

**TOWN OF OLD ORCHARD BEACH  
TOWN COUNCIL MEETING  
Tuesday, May 7, 2019  
TOWN HALL CHAMBERS  
6:30 p.m.**

**A Town Council Meeting of the Old Orchard Beach Town Council was held on Tuesday, May 7, 2019. Chair Thornton opened the meeting at 6:33 p.m.**

**The following were in attendance:**

**Chair Joseph Thornton  
Councilor Kenneth Blow  
Councilor Jay Kelley  
Councilor Michael Tousignant  
Town Manager Larry Mead  
Assistant Town Manager V. Louise Reid**

**Absent: Vice Chair Shawn O'Neill**

**Pledge to the Flag  
Roll Call**

**ACKNOWLEDGEMENTS:**

**PROCLAMATION  
KIDS TO PARKS DAY  
NATIONAL PARK TRUST  
MAY 18, 2019**

**PROCLAMATION  
50<sup>th</sup> ANNIVERSARY OF "MUNICIPAL CLERKS WEEK"  
MAY 5 – 11, 2019**

**PROCLAMATION  
KIDS TO PARKS DAY  
NATIONAL PARK TRUST**

**WHEREAS:** May 18, 2019 is the ninth annual **KIDS TO PARK DAY** organized and launched by the National Park Trust; and

**WHEREAS:** **KIDS to PARKS DAY** empowers kids and encourages families to get outdoors and visit America's Parks; and

**WHEREAS:** It is important to introduce a new generation to our Nation's Parks; and

**WHEREAS:** Children should be motivated to lead a more active life-style including hiking and biking in our community; and

**WHEREAS:** **KIDS to PARKS DAY** is open to all children and adults across the country to encourage a large and diverse group of participants; and

**WHEREAS:** **KIDS to PARKS DAY** will broaden children's appreciation for nature and the outdoors.

**NOW THEREFORE:** The Old Orchard Beach Town Council does hereby proclaim **MAY 18, 2019** to be **KIDS to PARKS DAY** in this community and encourage all of our residents to celebrate it by taking the children in this community to a neighborhood, City, Town, State or National Park.

**IN WITNESS THEREOF:** We have set our hands and cause the Seal of the Town of Old Orchard Beach, Maine to be fixed this 7th day of May, 2019.

**CHAIR JOSEPH THORNTON**

**VICE CHAIR SHAWN O'NEILL**

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**COUNCILOR KENNETH BLOW**

**COUNCILOR JAY KELLEY**

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**COUNCILOR MICHAEL TOUSIGNANT**

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**PROCLAMATION  
50<sup>th</sup> ANNIVERSARY OF “MUNICIPAL CLERKS WEEK”  
MAY 5 – 11, 2019**

**WHEREAS:** The Office of the Municipal Clerk, a time honored and vital part of local government, exists throughout the world and is the oldest of public offices; and

**WHEREAS:** The Municipal Clerk provides the professional link between citizens, their local government, and agencies of other levels of government; and

**WHEREAS:** Our Town Clerk, Kim McLaughlin, along with her two Deputy Town Clerks, Jeffrey Thompson and Charlene Lopresti, and the always professional Election Day staff, have pledged to be at all times neutral and impartial, rendering equal service to all; and

**WHEREAS:** The staff serves as an information center for the functions of local government and community, including educational programs, workshops, and special events; and

**WHEREAS:** It is appropriate for us to recognize the Town Clerk and her staff for their many accomplishments, and for the sensitivity and caring they show to each individual entering their office.

**NOW THEREFORE:** The Old Orchard Beach Town Council does hereby proclaim MAY 5 – 11, 2019 to be MUNICIPAL CLERKS WEEK in this community and encourages all of our residents to celebrate it by taking a moment to stop in and thank the Town Clerk and her staff for their unequalled dedication to our community.

**IN WITNESS THEREOF:** We have set our hands and cause the Seal of the Town of Old Orchard Beach, Maine to be fixed this 7th day of May, 2019.

