



Town Council Agenda

Regular Meeting of Town Council
Tuesday, May 17th, 2022 @ 6:30pm
Council Chambers - 1 Portland Avenue

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PLEDGE OF ALLEGIANCE

ROLL CALL

ACKNOWLEDGEMENTS

GOOD & WELFARE

PRESENTATIONS:

RHR – Town Audit

Veterans Memorial Park Sub-Committee - proposed improvements to Memorial Park

ACCEPTANCE OF MINUTES

Accept the minutes for the Regular Council Meeting held on Tuesday, April 19th, 2022, the Budget Workshops held on Wednesday, April 13th, Tuesday, April 19th, Wednesday, May 4th and Thursday, May 5th, 2022 and the Special Emergency Meeting held on Thursday, May 5th, 2022.

Accept the Acknowledgements read into record on Tuesday, May 3, 2022 (no council quorum).

Chair: Shawn O'Neill

PUBLIC HEARING – LIQUOR LICENSE & APPROVAL:

Elizabeth Caldwell & Justin Watson: Lil’ Eli’s Café Cubano, LLC, (206-226-4-BC), 34 Saco Avenue, m-v in a restaurant. *(Note: previously Bella’s Pizza location).*

Chair: Shawn O’Neill

PUBLIC HEARING – BUSINESS LICENSE & APPROVALS:

Peter & Genevieve Picard, (314-15-7), 84 Ocean Avenue, one year round rental.

Stan DeFreese, (315-20-6), 62 Union Avenue-Apartment 2, one year round rental.

Ryan & Bridget Cassidy, (314-5-4), 77 Park Avenue, one year round rental.

Mary Ann & Kevin Beaulieu, (208-1-9-33), 20 Trinity Way, one year round rental.

Paul Rose, (105-2-925), 16 Trudy Circle, one year rental.

Al & Butch Fabish: Vindico, LLC d/b/a Beach Motel & Suites, (206-28-1), 5 Summit Street, 24 year round rentals.

Ed Pennell & Connie Minervino d/b/a Tonie’s Place, (315-12-5), 40 Seaview Avenue, one seasonal rental.

Brian & Karen Barrows, (311-11-5), 48 Wesley Avenue, one year round rental.

Yves Lapointe, (202-1-8-1), 193 East Grand Avenue Unit #1, one year round rental.

Edwin Bones, (205-8-6), 19 Wintergreen Street, one year round rental.

Ronald Rix, (319-5-7-2), 14 Hampton Avenue, one seasonal rental.

Jeanette Lucas, (309-9-7), 23 Fort Hill Avenue, one seasonal rental.

Robert & Deborah Millette, (313-2-2-2), 7 Bay Avenue, Unit #3, one seasonal rental.

Marc Paradis, (313-2-2-5), 7 Bay Avenue, Unit #6, one seasonal rental.

Amy & Brandon Delano, (313-2-2-6), 7 Bay Avenue, Unit #7, one seasonal rental.

Christina LaChance, (313-2-2-9), 7 Bay Avenue, Unit #10, one seasonal rental.

Joseph Golzbein: Mainely Concessions, LLC, 2 Old Orchard Street d/b/a:

*The Grill & Dough (306-6-1-E), victualers with prep, no alcohol &
The Fry Factory (306-6-1-FF), victualers with prep, no alcohol &
The Gem Shop (306-6-1-GC), retail*

Elizabeth Caldwell & Justin Watson: Lil' Eli's Café Cubano, LLC, (206-226-4-BC), 34 Saco Avenue, Victualers w/prep w/alcohol. (Note: previously Bella's Pizza location).

Paul Golzbein: TPR, Inc. d/b/a Bull & Brew Wing House, (306-5-2), 6 East Grand Avenue, sidewalk café.

Paul Golzbein: TPR, Inc. d/b/a Tequila Frogs & Local Cantina, (306-5-3), 8 East Grand Avenue, sidewalk café.

Judith A. Breitmaier d/b/a The Soda Fountain & Variety Store, (324-17-1-B), 12 Temple Avenue; victualers with prep, no alcohol & retail.

Rafi Jacobi: Golan, Inc, (206-31-4-AA), 31 Old Orchard Street, vehicle for hire.*
(*Note: pending inspections of pedicabs upon arrival)

Chair: Shawn O'Neill

PUBLIC HEARING - SPECIAL EVENT AMUSEMENT PERMIT:

Bob & Michelle Bouthot: Strike Zone Restaurant & Pub Inc. d/b/a The Strike Zone, (205-4-1-C), live music inside/outside 11a thru midnight.

Anthony Giudice: New England Restaurant Group, Inc. d/b/a Pirates Patio & Gallery, (304-2-9), 2 Walnut Street, amplified music, dancing and karaoke 11a-8p. *
(*Note: liquor license expires 08/2022)

Chair: Shawn O'Neill

TABLED ITEMS:

04/19/2022: Public Hearing – Special Event Amusement Permit & Approval

Cameron Langlois: Big Bites Big Shots, Inc., (307-3-1-A), 8 West Grand Avenue, inside & outside dancing 7p thru 1am.

