

**TOWN OF OLD ORCHARD BEACH
REGULAR TOWN COUNCIL MEETING
TUESDAY, JUNE 5, 2018
TOWN HALL COUNCIL CHAMBERS
6:30 p.m.**

Pledge to the Flag
Roll Call

ACKNOWLEDGEMENTS:

GOOD AND WELFARE:

ACCEPTANCE OF MINUTES: Town Council Meeting Minutes of May 15, 2018; Town Council Workshop Minutes of May 15, 2018; and Town Council Workshop Minutes of May 16, 2018.

PUBLIC HEARING:

Handicap Space

Shall we Amend the Town of Old Orchard Beach Code of Ordinances, Section 54-187, Restrictions and Prohibitions, adding a handicap parking spot in front of 12 Pine Avenue?

PUBLIC HEARING BUSINESS LICENSES AND APPROVAL:

Feghali Homes LLC/Valerie Feghali (104-3-1), 16 Walnut Street, two (2) seasonal rentals; Scott Dickman (207-2-13-408), 161 Saco Avenue, #408, one (1) year round rental; Rita Costa & Robert Perlstein (105A-2-3-15), 15 Pine Valley Drive, one (1) year round rental; Tusharkumar Patel dba/Potvins Quick Stop LLC (211-9-12), 211 Saco Avenue, Victualers without Preparation with beer, Wine and/or Liquor – Off Premises; Gehad Badran dba/Cobblestone Grille (306-1-2-4 &5), 1 East Grand Avenue, Units 4 & 5, Victualers with Preparation and No Alcohol Sales; Palace Playland Associates, LLC, (307-1-2), 25 West Grand Avenue, Parking Lot; Las Concessions Inc./Steven Gonthier dba/Slush Factory (307-2-1-L), 1 Old Orchard Street- Palace Playland, Victualers with Preparation and No Alcohol Sales; Margaret Bushey (308-2-7), 86 Atlantic Avenue, one (1) year round rental; Normand G. Trottier (312-5-9) 21 West Old Orchard Avenue, one (1) year round rental; Elaine Kahaner (318-8-6-45), 146 West Grand Avenue, #45, one (1) seasonal rental; Ananda LLC/Chris M. Chemerka (321-4-2), 5 Ancona Avenue, ten (10) seasonal rentals; Lindsay Mongeon (322-3-7), 35 Massachusetts Avenue, one (1) seasonal rental; and H. Robert MacRae (323-8-10), 43 Randall Avenue, one (1) year round rental.

PUBLIC HEARING AMUSEMENT PERMITS AND APPROVAL:

GFB Scottish Pub LLC dba/GFB Scottish Pub (205-3-1B), 32 Old Orchard Street, DJ & Amplified Live Music – Inside (11:00 a. m – 12:45 a.m. Owner requesting change in closing hours of entertainment from Midnight to 12:45 a.m.;) Duffy’s Tavern & Grill OOB Inc. dba/ Duffy’s Tavern & Grill-OOB (208-1-6), 168 Saco Avenue, Music, Comedy Inside – 11:00 a.m. – 12:00 a.m. and The Beachwood dba/The Beachwood (307-1-4), 29 West Grand Avenue, DJ, Guitar, Karaoke – Outside – 11:00 a.m. – 10:00 pm.

TOWN MANAGER’S REPORT:

NEW BUSINESS:

- # 7163 Discussion with Action: Accept the bid from RHR Smith & Co., 3 Old Orchard Road, Buxton, Maine, for the Fiscal Year ending June 30, 2018, in the amount of \$18,000, with an option to extend for an additional two (2) years at the same annual fee; from Account Number 20101-50303 – Audit Services Expense, with a projected FY2019 budget of \$20,000. Town Manager
Larry Mead
- # 7164 Discussion with Action: Accept the Agreement for Fiscal Advisory Services for the Town of Old Orchard Beach from Unibank Fiscal Authority Services, Inc., for a period of three (3) years beginning July 1, 2017 and ending June 30, 2020; from Account Number 20105-50403 – Consulting/Financial Advisory Services, with a balance of \$2,500; and a projected FY19 budget of \$4,500. Town Manager
Larry Mead
- # 7165 Discussion with Action: Set the Public Hearing date of June 19, 2018 to 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
- # 7166 Discussion with Action: Accept the quote from Kone Cranes for the purchase of two (2) Hoists for the Wastewater Department, in the amount of \$14,255; from Account Number 20161-50330 – Wastewater Equipment Replacement, with a balance of \$25,423. Town Manager
Larry Mead
- # 7167 Discussion with Action: Accept the quote from Maine Oxy for the purchase of a MIG Welder for the Wastewater Department, in the amount of \$6,396.54, from Account Number 20161-50330 – Wastewater Equipment Replacement, with a balance of \$25,423. Town Manager
Larry Mead
- # 7168 Discussion with Action: Approve the Change Order from Penta Corporation, in the amount of \$52,837.70; from Account Number 31148-50399 - Wastewater Process Building Upgrade, with a balance of \$70,761. Town Manager
Larry Mead
- # 7169 Discussion with Action: Approve the purchase of LED lighting from Maine Hardware, in the amount of \$14,221.25, from Account Number 31148-50399- Wastewater Process Building upgrade with a balance of \$70,761. Town Manager
Larry Mead
- # 7170 Discussion with Action: Set the Public Hearing date of June 19th, 2018 to Amend the Town of Old Orchard Beach Code of Ordinances, 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

7171 Discussion with Action: Adoption of the FY2019 Municipal Budget.

Consider FY2019 Municipal Operating Budget Appropriation in the amount of \$16,396,921.