**CHAIR JOSEPH THORNTON**

**VICE CHAIR SHAWN O’NEILL**

**COUNCILOR KENNETH BLOW**

**COUNCILOR JAY KELLEY**

**COUNCILOR MICHAEL TOUSIGNANT**

## **TOWN CLERK:**

**Celebrating the 50<sup>th</sup> Anniversary of Municipal Clerks Week, May 5<sup>th</sup> – 11<sup>th</sup>, 2019. Municipal Clerks Week is celebrating its 50<sup>th</sup> anniversary. Initiated in 1969 by IIMC and endorsed by all of its members throughout the United States, Canada and 15 other countries, the week is a time of celebration and reflection on the importance of the Clerk's Office. In 1984, President Ronald Reagan signed a proclamation that officially declared Municipal Clerks Week the first full week of May. In 1994 and 1996, President Bill Clinton also signed proclamations confirming Municipal Clerks Week. I want to take this opportunity to recognize two very important people, Deputy Clerk Jeff Thompson and Deputy Clerk Charlene LoPresti.**

**Jeff Thompson has served on numerous Boards and Committees over the years, and was appointed as a Deputy Clerk by Town Clerk, Maureen O'Leary, in 1998. I was elected in 2000, and I asked Jeff if he would stay as Deputy Clerk and he told me that he would try it and if he liked me, he would stay, but if not, he would leave. Well, it's been 18 years. During that 18 years, the Town Report was dedicated to him in 2003 and he was the first Deputy Clerk in Maine to receive the honor of Deputy Town Clerk of the Year by the MTCCA in 2010. Since Jeff has started in the Clerk's Office, the voting database is now a state electronic database, CVR; Inland Fisheries and Wildlife created MOSES, an online program to sell hunting/fishing licenses; Vital Records created the DAVE system to sell vital records; dog licenses and parking permits are sold through an access database; not to mention all the State Laws continually changing with each Legislative Session. Jeff has kept up with it all, learning diligently each and every program.**

**Charlene LoPresti and her husband Bob, owned Cascade Gardens, which I'm sure most of you are familiar with. Charlene was on the Veteran's Memorial Park Committee and Charlene and her husband beautified both the Park and the graduation stages with their beautiful greenery. Charlene started out as a Ballot Clerk in 2010, but was soon instrumental in the election process, becoming a Deputy Town Clerk for Elections. Seeing how dedicated Charlene was to this community, her dedication to the democratic process, having a great personality, and having such a strong work ethic made her a perfect fit when the position opened of Deputy Town Clerk.**

**I can't say how thankful I am for both Jeff and Charlene, and I want the community to know how lucky they are to have these two people working for them. I have never met two people more deserving of recognition during Municipal Clerks' Week than the two of them. They go out of their way to help others, and they strive to make sure each person that leaves the Town Clerks Office has a smile on their face.**

**Thank you both.**

**GOOD AND WELFARE:**

**ACCEPTANCE OF MINUTES:** Town Council Workshop Minutes of April 2, 2019; Town Council Meeting Minutes of April 2, 2019; Town Council Workshop Minutes of April 10, 2019; Town Council Meeting Minutes of April 16, 2019; Town Council Workshop Minutes of April 16, 2019; Town Council Workshop Minutes of April 24, 2019; Town Council Workshop Minutes of April 30, 2019; and Administrative Review Board Meeting Minutes of April 29, 2019.

**MOTION:** Councilor Blow motioned and Councilor Kelley seconded to Approve the Town Council Meeting Minutes, Town Council Workshop Minutes, and Administrative Review Board Meeting Minutes as read.

**VOTE:** Unanimous.

**PUBLIC HEARING BUSINESS LICENSES AND APPROVAL:**

**CHAIR:** I open this Public Hearing at 6:44 p.m.

**Tiffany Allen** (311-15-8), 8 Prospect Street, one seasonal single family rental; **Paul Meade** (316-8-2), 11 Ocean Avenue, one year round single family home rental; **Enchi Chen** (205-16-3-1B), 9 Cascade Road, #1B, one year round Condo rental; **Susan Symington** (206-24-21), 36 Grove Avenue, one year round single family home rental; **Christy Palacios** (205-12-16-5), 16 Carll Avenue, Unit 5, one seasonal Condo rental; **Cynthia & Pierre Giroux** (319-10-7), 15 Pavia Avenue, one seasonal Cottage rental; **Deborah Pelley** (313-2-1-4), 1 Bay Avenue, Unit 4, one year round Condo rental; **Soraia & Sloiman Matari** (312-17-5), 10 Hillcrest Avenue, five year round Apartment rentals; **Zhiyong Chen dba/Kirin Chinese Food-Take Out** (307-2-1), 1 Old Orchard Street, Suite 12; seasonal – Victualers w/prep, No alcohol sales - Chinese Take-out Restaurant; **Mark Desmarais dba/Palm Treeze LLC** (107-2-32), 3 Vallee Lane, seasonal – retail- Palm Tree Store; and **Anthony Barbano dba/The Sand Bar Café & Take Out** (307-1-2), 25 West Grand Avenue – seasonal – rental of merchandise.

**CHAIR:** I close this Public Hearing at 6:45 p.m.

**MOTION:** Councilor Tousignant motioned and Councilor Blow seconded to approve the Business Licenses as read.

**VOTE:** Unanimous.

## **PUBLIC HEARING AMUSEMENT PERMITS AND APPROVAL:**

**CHAIR:** I open this Public Hearing at 6:45 p.m.

**Richard Payette dba/Jumpin Jakes Seafood Café (208-3-3)**, 181 Saco Avenue, Amplified Music from 12:00 p.m. to 12:00 a.m. – Inside and Outside; **Robert Bouthot dba/Strike Zone Restaurant & Pub (205-4-1-C)**, 20 Old Orchard Street, Live Music – Amplified Acoustic – from 11:00 a.m. to 12:00 a.m. – Inside and Outside; and **Jeffrey Corbin dba/SoHo's Oceanic Inn & Lounge (310-6-3-1)**, 43 West Grand Avenue, Solo Musician/Comedy, Jukebox (no Dancing) – Inside - 4:00 p.m. to 11:00 p.m.

**CHAIR:** I close this Public Hearing at 6:46 p.m.

**MOTION:** Councilor Blow motioned and Councilor Kelley seconded to Approve the Amusement Permits as read.

**VOTE:** Unanimous.

## **PUBLIC HEARING LIQUOR LICENSES AND APPROVAL – NEW**

**CHAIR:** I open this Public Hearing at 6:46 p.m.

**Jeffrey Corbin dba/Soho's Oceanic Inn Lounge (310-6-3)**, 43 West Grand Avenue, m-s-v in a Hotel/Food Optional.

**CHIEF KELLEY:** The Police Chief spoke on his not signing off on the Liquor License because of the historical nature of that business establishment in the past. He recalled incidents of excessive drinking resulting in fight and disturbances which required the calling of Police to the establishment.

**TOWN MANAGER:** The Town Manager also indicated that he had hoped this business would not open again as a Bar because of the enormous calls for Police assistance to quell fights and confrontations in the establishment. He also indicated that the fact that the basement level is an issues; there is a cramped area within the bar itself; the bar itself is not well set up.

**JIM ALBERT:** He spoke on behalf of Jeffrey Corbin and indicated that he was assisting him to see that the issues that have been discussed will not happen again and that the business will have a more positive reaction from the public.

**COUNCILOR KELLEY:** He asked if the Fire Department had signed off on the License and was told that it had; that Code issues and Fire/Safety issues were met.

**TOWN MANAGER:** He indicated that with all the concern he felt that the License should be given but wanted it noted that surveillance of the operation will continue by Police and Fire.

**CHAIR:** I close this Public Hearing at 6:55 p.m.

**MOTION: Councilor Blow motioned and Councilor Kelley seconded to Approve the Liquor License as read.**

**VOTE: Unanimous.**

**TOWN MANAGER'S REPORT:**

The Town Manager reported that yesterday he attended a meeting of the Legislature's Education Committee to speak in support of LD 1592 a bill sponsored by Representative Lori Gramlich, that would allow Old Orchard Beach residents, if they so choose, to change the structure of our school district from a Regional School Unit to a Municipal School District. Old Orchard Beach is one of only three municipalities in Maine that is a member of a single municipality Regional School Union, along with Orono and Madison. An RSU with only one municipality is not in fact regional as the word is commonly understood and used, and there is no Union possible when there is only one member community.

This proposed legislation would assure that Old Orchard Beach residents are afforded the same right as residents of all other Maine municipalities to change the legal structure of their schools. That process is not at all simple or easy. It requires a petition by voters to be filed leading to an initial vote on whether or not to consider the matter of leaving the RSU. That question required a 2/3 vote to move forward. If the question does pass then a Committee is formed as required by the statute to examine the merits of changing the school structure and to report out its findings. At that point a second vote is held where voters decide by a simple majority vote whether to support leaving the RSU to form a municipal district, which is the same structure that existed in OOB prior to the formation of the RSU in 2009. A work session will be held by the Education Committee in a week or two to decide whether to report the bill out to the full legislature.

Last week the Maine Department of Transportation opened bids on the Sao Avenue/Rt. 5 Road Rehabilitation Project that will take place this Fall between Union Avenue and the Saco Line at I-195. MDOT recently announced that it would be postponing some projects this year because many of the bids have been coming in way over budget. We had good news in that the bids for our project were over budget, but not to an extreme. The Town Manager expects that the project will move forward as planned and that the Town's share of funding will be close to the anticipated amount of \$280,000.00

On a related topic the Town is working with MDOT staff and engineers and with the Bicycle coalition of Maine on a demonstration project at the Half-way intersection to introduce temporary changes to the traffic lanes and pedestrian crossings with the goal of slowing speeds of traffic at this challenging Rt. 5 intersection with Temple Avenue, Old Salt Road, and Old Orchard Road. The changes will be made in early June using bollards and road striping so that should the new configuration prove successful it can be incorporated into MDOT's Saco Avenue/Rt.5 Road project in September.

The Administrative Review Board met last week with the owners of the Weekend at Bernie's Beach Club on West Grand Avenue because of the number of Police and Rescue calls for service at this location in the past two years. The Board is drafting a

**Consent Agreement with Bernies that will include operational changes with the goal of reducing the number of fights and disturbances that lead to Police and Rescue calls.**

**We have begun the hiring process for the Fire Chief position. Applications closed yesterday and we will review applications to select candidates for interviews with the goal of having a new Chief on board by mid to late summer. As you all know Ed Dube recently retired as our Fire Chief. I want to recognize and thank Chief Dube for his service to the Department and Community. He accomplished a lot in his time with us, including his leadership in making much needed improvements to our Fire Station, improving the command structure in the department, and in upgrading firefighting gear and equipment. We all wish you the very best in your retirement from the fire service.**

**The Town Manager invited everyone to the Memorial Day Parade and the Ceremony at Memorial Park. He indicated that Retired Air Force Four Star General William Begert will be the guest for this event. He is from Lewiston and after retirement returned to Maine. He flew more than 300 combat missions during the Vietnam War. During his almost forty years he had a variety of assignments the last as Commander of the Pacific Air Force from 2001 to 2002.**

**NEW BUSINESS:**

**# 7362 Discussion with Action: Appoint Sherman Lahaie as Interim Fire Chief and Emergency Management Director, effective April 29, 2019.**

**The Town Manager introduced Sherman Lahaie and outlined his impressive professional working history including the following:**

**EXPERIENCE**

<b>Interim Fire Chief</b>	<b>Town of New Gloucester</b>	<b>11/2018-03/2019</b>
<b>Police Officer</b>	<b>Fryeburg Fair Police</b>	<b>09/2018-Present</b>
<b>Interim Fire Chief –EMA Director</b>	<b>Town of Wells</b>	<b>06/2016-11/2016</b>
<b>FEMA Program Specialist</b>	<b>Dept. Homeland Security</b>	<b>2004-2015</b>
<b>Public Safety Officer</b>	<b>Town of Waterville Valley</b>	<b>2003-2012</b>
<b>Forestry Protection Officer</b>	<b>US Forest Service</b>	<b>2003-2012</b>
<b>Patrol Officer</b>	<b>Town of Camden PD</b>	<b>1998-2003</b>
<b>Fire Chief</b>	<b>Veazie Fire-Rescue-EMA</b>	<b>1990-2000</b>
<b>Deputy Administrator</b>	<b>SMCC/EMCC</b>	<b>1990-2002</b>
<b>Contract Instructor/Curriculum Dev.</b>	<b>NFA</b>	<b>1982-2002</b>
<b>Adjunct Instructor &amp; Specialist</b>	<b>Maine Fire Training &amp; Educ.</b>	<b>1997-2002</b>
<b>Fire Chief</b>	<b>Lewiston Fire Department</b>	<b>1980-1987</b>
<b>Firefighter – Division Chief</b>	<b>Sanford Fire Department</b>	<b>1975-1989</b>
<b>Firefighter – Captain</b>	<b>Scarborough Fire Department</b>	<b>1969-1989</b>

**MOTION: Councilor Kelley motioned and Councilor Blow seconded to Appoint Sherman Lahaie as Interim Fire Chief and Emergency Management Director, effective April 29, 2019.**



**VOTE: Unanimous.**

**# 7363 Discussion with Action: Appoint Irish Griffith as Deputy Licensed Plumbing Inspector, term to expire 6/30/2019; and Appoint Tricia Morin as a Regular Member of the Board of Assessment Review, term to expire 12/31/2020.**

**MOTION: Councilor Blow motioned and Councilor Kelley seconded to Approve the Appointments as read.**

**VOTE: Unanimous.**

**# 7364 Discussion with Action: Approval and Ratification of the Old Orchard Beach Wastewater Employees Association Contract, effective July 1, 2018 to June 30, 2021.**

**MOTION: Councilor Blow motioned and Councilor Kelley seconded to Beach Wastewater Employees Association Contract, effective July 1, 2018 to June 30, 2021.**

**VOTE: Unanimous.**

**# 7365 Discussion with Action: Act on Warrant and Notice of Election calling a Regional School Unit No. 23 – Budget Validation Referendum on June 11, 2019.**

**MOTION: Councilor Tousignant motioned and Councilor Blow seconded to Act on Warrant and Notice of Election calling a Regional School Unit No. 23 – Budget Validation Referendum on June 11, 2019.**

**VOTE: Unanimous.**

**# 7366 Discussion with Action: Approve the quote from Franklin Miller for the Purchase of a Grinder for the West Grand Pump Station, in the amount of \$47,785, from Account Number 53002-50846 – Treatment Plant Equipment Expense, with a balance of \$56,160.17.**

**The Wastewater Facility does not have an automated grit removal system. Much of the grit goes through the treatment system and creates excessive wear on pumps and equipment. The Department mitigates this by installing grinders. The West Grand Channel Grinder has failed and needs to be replaced. The cost for this replacement was included in last year's CIP request.**

**MOTION: Councilor Kelley motioned and Councilor Blow seconded to Approve the quote from Franklin Miller for the Purchase of a Grinder for the West Grand Pump Station, in the amount of \$47,785, from Account Number 53002-50846 – Treatment Plant Equipment Expense, with a balance of \$56,160.17.**

VOTE: Unanimous.

# 7367 Discussion with Action: Approve changes to the Personnel Policies and Procedures, Article IV, Conditions of Employment; Section 4-7 Substance Abuse. Changes to address legalization of marijuana and prescription marijuana.

#### Proposed Update

Sec. 4-7 ~~Substance Abuse~~ Drug and Alcohol-Free Workplace

#### Purpose:

To meet ~~our~~our responsibilities to ~~our~~ employees and the public, the Town must maintain a healthy, productive and safe workplace free from the effects of alcohol, marijuana, prescription medication or drug abuse. Misusing or abusing controlled substances on the job is prohibited, as is selling, manufacturing, distributing, possessing, using, or being under the influence of illegal substances on the job. The Town has established a drug-free workplace program that balances respect for individuals with the need to maintain an alcohol and drugfree environment.

~~Any employee who displays any signs of impairment or substance abuse, or who is in possession of alcohol or illegal drugs, whether on Town premises or while on Town business, is subject to disciplinary action including suspension without pay and/or termination. Where warranted, such employees will be encouraged to obtain proper treatment.~~

~~The legal use of prescription medications is permitted on the job only if such use does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner, that does not endanger the employee or others. If employees are taking a prescribed medication that may affect their work performance, they are required to advise their supervisor of that fact.~~

#### Covered Workers

Any individual who conducts business for the Town, is applying for a position or is conducting business on the Town's property is covered by the drug-free workplace policy. The policy includes, but is not limited to executive management, managers, supervisors, full-time employees, part-time employees and volunteers.

#### Applicability

The drug-free workplace policy is intended to apply whenever anyone is representing or conducting business for the Town. Therefore, this policy applies during all working hours, whenever conducting business or representing the Town, while on call, paid standby and while on Town property.

#### Drivers with Commercial Driver's License

Drivers who are subject to Department of Transportation regulations will be required to undergo testing for alcohol and controlled substances prior to being permitted to drive.

Tests will be conducted before an employee is initially assigned to driver responsibilities; additionally drivers may be subject to "reasonable suspicion" testing and random testing, as well as testing conducted following an accident. No driver will be allowed to drive or continue driving unless the results of all tests are negative.

### Prohibited Behavior

It is a violation of the drug-free workplace policy to use, possess, sell, trade, and/or offer for sale alcohol, marijuana, illegal drugs or intoxicants or be under the influence of alcohol, marijuana, illegal drugs or intoxicants. While at work, employees may also not be under the influence of drugs (illegal, recreational, or prescription) which impair their ability to perform the essential functions of the job or which threaten safety.

### Notification of Convictions

Any employee who is convicted of a criminal drug violation must notify their Department Head and the Human Resources Office in writing within five calendar days of the conviction. The Town will take appropriate action within 30 days of notification. Federal contracting agencies will be notified when appropriate.

### Consequences

One of the goals of the drug-free workplace program is to encourage employees to voluntarily seek help with alcohol and/or drug problems. If, however, an individual violates the policy, the consequences are serious.