Chair: Shawn O’Neill

TOWN MANAGER REPORT

NEW BUSINESS:

#7652 Discussion with Action: Approve the liquor license renewals for the following:

Guy Loranger: Big Daddy’s Bar & Grill, Inc. d/b/a Big Daddy’s Bar & Grill, (307-3-4), 13 Old Orchard Street, m-s-v in a restaurant.

Bob & Michelle Bouthot: Strike Zone Restaurant & Pub Inc. d/b/a The Strike Zone, (205-4-1-C), m-s-v in a restaurant/lounge.

Chair: Shawn O’Neill

#7653 Discussion with Action: Confirm the appointment of Elise Chard as Interim Police Chief, between May 3, 2022 thru November 3, 2022, with an annual salary of \$100,000.00.

Chair: Shawn O’Neill

#7654 Discussion with Action: Approve an emergency ordinance establishing a moratorium on medical marijuana production facilities and registered dispensaries, pursuant to Charter Section 410.1.

Chair: Shawn O’Neill

#7655 Discussion with Action: Set the date of June 7, 2022 to hold a public hearing to 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

#7656 Discussion with Action: Set the date of June 7, 2022 for a Public Hearing to 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 R2 Zoning District.}*
Chair: Shawn O’Neill

#7657 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 5824(3) and Section 5826(6); of \$870.00 should it be awarded by the Courts, Docket No. CR-21-136.
Chair: Shawn O’Neill

#7658 Discussion with Action: Approve the donation of an out-of-service 2013 Ford Explorer Police Cruiser with 132,000 miles, including equipment, for the purpose of supporting the training curriculum within the Criminal Justice Program at York County Community College.
Chair: Shawn O’Neill

#7659 Discussion with Action: Approve the proposal from Shaw Bros, Inc. for the Sewer replacement construction on W. Grand Ave. between Union Ave. and Pavia Ave., in the amount of \$137,331.00 from account # 50002-50508 CIP Sewer Maintenance Expense, with a balance of \$767,783.68
Chair: Shawn O’Neill

#7660 Discussion with Action: Approve the proposal from Shaw Bros., Inc for the sidewalk improvements on W. Grand Ave. between Union Ave. And Pavia Ave., in the amount of \$54,140.00 from account #50002-50507 CIP Sidewalk Improvements, with a balance of \$501,548.61, and the paving construction on Seacliff Ave., from W. Grand Ave. to Seaside Ave., in the amount of \$32,746.00 from account #50002-50506 CIP Road Improvements, with a balance of \$605,236.24.

Chair: Shawn O'Neill

#7661 Discussion with Action: Approve the line item transfer of \$20,000 from account #20151-50508 Public Works Sewer Maintenance, with a balance of \$29,308.58, to account # 20151-50542 Public Works Operating Equipment Repair Expense Account, with a balance of \$2,104.96.

Chair: Shawn O'Neill

#7662 Discussion with Action: Approve the quote from Allied Equipment in the amount of \$5,886.88 from account # 20151-50452 Public Works Operating Equipment Repair Expense Account, with a balance of \$22,104.96, for parts and repairs to the Town's street sweeper.

Chair: Shawn O'Neill

#7663 Discussion with Action: Approve the quote from Allegiance Trucks in the amount of \$5,058.03 from account # 20151-50452 Public Works Operating Equipment Repair Expense Account with a balance of \$22,104.96 for repairs to the Town's 2013 International Truck.

Chair: Shawn O'Neill

#7664 Discussion with Action: Authorize the Town Manager to enter into an agreement for recycling services between EcoMaine and the Town of Old Orchard Beach for three years commencing July 1, 2022, unless sooner terminated under the Agreement terms.

Chair: Shawn O'Neill

- #7665 Discussion with Action:** Authorize the Town Manager to submit an application to the Maine Department of Conservation for a \$500,000 Land & Water Conservation Fund Grant for improvements to the Veterans Memorial Park.
Chair: Shawn O'Neill
- #7666 Discussion with Action:** Approve the proposal from Woodard & Curran for the concept graphic design work for the Veteran's Memorial Park improvements in the amount of \$7,500.00 from account # 50002-50812 CIP Memorial Park Improvements, with a balance of \$270,887.89.
Chair: Shawn O'Neill
- #7667 Discussion with Action:** Approve the Special Event Permit Application for TGK Athletics to hold a basketball tournament in Memorial Park on Sunday, July 10th, 2022, with a rain date of Sunday, July 24th, 2022. Event from 9am to 5:30pm including set-up and take down.
Chair: Shawn O'Neill
- #7668 Discussion with Action:** Approve the Special Event Permit Application for Kristine Moody to hold a family reunion on the beach at the end of Pearl Avenue, including bonfire, on Saturday, May 21st, 2022 from 1pm to 9pm. Approval pending receipt of cash deposit for bonfire and insurance listing the Town of Old Orchard Beach as additionally insured. Applicant to contact Public Works to confirm plover activity two weeks prior to event.
Chair: Shawn O'Neill
- #7669 Discussion with Action:** Approve the Special Event Permit Application for Palace Playland and the Pier to hold Fireworks displays every Thursday at 9:45 p.m. on the beach in front of Palace Playland, June 23rd to August 25th, 2022, to also include July 3rd and July 4th, 2022. Approval by the State Fire Marshall's Office to be provided to the Town Clerk's Office at least one week prior to the first display. No fee as this event is co-sponsored by the Town. Insurance, listing the Town of Old Orchard Beach as additionally insured to be provided at least two weeks prior to the events. Applicant to contact Public Works to confirm plover activity two weeks prior to event.
Chair: Shawn O'Neill

#7670 Discussion with Action: Approve the Special Event Permit application for the Chamber of Commerce to hold their Annual Beach Olympics on the beach, East and West Grand Avenues, Memorial Park at the Basketball and Tennis Courts and in the Square (request to close the Square) on Thursday, August 18th through Saturday, August 20th, 2022, includes set-up and takedown. 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. Applicant to contact Public Works to confirm plover activity two weeks prior to event.

Chair: Shawn O'Neill

#7671 Discussion with Action: Approve the Special Event Permit application for the Veterans Memorial Park Sub-Committee to hold "Luminary Night" in Memorial Park on Sunday, May 29th, 2022, from 5 p.m. to 9 p.m.

Chair: Shawn O'Neill

#7672 Discussion with Action: Approve the Special Event Permit application from Diane Elvin to hold a graduation party on the beach at the end of Pavia Avenue on Saturday, June 11th, 2022 from 2 p.m. to 6 p.m. Applicant to contact Public Works to confirm plover activity two weeks prior to event.

Chair: Shawn O'Neill

#7673 Discussion with Action: Approve the Special Event Permit Application for MAPS to hold their annual Breakaway 5K Road Race on Saturday, August 20th, 2022, 7:00a.m. to 10a.m. starting in the Square. Also, to set up a tent on the grass area by the restrooms at the Milliken Street Municipal Parking Lot for pre-registered runners to pick up their race packets on Friday, August 19th, 2022 from 5 p.m. to 7 p.m. 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: Shawn O'Neill

#7674 Discussion with Action: Approve the Special Event Permit application from the VFW to set up a voluntary traffic stop at the intersection of East Grand, West Grand Avenue and Old Orchard Street to accept “Donations for Poppies”. 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: Shawn O’Neill

#7675 Discussion with Action: Approve the Special Event Permit application for the Old Orchard Beach Recreation Department to hold Round Robin Basketball Games at the Memorial Park Basketball Courts on Saturday, July 16th, 2022 , from 8 a.m. to 7 p.m., including set-up and takedown. Rain date is July 25th, same times.

Chair: Shawn O’Neill

#7676 Discussion with Action: Approve the Special Event Permit applications for the 2022 annual Ocean Park events, all time of events include set-up and takedown, as follows: 1) Ocean Park Association to hold a sand sculpture contest on the beach between Randall and Winona Avenues on Saturday, July 9th, 2022, set up from 12 p.m. to 5 p.m.; 2) Ocean Park Association to hold an Independence Day parade on Monday, July 4th, 2022, from 9:00 a.m. to noon, rain date July 5th, 2022, same times; starting on Temple Avenue; 3) Ocean Park Association to hold the Ocean Park 5k Race on Friday, July 29th, 2022, from 3 p.m. to 8 p.m, in Ocean Park; 4) Ocean Park Association to hold Square and Line Dances in the Ocean Park Square on Temple Avenue between West Grand Avenue and Seaside, Monday, July 4th, 2022, from 5 p.m. to 10 p.m.; 5) Ocean Park Association to hold Illumination Night on Saturday, August 6th, 2022 from 2 p.m. to 10:30 p.m., to include set-up and takedown, with the exception of the candles on the beach being cleaned up the morning of Sunday, August 3rd, 2022; 6) Campfire on the beach at the end of Randall Avenue on Thursday, July 14th, 2022 from 7 p.m. to 10 p.m.; 7) Kids Fun Run Race on Saturday, July 30th, 2022 from 9 a.m. to 11 a.m., in Ocean Park. Applicant to contact Public Works to confirm plover activity two weeks prior to event.

Chair: Shawn O’Neill

#7677 Discussion with Action: Approve the line item transfer for Tax Collector in the amount \$5,000 from account # 20104-50101 Tax Collector Department Head Expense, with a balance of \$20,791.47, to account # 20104-50106 Tax Collector Overtime Expense, with a balance of (\$4,696.71).

Chair: Shawn O'Neill

#7678 Discussion with Action: Approve the line item transfer for the Fire Department in the amount of \$5,534.16 from account # 20138-50501 Fire Department Operating Supplies/Equipment, with a balance of \$26,546.23, to account # 20138-50450 Fire Department Building Repairs & Maintenance with a balance of (\$5,534.16).

Chair: Shawn O'Neill

#7679 Discussion with Action: Approve the line item transfer for the Fire Department in the amount of \$10,842.37 from account # 20138-50501 Fire Department Operating Supplies/Equipment, with a balance of \$26,546.23, to account #20138-50310 Fire Department Service Contracts, with a balance of (\$10,842.37).

Chair: Shawn O'Neill

ADJOURNMENT