Consider FY2019 Capital Improvement Budget Appropriation in the amount of \$1,682,000.

Consider FY2019 Non-Property Tax Revenue Appropriation in the amount of \$3,881,005.

Consider FY2019 Appropriation of \$550,000 from the Unassigned Fund Balance; \$500,000 from the Rescue Fees Revenue Billing Fund; and \$108,854 from the 2008 Road, Water and Sewer Bond Fund, for the purpose of reducing the FY2019 Property Tax Commitment.

Consider Authorizing the Finance Director to Set the Percentage Rate for the FY2019 tax bill to be used for the operation and maintenance of the Waste Water Treatment Plant and sewer infrastructure, after approval of the FY2019 Budget.

Consider Authorizing and Directing the Assessor to prepare a Perfect List of all taxes of the Municipality and to commit the same to the Tax Collector.

Consider Authorizing and Directing the Tax Collector and Treasurer, pursuant to 36 M.R.S.A., Section 906, to apply any tax payment received from an individual as payment for any Property Tax against outstanding or delinquent taxes due on said Property in chronological order beginning with the oldest unpaid tax bill provided, however, that no such payment may be applied to any tax for which an Abatement Application or Appeal is pending unless approved in writing by the Taxpayer.

Consider setting due dates of September 12, 2018 and March 13, 2019 for the FY2019 Property Taxes.

Consider setting interest rate of 8% for delinquent property taxes.

Consider Authorizing the Tax Collector and Treasurer to accept prepayments of taxes before commitment at an interest rate of 0%, pursuant to 36 M.R.S.A., Section 506.

Chair Joseph Thornton

7172 Discussion with Action: Authorize the Town Manager to enter into a Lease Agreement with the Grand Victorian Condominium Association for use of a portion of the Milliken Street Parking Lot for a one (1) year period for an annual amount of \$30,000 for the use of up to fifty-one (51) parking spaces, including at the Town's discretion an option for up to two (2) additional one (1) year Lease Agreements for an annual amount of \$35,000, with the Condominium Association being responsible for winter maintenance, Including plowing and snow removal as needed and for enforcement of unauthorized parking.

**Town Manager
Larry Mead**

- # 7173 Discussion with Action: Approve Line Item Transfers for the following Departments:
- In the amount of \$5,400 from Account Number 20119-50373 – Unemployment Insurance Expense, with a balance of \$19,931.34; to Account Number 20119-50124 – In Lieu of Health Insurance Expense, with a balance of (\$849.14);
- In the amount of \$5,500 from Account Number 20119-50373 – Unemployment Insurance Expense, with a balance of \$19,931.34; to Account Number 20119-50203 – ICMA 457(b) Retirement Plan – Employer Share Expense, with a balance of \$1,319.18.
- In the amount of \$96,203.57 from Account Number 20119-50210 – Health Insurance – Employer Share Expense, with a balance of \$203,259.24; to Account Number 20119-50214 – Workers Compensation Insurance Expense, with a balance of (\$96,203.57). Chair Joseph Thornton
- # 7174 Discussion with Action: Reenact the Emergency Ordinance establishing a Moratorium on Medical Marijuana Retail Storefronts, first approved February 6, 2018 and currently expiring June 7, 2018; and extend for an additional sixty-one days to expire August 7, 2018. Chair Joseph Thornton
- # 7175 Discussion with Action: Consider abatement of taxes and accumulated interest and penalties as requested by the Tax Collector for tax year 2017, in the amount of \$437.93, for a 11996 Skyline Manufactured Home (Serial Number 431609239-G, located at 33 Ryefield Drive – Old Orchard Village (T0475-00000-00000.)) Chair Joseph Thornton
- # 7176 Discussion with Action: Convey foreclosed property identified as 13 Beechplum Drive, Parcel T3215 to owners of record – (ESQUIBEL JAMISON C) for the total amount of \$5,589.03 in outstanding taxes and accumulated interest including estimated tax for FY19, due on the effective date of conveyance, plus any legal costs incurred by the Town of Old Orchard Beach. Chair Joseph Thornton
- # 7177 Discussion with Action: Approve the Liquor Licenses Renewals for GFB Scottish Pub LLC dba/GFB Scottish Pub (205-3-1-B), 32 Old Orchard Street, m-s-v in a Restaurant; Duffy’s Tavern & Grill OOB Inc. dba/Duffy’s Tavern & Grill – OOB (208-1-6), 168 Saco Avenue, m-s-v in a Restaurant; The Beachwood dba/The Beachwood (307-1-4), 29 West Grand Avenue, m-s-v in a Hotel – Optional Food; and Venetia’s LLC/Venetia Kouzounas dba/Venetia’s Restaurant (313-4-3), 93 West Grand Avenue, m-v in a Restaurant. Chair Joseph Thornton
- # 7178 Discussion with Action: Approve the Special Event Permit application for the Salvation Army to hold their 5th annual Freedom 5K Run/Walk on Monday, July 30th, 2018. Race starts at 7:30 a.m., and finished by 11 a.m. Request to hang a banner on Saco Avenue two weeks prior to the event. Chair Joseph Thornton

ADJOURNMENT: