

**TOWN OF OLD ORCHARD BEACH
TOWN COUNCIL MEETING
Tuesday, March 5, 2019
TOWN HALL CHAMBERS
6:30 p.m.**

A Town Council Meeting of the Old Orchard Beach Town Council was held on Tuesday, March 5, 2019. Chair Thornton opened the meeting at 6:32 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:

EMERGENCY ITEM:

CHAIR: I ask for a Motion to add Agenda Item Number 7340 following Agenda Item following Agenda Item 7337:

Discussion with Action: Approve the Liquor License Renewal for Jeanne Lachance dba/JJ's Eatery, Too (306-5-1), 12B Old Orchard Street, m-s-v in a Restaurant.

MOTION: Councilor Kelley motioned and Councilor Blow seconded to Approve the Liquor License Renewal for Jeanne LaChance dba/JJ's Eatery, Too (306-5-1), 12B Old Orchard Street, m-s-v in a Restaurant.

VOTE: Unanimous.

ACKNOWLEDGEMENTS:

CHAIR: We acknowledge with great sadness the death of Fireman Captain Joel Barnes who gave his life this weekend for the safety of others. Services and burial will take place on Sunday, March 10th. There will be two services: A private family mass and a public memorial Ceremony. The public memorial services will be Sunday, March 10th at 11:00 a.m. at the Cross Insurance Arena, 1 Civic Center Square, Portland, Maine. We hold the family up in our thoughts and prayers and celebrate the life of Joel who gave his all for his community. Please join me in a moment of silence.

ACCEPTANCE OF MINUTES: Town Council Minutes of February 19, 2019.

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

VOTE: Unanimous.

GOOD AND WELFARE:

PUBLIC HEARING: Amend Ordinance – Parking First Street

Shall We Amend the Town of Old Orchard Beach Code of Ordinances, Section 54-187, Restrictions and Prohibitions, amending parking on First Street by removing the four 15-minute parking spaces in front of the Chamber of Commerce, and changing a word from “excepting” to “except”.

CHAIR: I open this Public Hearing at 6:35 p.m.

The Chamber of Commerce has asked the Police Chief to review a proposal they have been working on, that would add eight parking spots, four of which would have charging stations for electric vehicles, on property they own. The property is adjacent to the northern side of the Chamber building, and abuts the railroad tracks. Currently, there are four (4) Town owned, Pay to Park spaces on First Street that run parallel to the location where they want to create the additional parking. In order for them to have access to the eight new spots, the four paid spaces would have to be removed. In exchange for the Town agreeing to remove the four paid spaces, the Chamber would be willing to relinquish the four 15 minute parking spaces, that are currently located in front of the Chamber. They were originally provided to allow dedicated parking spaces for those needing to conduct business with the Chamber. The Chambers proposal would include a new sidewalk, plantings, and paving of an area that is currently somewhat of an eyesore. They are working with Planning on getting the project approved. I do not believe there is any downside for the Town with their proposal, and would ask that the Council consider scheduling a Public Hearing to consider removal of the four 15 minute spaces on First Street.

MIKE HALLEY: As a member of the Chamber of Commerce Board of Directors, he thanked the Town Council for the willingness to make this change and gave an update on the work that is planned to allow for additional parking spaces.

**NOTICE OF PUBLIC HEARING
MUNICIPAL OFFICERS OF THE TOWN OF
OLD ORCHARD BEACH**

The Municipal Officers of the Town of Old Orchard Beach, Maine hereby give Public Notice that there will be a Public Hearing held at the Town Hall, Council Chambers, on March 5th, 2019 at 6:30 p.m. to consider the following:

Shall the Town Council of the Town of Old Orchard Beach amend the Code of Ordinances, Chapter 54, Traffic and Vehicles, amending Section 54-187, Restrictions and Prohibitions, amending First Street, by adopting the underscored language and deleting the strikethrough as follows:

First Street. No parking on First Street on either side from Union Avenue to Heath Street, excepting parking shall be allowed on the side abutting the railroad tracks from Union Avenue to Atlantic Avenue. No vehicle shall be parked on First Street from Old Orchard Street to Staples Street. Angle parking only is allowed from Staples Street to Heath Street, except for bus stop, drop off area, two handicap spaces, and taxi stands located on the ocean side of the street in front of the municipal passenger railroad platform. Four 15-minute parking spaces shall be located in front of the entrance to the chamber of commerce building, which will not include

~~parking meters.~~ Two handicap spaces will be located to the left of the chamber of commerce building.

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

BUSINESS LICENSES AND APPROVAL:

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

James O'Brien (211-9-3), 214 Temple Avenue, one year round single family rental; Richard & Linda Carmon (310-6-1-31), 39 West Grand Avenue, #310, one year round Condo rental; and Julie Lemieux (107-3-1-K24), 57 Kavanaugh Road, one year round Condo rental.

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

MOTION: Councilor Blow motioned and Councilor Kelley seconded to Approve the Business Licenses as read.

VOTE: Unanimous.

TOWN MANAGER'S REPORT

Evergreen Sewer Bid: There has been a lot in the news of late about both the public and private prices for construction and development work coming in high due to the high demand and labor shortages. Last week we opened bids for sewer and drainage project work at Evergreen Avenue, 11th Street, Pine and For Hill Avenues and the prices were in fact significantly higher than our estimates, almost 20% higher. Working with our engineers from Wright Pierce we are talking with the contractor to try to value the project with the hope of getting a scope of work that is within our budget. The intent is for the work to be done in the Spring. **Recycling Contract:** The Town has been notified that EcoMaine will not renew the terms of the current contract to process recycled materials. That contract expires at the end of April. Many of our residents participate each week in the Town's recycling efforts by separating recycling materials from general trash materials for curbside pick-up. This has for a long time been a good deal for the Town in two ways: one is that we are doing our part for the environment by reducing the volume of solid waste that is land-filled or burned; and two is that while each ton of trash costs about \$75 to dispose of our recycled materials were processed by EcoMaine for the past nine years at no cost to the Town. Unfortunately that "free-ride" is about to end. The market for many recycled materials has changed dramatically in the past two years. As a result instead of EcoMaine earning money from recycled materials, it now has to pay to process them. The Town delivers about 600 tons of recycled materials each year to Eco Maine. It is likely that the cost per ton will be between \$60 and \$90 depending on market conditions from month to month. The Council did appropriate in this current fiscal year an additional \$50,000 in anticipation of the changes in the recycling market so we are in good shape both for this fiscal year as well as moving forward into the next fiscal year. We will be bringing this issue to the Council in an upcoming meeting. **Homestead Exemption:** With respect to property taxes the Town Manager wanted to take the time to remind the residents who own their own home and whose primary residence is in Old Orchard Beach about the Homestead Exemption. This is property tax relief program that is available to any homeowner who is a full time resident, regardless of age or income. Under the Homestead Program you tax bill is reduced by just over \$300. This can be a significant savings for many of our homeowners; 10% for homes valued at \$200,000. For those who own a mobile home the Homestead Exemption could be a savings of as much as 50% of your tax bill. So if you are a year round homeowner and

don't think you are receiving the Homestead Exemption please call the Assessors' Office at Town Hall to ask about the program, or go to the Assessor's Department page on the Town's website for information. To qualify for the upcoming tax year you have to file an application no later than April 1st. So keep that date in mind, April 1st. This is a onetime application as long as you continue to live at the same property, not something that needs to be done each year. Career Fair: The Human Resource Department is holding a Job Fair on Saturday, March 16th from 9:00 a.m. to 2:00 p.m. here in the Town Council chamber. The Career Fair is for both summer and year round employment. Seasonal positons include Recreation Camp Councilors, Reserve Police, and Public Works and Parks Seasonal Employees. We will offer immediate interviews for most positions not including summer Reserve Police or per diem Firefighters. For information go to the Town's website or call 937-5632.

NEW BUSINESS:

7334 Discussion with Action: Convey foreclosed property identified as 32 Seaview Ave, Parcel Number 00315-00012-00008 to owners of record (CORMIER, JEFFREY & ANGELA) for the total amount of \$9,203.80 in outstanding taxes and accumulated interest INCLUDING TAX YEARS FY 2016, 2017, 2018 and 2019, due on the effective date of CONVEYANCE plus any legal costs incurred by the Town of Old Orchard Beach.

MOTION: _____ motioned and _____ seconded to Convey foreclosed property identified 32 Seaview Ave, Parcel Number 00315-00012-00008 to owners of record (CORMIER, JEFFREY & ANGELA) for the total amount of \$9,203.80 in outstanding taxes and accumulated interest INCLUDING TAX YEARS FY 2016, 2017, 2018 and 2019, due on the effective date of CONVEYANCE plus any legal costs incurred by the Town of Old Orchard Beach.

VOTE: Unanimous.

7335 Discussions with Action: Consider abatement of taxes and accumulated interest And penalties as requested by the Tax Collector for tax years 2013 through 2018, in the amount of \$2,160.04 for a 1984 Titan Mobile Home (Serial Number 194-880-9888) located at 8 McCallum Drive - Old Orchard Village (T0480-00000-00000.)

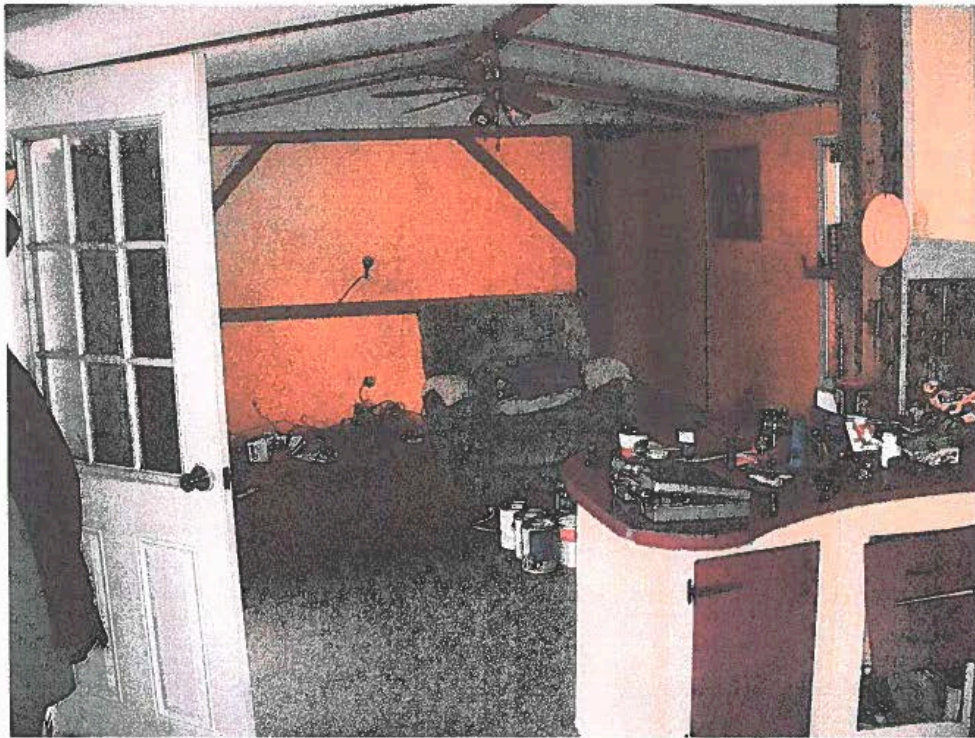
BACKGROUND:

A LISTING OF THE TAX RECORDS INCLUDING THOSE OF 3/8/19 AND 3/15/19 WILL BE AT THE COUNCILORS DESK ON TUESDAY EVENING.

MOTION: Councilor Kelley motioned and Councilor Blow seconded to Consider abatement of taxes and accumulated interest and penalties as requested by the Tax Collector for tax years 2013 through 2018, in the amount of \$2,160.04 for a 1984 Titan Mobile Home (Serial Number 194-880-9888) located at 8 McCallum Drive - Old Orchard Village (T0480-00000-00000.)

VOTE: Unanimous.

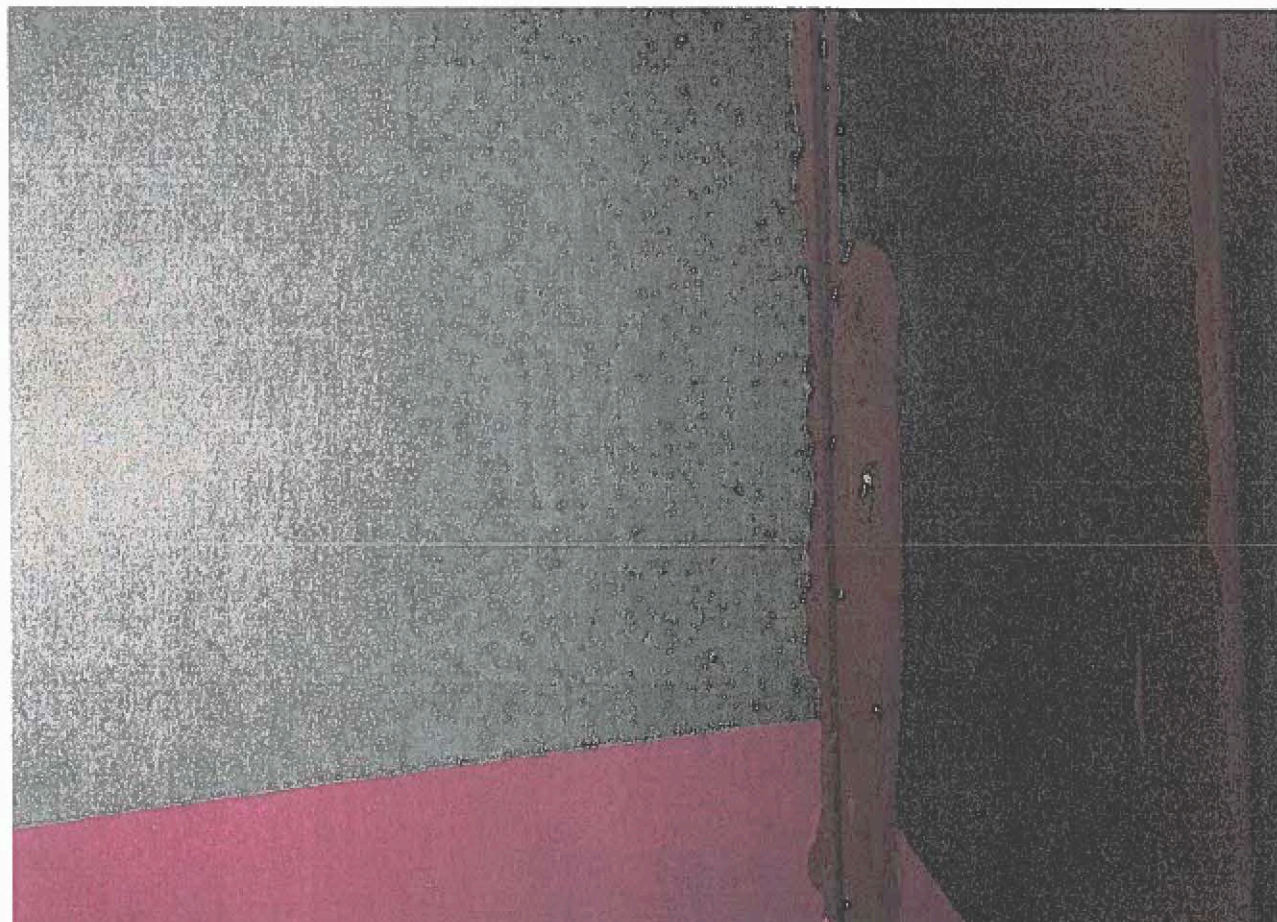
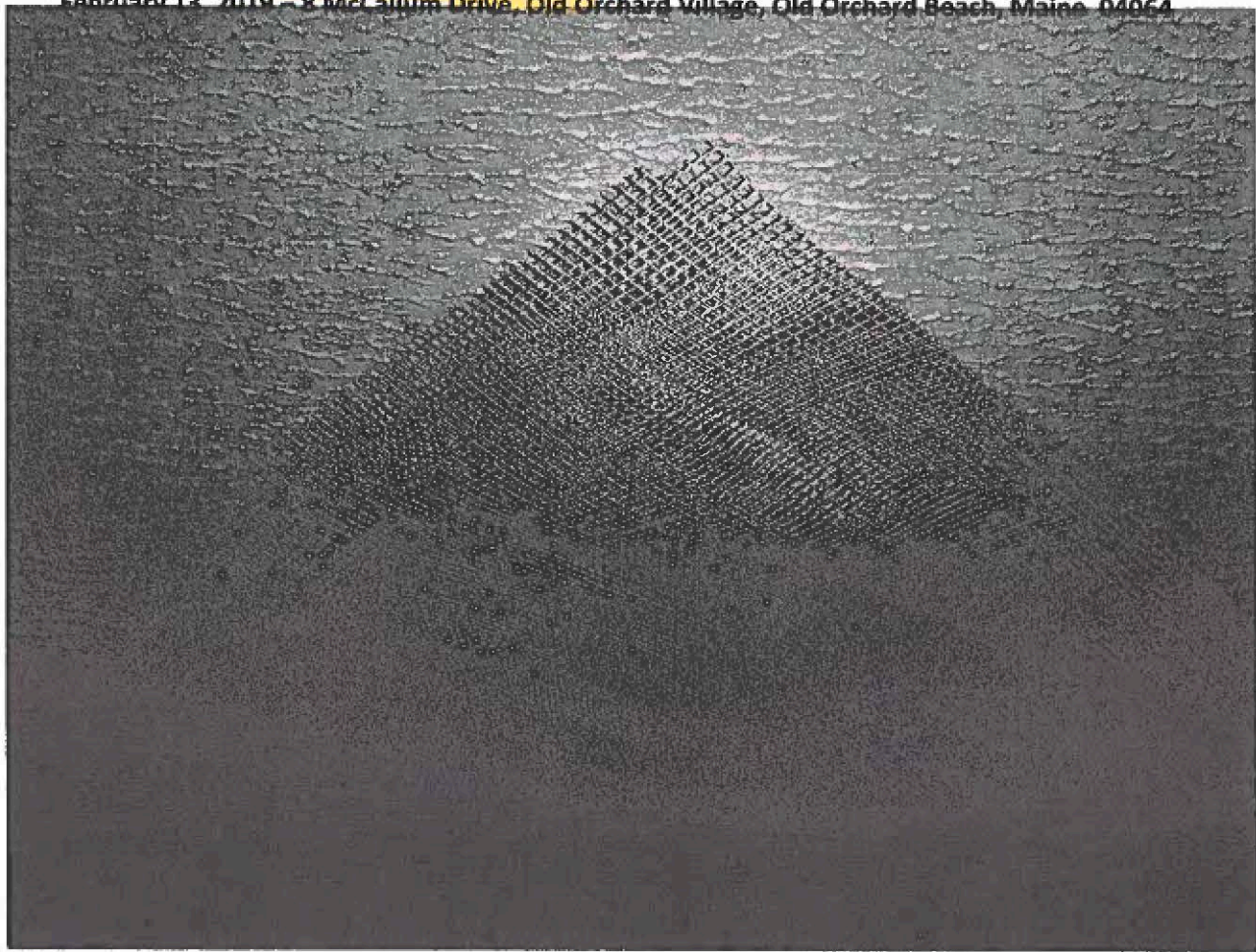
February 13, 2019 - 8 McCallum Drive, Old Orchard Village, Old Orchard Beach, Maine 04064

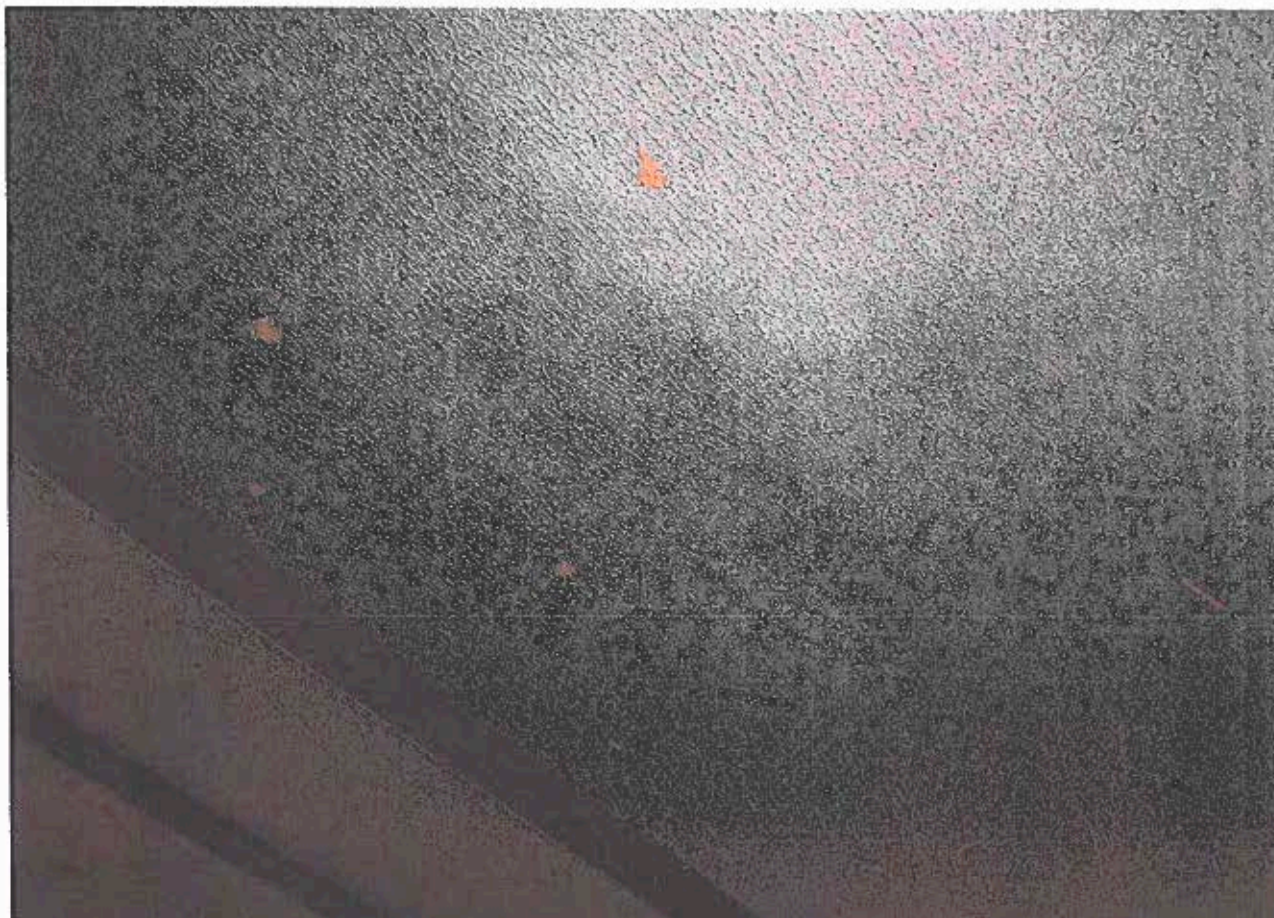


February 13, 2019 - 8 McCallum Drive, Old Orchard Village, Old Orchard Beach, Maine, 04064



February 13, 2019 - 8 McCallum Drive, Old Orchard Village, Old Orchard Beach, Maine 04064







7336 Discussion with Action: Appoint Irish Griffith as Deputy Code Enforcement Officer, term to expire 07/01/2019.

MOTION: Councilor Blow motioned and Councilor Kelley seconded to Appoint Irish Griffith as Deputy Code Enforcement Officer, term to expire 07/01/2019.

VOTE: Unanimous.

7337 Discussion with Action: Set a Public Hearing date of March 19th, 2019 to Amend The Town of Old Orchard Beach Code of Ordinances, Section 54-187, Restrictions and Prohibitions, amending parking on Imperial Street and Seavey Street by designating two-hour parking.

TOWN MANAGER: This property is a mobile home that was foreclosed on by the Town several years ago for unpaid property taxes dating back to 2013. The former owner recently passed away and the mobile home is now abandoned on site. The Deputy Assessor inspected the property and has determined that it has no value and is beyond repair due to the mold infestation and rotted flooring. The Town is the legal owner of the property. The mobile home park owner is willing to remove and dispose of the structure if the Town will abate the taxes due in the full amount of \$2,160.04.

MOTION: Councilor Blow motioned and Councilor Kelley seconded to Set a Public Hearing date of March 19th, 2019 to Amend the Town of Old Orchard Beach Code of Ordinances, Section 54-187, Restrictions and Prohibitions, amending parking on Imperial Street and Seavey Street by designating two-hour parking.

VOTE: Unanimous.

NOTICE OF PUBLIC HEARING
MUNICIPAL OFFICERS OF THE TOWN OF
OLD ORCHARD BEACH

The Municipal Officers of the Town of Old Orchard Beach, Maine hereby give Public Notice that there will be a Public Hearing held at the Town Hall, Council Chambers, on March 19th, 2019 at 6:30 p.m. to consider the following:

Shall the Town Council of the Town of Old Orchard Beach amend the Code of Ordinances, Chapter 54, Traffic and Vehicles, amending Section 54-187, Restrictions and Prohibitions, amending Seavey Street and Imperial Street, by adopting the underscored language and deleting the strikethrough as follows:

Imperial Street. No parking shall be allowed on the right side (facing the ocean) of Imperial Street from Portland Avenue to Milliken Street. Two-hour-Pparking shall be allowed on the left side (facing the ocean) of Imperial Street only from Veteran's Square to Francis Street.

Seavey Street. Seavey Street is designated as "one way." Vehicles are allowed to enter Seavey Street from Old Orchard Street and proceed in a northerly direction. Two-hour-Pparking shall be allowed on the left side of Seavey Street.

7340 Discussion with Action: Approve the Liquor License Renewal for Jeanne LaChance dba/JJ's Eatery, Too (306-5-1), 12B Old Orchard Street, m-s-v in a Restaurant.

MOTION: Councilor Blow motioned and Councilor Kelley seconded to Approve the Liquor License Renewal for Jeanne LaChance dba/JJ's Eatery, Too (306-5-1), 12B Old Orchard Street, m-s-v in a Restaurant.

VOTE: Unanimous.

7338 Executive Session: Discussion of the Old Orchard Beach Waste Water Employee's Association Collective Bargaining Agreement pursuant to 1 M.R.S.A., Section 405(6)(D). (Note: this item discusses labor negotiations, and the Council anticipates that the discussion portion will occur in Executive Session.

MOTION: Councilor Kelley motioned and Councilor Blow seconded to Enter into Executive Session at 7:00 p.m. for Discussion of the Old Orchard Beach Waste Water Employee's Association Collective Bargaining Agreement pursuant to 1 M.R.S.A., Section 405(6)(D). (Note: this item discusses labor negotiations, and the Council anticipates that the discussion portion will occur in Executive Session.

VOTE: Unanimous.

MOTION: Councilor Blow motioned and Councilor Kelley seconded to Exit Executive Session 7:10 p.m.

VOTE: Unanimous.

MOTION: Councilor Blow motioned and Councilor Kelley seconded to Enter into Executive Session at 7:10 p.m. - Labor Negotiations; (Note: This item discusses labor contract issues related to the Old Orchard Beach Patrolmen's Association – Maine Association of Police union contract, as defined under Title 1 M.R.S.A., Section 405 (6) (D), and the Council anticipates that the discussion portion will be held in Executive Session.)

VOTE: Unanimous.

MOTION: Councilor Blow motioned and Councilor Kelley seconded to Exit the Executive Session at 8:35 p.m.

VOTE: Unanimous.

AJOURNMENT:

MOTION: Councilor Kelley motioned and Councilor Blow seconded to Adjourn the Town Council Meeting at 8:36 p.m.

VOTE: Unanimous.

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 twelve (12) pages is a copy of the original Minutes of the Town Council Meeting of March 5 2019.

V. Louise Reid