



Town Council Regular Meeting – Agenda

Tuesday, June 7th, 2022 @ 6:30pm
Council Chambers - 1 Portland Avenue

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PLEDGE OF ALLEGIANCE

ROLL CALL

ACKNOWLEDGEMENTS

GOOD & WELFARE

PRESENTATION:

Secretary of State Citizenship Award to Hannah Webber

Presenters – State Representative Lori Gramlich & State Senator Donna Bailey

ACCEPTANCE OF MINUTES

Accept the minutes for the Regular Council Meeting held on Tuesday, May 17th, Special Emergency Meetings held Tuesday, May 24th and Wednesday, June 1st, and Budget Workshops held on Tuesday, May 24th, Wednesday, May 25th, Wednesday, June 1st, 2022.

Chair: Shawn O’Neill

PUBLIC HEARINGS:

PH1 – Shall the Town Council consider whether to approve a Contract Zone Agreement between Land Matters, LLC and the Town of Old Orchard Beach, for the property located at 60 Saco Ave., Map 206, Block 10, Lot 1 in the GB2 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

PH2 – Shall the Town Council consider an Amendment to the Town of Old Orchard Beach Code of Ordinances, Ch. 78, Art. VI, Sec. 78-747 (1) i? *{This amendment proposes to Lodging Establishments in the DD2 Zoning District.}*

Chair: Shawn O’Neill

PUBLIC HEARING – LIQUOR LICENSE & APPROVAL:

Definitive Brewing Company, LLC, (306-5-6) 28 East Grand Ave **and** (305-6-1-C), 32 East Grand Avenue, initial brewery license.

Chair: Shawn O’Neill

PUBLIC HEARING – BUSINESS LICENSE & APPROVALS:

Definitive Brewing Company, LLC & High Roller Lobster, Co., (305-6-1-C), 32 East Grand Avenue, victualer’s w/prep w/alcohol.

John Garrett: Archer Homes, LLC, (313-2-2), 5 Bay Avenue, one year round rental.

Sunanda Prathi: Prathi Realty, LLC, (313-2-2-1), 7 Bay Avenue, Unit 2, one seasonal rental.

Steven & Tina Lampedecchio, (313-2-2-3), 7 Bay Avenue, Unit 4, one seasonal rental.

Richard Hudgins: The Hudgins Family Revocable Trust, (313-2-2-7) **and** (313-2-2-10), 7 Bay Avenue, Unit 8 and Unit 11, one seasonal rental each.

Joseph Rousseau: 32 East Grand, LLC, (305-6-1-B), 32 East Grand Avenue, one seasonal rental.

Jonathan Taylor d/b/a Driftwood, (316-2-2), 16 Odessa Avenue, one seasonal rental.

Christopher Meier, (308-4-6), 4 Myrtle Avenue, one year round rental.

Frank Morrow III, (311-15-4), 18 Prospect Street, one seasonal rental.

John & Shannon Cloutier: The Beachwood (C Corp), (312-1-12), 61 Fern Avenue, one year round rental.

Kristin & Mark Merritt, (315-20-12), 51 Highland Avenue, three year round rentals.

Jeremy Benn: Imperial Waters, LLC, (205-7-4), 18 Imperial Street, sixteen year round rentals.

William & Juanna Wilson, (205-8-1), 28 Imperial Street, three year round rentals.

Jamie Brouillard, (319-12-5), 129 West Grand Avenue, one year round rental.

Scott Durep: Durp, LLC, (313-3-4), 95 West Grand Avenue, Parking Lot.

Old Orchard Beach Chamber of Commerce, (206-32-2), 11 First Street, Parking Lot.

**requesting application and license fee waiver from Council*

Chair: Shawn O'Neill

PUBLIC HEARING - SPECIAL EVENT AMUSEMENT PERMIT:

Definitive Brewing Company, LLC, (305-6-1-C), 32 East Grand Avenue, live music, no later than 10p.

Robert & Kelly Greenlaw: GFB Scottish Pub, LLC, (205-3-1-B), 32 Old Orchard Street, amplified/acoustic music/DJ & Karaoke, 12:00pm to 12:00am. *

*(*Note: inspection will occur with liquor license inspection. Liquor license good thru 08.19.2022.)*

Marc Bureau: MCJ, LLC d/b/a Royal Anchor/Water's Edge, (202-1-5), 203 East Grand Avenue, extension of special event amusement permit; outside live music from 10a to 9p.*

*(*Note: The permit was previously approved 12/21/21 and the extension would go until 06/10/2023 to align with current liquor license.)*

Chair: Shawn O'Neill

TOWN MANAGER REPORT

NEW BUSINESS:

#7680 Discussion with Action: Approve the liquor license renewals for the following:

Kevin McAllister: 27 West Grand LLC d/b/a The Shack, (307-1-3), 27 West Grand Avenue, m-s-v in a restaurant.

Linda Cates: KTD, Inc. d/b/a Bell Buoy Restaurant, (205-4-5B), 24 Old Orchard Street, m-s-v in a restaurant.

Chair: Shawn O’Neill

#7681 Discussion with Action: Authorize the Town Manager to award the bid to Skid Steer Services, LLC for the construction work required for the Cold Water Brook Culvert Replacement Project, in the amount of \$455,240.00, from account #50002-50831, CIP Stormwater Maintenance and Improvements with a balance of \$1,100,134.91.

Chair: Shawn O’Neill

#7682 Discussion with Action: Authorize the Town Manager to enter into the Animal Shelter Agreement for Fiscal Year 2023 with the Animal Welfare Society for the purpose of providing shelter for stray and lost domesticated companion animals located within the Town of Old Orchard Beach, in the amount of \$13,069.92 from account #20131-50310 with a projected FY 23 budget of \$523,000.

Chair: Shawn O’Neill

#7683 Discussion with Action: Authorize the Town Manager to enter into an agreement between the Maine Department of Transportation (MaineDOT) and the Portland Area Comprehensive Transportation System (PACTS) for proposed improvements to Union Avenue, from Saco Ave to W. Grand Ave., in the estimated cost of \$465,600.00 funded through PACTS Federal allocation funding with a projected local municipal share of \$116,400 from account # 50002-50506 CIP Road Maintenance Improvements, with a balance of \$588,208.73.

Chair: Shawn O’Neill

- #7684 Discussion with Action:** Authorize the Town Manager to enter into agreement with Anchor Fencing in the amount of \$6,350.00 to repair the second phase of fencing around the baseball playing field from account #30200-50317 Non-Rec Program Fund, with a balance of \$120,386.98.
- Chair: Shawn O'Neill
- #7685 Discussion with Action:** Approve & certify the information on the Annual Report for Tax Year April 1, 2021 through March 31, 2022 for the Affordable Housing Tax Increment Financing District relative to the public purpose of the affordable housing district, as reported by The Pines at Ocean Park and Milliken Heights TIF Districts.
- Chair: Shawn O'Neill
- #7686 Discussion with Action:** Approve the line item transfer for the Police Department in the amount \$3,000 from account #20131-550128 Physical Fitness, with a balance of \$9,500 to account #20131-50127 Education Incentive, with a balance of (\$1,500).
- Chair: Shawn O'Neill
- #7687 Discussion with Action:** Approve the line item transfer for the Police Department in the amount of \$7,000: \$3,685.91 from account #20131-50519 K-9 Program, with a balance of \$3,685.91, and \$3,314.09 from account #20131-50128 Physical Fitness, with a balance of \$9,500, to account #20131-50404 Networking/Internet, with a balance of (\$6,080.24).
- Chair: Shawn O'Neill
- #7688 Discussion with Action:** Approve a carry forward of \$19,500.00 from account # 20110-50310 Service Contracts in the Fiscal Year 2022 Planning budget to Fiscal Year 2023 to contract with SMPDC in order to update the Old Orchard Beach Comprehensive Plan.
- Chair: Shawn O'Neill
- #7689 Discussion for Action:** Approve the line item transfer for separation pay in the amount of \$24,000.00 from account #20119-50115 Separation Pay with a balance of \$50,000.00 to account #20131-50101 Department Head Salary, with a balance of (\$16,226.74).
- Chair: Shawn O'Neill

#7690 Discussion with Action: Approve the purchase of a parking pay station kiosk from Flowbird group in the amount of \$6,700.00 from account #52002-50884 CIP Parking Control Machine, with balance of \$6,523.99, and \$176.01 from account #20132-50452 Parking Enforcement Operating Equipment Expense, with a balance of \$4,164.86.

Chair: Shawn O'Neill

#7691 Discussion with Action: Approve the proposal from Mclaughlin Builders to install gutters on Town Hall in the amount of \$17,300.00 from account #51002-50842 CIP Town Hall Improvements, with a balance of \$305,332.90.

Chair: Shawn O'Neill

#7692 Discussion with Action: *Consider the following:*

FY2023 Municipal Operating Budget Appropriation in the amount of **\$20,526,908.00.**

FY 2023 Capital Improvement Budget Appropriation in the amount of **\$2,860,500.00.**

FY 2023 Non-Property Tax Revenue Appropriation in the amount of **\$5,676,800.00.**

FY 2023 Appropriation of \$500,000.00 from the Unassigned Fund Balance and **\$500,000.00** from the Rescue Fees Billing Fund; for the purpose of reducing the FY2023 Property Tax Commitment.

Authorizing the Finance Director to set the Percentage Rate for the FY2023 tax bill to be used for operation and maintenance of the Waste Water Treatment Plant and sewer infrastructure, after approval of the FY2023 Budget.

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.

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.

Setting due dates of **September 14th, 2022** and **March 14th, 2023** for the FY2023 property taxes.

Setting interest rate of **4%** for delinquent property taxes.

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: Shawn O'Neill

ADJOURNMENT