$439,800.00. Town Manager Larry Mead**

**# 7195 Discussion with Action: Approve the line item transfers for the following departments:**

**In the amount of \$4,025.00 from Account Number 20106-50300 – Assessor – Professional/ Engineering Expense, with a balance of \$4,500.00; to Account Number 20106-50107 – Assessor Part Time Wage Expense, with a balance of (\$4,025.00);**

**In the amount of \$3,526.00 from Account Number 20115-50450 -Town Hall Building Maintenance Expense, with a balance of \$10,171.39; to Account Number 20115-50400- Town Hall Electricity Expense, with a balance of (\$3,525.35);**

**In the amount of \$2,400.00 from Account Number 20115-50450 - Town Hall Building Maintenance Expense, with a balance of \$10,171.39, to Account Number 20115-50310 Town Hall Service Contracts with a balance of (\$2,304.58);**

**In the amount of \$2,507.00 from Account Number 20113-50101 - Code Enforcement Department Head Salary Expense, with a balance of \$6,213.82; to Account Number 20110-50106 - Planning Department Full Time Wage Expense, with a balance of (\$2,506.02);**

**In the amount of \$8,600.00 from Account Number 20131-50510 - Police Department Vehicle Fuel Expense, with a balance of \$8,637.54; and in the amount of \$3,650.00 from Account Number 20131-50111 - Police Department Overtime Expense, with a balance of \$4,623.06; to Account Number 20131-50501- Police Department Operating Supplies Expense, with a balance of (\$12,247.03);**

**In the amount of \$7,100.00 from Account Number 20131- 50106 - Police Department Full Time Wage Expense, with a balance of \$9,172.51; to Account Number 20131-50450 - Police Department Building Repair/Maintenance Expense, with a balance of (\$7,068.21);**

**In the amount of \$6,042.50 from Account Number 20131- 50104 - Police Department Seasonal Reserve Wage Expense, with a balance of \$9,886.50 to Account Number 20131-50109 Police Department Seasonal Overtime Expense with a balance of (\$6,042.50);**

In the amount of \$4,700.00 from Account Number 20131- 50452 Police Department Operating Equipment Repair Expense with a balance of \$5,450.60; to Account Number 20131-50453 - Police Department Vehicle Repair Expense, with a balance of (\$4,680.39);

In the amount of \$8,501.00 from Account Number 20102-50301 - Town Manager General Legal Services Expense, with a balance of \$47,035.05; to Account Number 20102-50454 - Town Manager Computer Support/Service Expense, with a balance of (\$8,500.46);

In the amount of \$2,541.00 from Account Number 20102-50301 - Town Manager General Legal Services Expense, with a balance of \$47,035.05; to Account Number 20102-50258 - Town Manager Employment Testing Expense, with a balance of (\$2,541.00);

In the amount of \$3,033.00 from Account Number 20119-50371 - General Insurance Expense, with a balance of \$5,052.00; to Account Number 20119-50202 - Maine Retirement Employer Share Expense, with a balance of (\$3,032.73);

In the amount of \$8,650.00 from Account Number 20119-50210 - Health Insurance Employer Share Expense, with a balance of \$8,651.60; and in the amount of \$9,000.00 from Account Number 20119-50373 - Unemployment Compensation Expense, with a balance of \$9,031.34; and in the amount of \$11,148.00 from Account Number 20102-50107 - Town Manager Part Time Wage Expense, with a balance of \$16,200.00; to Account Number 20119-50214 - Workers Compensation Insurance Expense, with a balance of (\$28,797.62);

In the amount of \$6,960.00 from Account Number 20105-50106 - Finance Department Full Time Wage Expense; to Account Number 20137-50108 - Lifeguard Seasonal Wage Expense, with a balance of (\$8,009.00);

In the amount of \$3,650.00 from Account Number 20151-50106 - Public Works Full Time Wage Expense, with a balance of \$14,587.12; to Account Number 20151-50111 - Public Works Overtime Expense, with a balance of (\$3,634.90);

In the amount of \$3,815.00 from Account Number 20151-50106 - Public Works Full Time Wage Expense, with a balance of \$14,587.12; to Account Number 20151-50452 - Public Works Operating Equipment Repair Expense, with a balance of (\$3,814.51);

In the amount of \$3,581.00 from Account Number 20151-50106 - Public Works Full Time Wage Expense, with a balance of \$14,587.12; to Account Number 20151-50508 - Public Works Sewer Maintenance Expense, with a balance of (\$3,580.60); and

In the amount of \$8,621.00 from Account Number 20102-500106 - Town Manager Full Time Wage Expense, with a balance of \$9,519.66; to Account Number 20161-50400 - Waste Water Electricity Expense, with a balance of (\$8,620.66).

Chair Joseph Thornton

# 7196 Discussion with Action: Convey foreclosed property identified as 161 SACO AVE #203, Parcel Number 00207-00002-13203, to owners of record (FERLAND FAMILY IRREVOC TRUST/FERLAND DIANE TRUSTEE) for the total amount of \$26,084.25 in outstanding taxes and accumulated interest INCLUDING ESTIMATED TAX FY 2019, due on the effective date of conveyance, plus any legal costs incurred by the Town of Old Orchard Beach. Town Manager Larry Mead

- # 7197 Discussion with Action: Accept the bid from RCM Radio Communication Management Inc., in the amount of \$5,892.10, to repair and replace the fire alarm in the Fire Station; from Account Number 52002-50900 – Fire Radio System Upgrade Capital Expense, with a balance of \$8,075.90. Town Manager  
Larry Mead
- # 7198 Discussion with Action: Approve the Transfer of the forfeitable items of the Defendant in Rem, or any portion thereof, pursuant to 15 M.R.S.A., Section 5724(3) and Section 5826(6); and accept the seizure money (\$3,946.05) should it be awarded by the Courts. Chair Joseph Thornton
- # 7199 Discussion with Action: Approve the purchase for the Police Department of four (4) remote cameras from Exactitude, in the amount of \$18,000, from Account Number 52002-50865 – Police Security Camera Public Safety Capital Expense, with a balance of \$18,000. Town Manager  
Larry Mead
- # 7200 Discussion with Action: Approve the purchase for the Police Department of one (1) Polaris Ranger 570MS side-by-side ATV from Abbotts Power Equipment Company, in the amount of \$9,348, from Account Number 52002-50815 – ATV Public Safety Capital Expense, with a balance of \$11,300. Town Manager  
Larry Mead
- # 7201 Discussion with Action: Approve the Liquor License Renewals for Ahmed Rizk dba/Cobblestone Grille (206-27-13-E), 8 Heath Street, m-v in a Restaurant; and BFB Inc. dba/Barefoot Boy Restaurant (305-4-5), 45 East Grand Avenue, m-s-v in a Restaurant. Chair Joseph Thornton
- # 7202 Discussion with Action: Appoint Gholamreza Namin as a Regular Member of the Finance Committee, term to expire 12/31/18. Chair Joseph Thornton
- # 7203 Discussion with Action: Approve the Special Event Permit Application for the Renaud wedding on the beach at the end of Traynor Street, on Monday, August 13<sup>th</sup>, 2018 from noon to 9 p.m., to include a cookout and Wedding. Town approval pending approval from the Maine Inland Fisheries and Wildlife regarding piping plover essential habitat. Chair Joseph Thornton
- # 7204 Discussion with Action: Approve the Special Event Permit Application for the OOB Recreation Department to host a band of 15-year-old boys from OOB playing music through amps and a PA in the Square on Wednesday, July 25<sup>th</sup>, and Wednesday, August 15<sup>th</sup>, 2018 from 4:30 p.m. to 8 p.m., including set up and takedown. Chair Joseph Thornton
- # 7205 Discussion with Action: Approve the Special Event Permit Application for the Chamber of Commerce to hold their Annual Beach Olympics on the beach and in the Square (request to close the Square) on Friday, August 17<sup>th</sup> through Monday, August 20<sup>th</sup>, 2018. Set-up on Friday, August 17<sup>th</sup>, delivery of flatbed around midnight, event Friday through Sunday, August 17<sup>th</sup> thru August 19<sup>th</sup> and take down on Monday, August 20<sup>th</sup>, 2018. Insurance, listing the Town as additionally insured, to be provided to the Town Clerk's Office at least two weeks prior to the event. Chair Joseph Thornton

- # 7206 Discussion with Action: Approve the Special Event Permit Application for MAPS to hold their annual Breakaway 5K Road Race on Saturday, August 18<sup>th</sup>, 2018, 7:00 a.m. to 9:30 a.m. starting in the Square. Insurance, listing the Town of Old Orchard Beach as additionally insured, to be provided to the Town Clerk's Office at least two weeks prior to the event. Chair Joseph Thornton**
- # 7207 Discussion with Action: Approve the Special Event Permit Application for the Chamber of Commerce to host "Art in the Park" in Memorial Park on Saturday, August 11<sup>th</sup>, 2018, to include the possibility of gas grills. Set-up from 7-10 a.m., event 10 a.m. to 3 p.m., take down 3 p.m. to 6 p.m. Requested rain date of August 12<sup>th</sup>, 2018, same times. Insurance, listing the Town as additionally insured, to be provided to the Town Clerk's Office at least two weeks prior to the event. Chair Joseph Thornton**
- # 7208 Discussion with Action: Approve the Special Event Permit for the Veiga Charity to host a Basketball Tournament in Memorial Park to benefit the Milestone Foundation, to include gas grills to sell hamburgers/hotdogs, on Saturday, August 11<sup>th</sup>, 2018. Set-up from 7 a.m. to 10 a.m., event noon to 6 p.m., takedown from 6 p.m. to 9 p.m. Must observe quiet time for Veteran's Flag Raising Ceremony. Requirement to work with the Chamber of Commerce as to not compete with music at the same time their event is occurring. Per Public Works, no table legs or chairs on the surface of the basketball courts. Insurance, listing the Town as additionally insured, to be provided to the Town Clerk's Office at least two weeks prior to the event. Chair Joseph Thornton**

**ADJOURNMENT:**