In the case of applicants, if he or she violates the drug-free workplace policy, the offer of employment can be withdrawn. The applicant may not reapply. If an employee violates the policy, he or she will be subject to progressive disciplinary action and may be required to enter rehabilitation. An employee required to enter rehabilitation that fails to successfully complete it and/or repeatedly violates the policy will be terminated from employment. Nothing in this policy prohibits the employee from being disciplined or discharged for other violations and/or performance problems.

### Prescription Medications

The legal use of prescription medications is permitted on the job only if such use does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger the employee or others. If employees are taking prescription medication that may affect their work performance, they are required to inform their supervisor of that fact.

### Assistance

The Town of Old Orchard Beach recognizes that alcohol and drug abuse and addiction are treatable illnesses, and that early intervention and support improve the success of rehabilitation. To support employees, the drug-free workplace policy does the following:

- (1) Encourages employees to seek help if they are concerned that they or their family members may have a drug and/or alcohol problem.
- (2) Encourages employees to utilize the services of qualified professionals in the community to assess the seriousness of suspected drug or alcohol problems and identify appropriate sources of help.

(3) Offers all employees and their family members assistance with alcohol and drug problems through the Employee Assistance Program (EAP). Treatment for alcoholism and/or other drug use disorders may be covered by the employee benefit plan. However, the ultimate financial responsibility for recommended treatment belongs to the employee.

#### Confidentiality

All information received by the Town through the drug-free workplace program is confidential communication. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and management policies.

#### Shared Responsibility

A safe and productive drug-free workplace is achieved through cooperation and shared responsibility. Both employees and management have important roles to play.

Employees shall not report to work or be subject to duty while their ability to perform job duties is impaired due to use of alcohol or drugs.

In addition, employees are encouraged to:

- Be concerned about working in a safe environment.
- Use the Employee Assistance Program.
- Report dangerous behavior to their supervisor.

**MOTION: Councilor Blow motioned and Councilor Kelley seconded to Approve changes to the Personnel Policies and Procedures, Article IV, Conditions of Employment; Section 4-7 Substance Abuse. Changes to address legalization of marijuana and prescription marijuana.**

**VOTE: Unanimous.**

**# 7368 Discussion with Action: Approve the Special Event Permit Application for MAPS to hold their annual Breakaway 5K Road Race on Saturday, August 17<sup>th</sup>, 2019, 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 one month prior to the event.**

**MOTION: Councilor Kelley motioned and Councilor Blow seconded to Approve the Special Event Permit Application as read.**

**VOTE: Unanimous.**

**# 7369 Discussion with Action: Approve the Special Event Permit Applications for The Salvation Army to host Family Fun Night, closing the section of Church Street adjacent to their property (Sixth Street to end of Salvation Army property), on the following Tuesdays; July 28<sup>th</sup>, 2020 and July 27<sup>th</sup>, 2021; Set-up from noon to 5 p.m. Event occurs from 5 p.m. to 9 p.m.**

Insurance, listing the Town as additionally insured, to be provided at least one month prior to each event.

**MOTION:** Councilor Tousignant motioned and Councilor Kelley seconded to Approve e Special Event Permit Application as read.

**VOTE:** Unanimous.

**# 7370 Discussion with Action:** Approve the Special Event Permit application for The Salvation Army to hold their annual parade from Saco and Biddeford Savings Bank to the Square on the following Sundays; July 26<sup>th</sup>, 2020 and July 25<sup>th</sup>, 2021. Set-up from 2:30 p.m. to 3 p.m. Event occurs from 3 p.m. to 5 p.m. Insurance, listing the Town of Old Orchard Beach as additionally insured, to be provided to the Town Clerk's Office at least one month prior to each event.

**MOTION:** Councilor Blow motioned and Councilor Kelley seconded to Approve the Special Event Permit Application as read.

**VOTE:** Unanimous.

**# 7371 Discussion with Action:** Approve the Special Event Permit application for The Salvation Army to hold their evening program in the Square. For 2020, set-up is from 8 a.m. to 10 p.m. on Friday, July 24<sup>th</sup>; events are from 11 a.m. to 11 p.m. on Saturday, July 25<sup>th</sup>, and Sunday July 26<sup>th</sup>; 5 p.m. to 11 p.m. on July 27<sup>th</sup>, 28<sup>th</sup>, 29<sup>th</sup>, 30<sup>th</sup>, and 31<sup>st</sup>. Takedown from 11 p.m. July 31<sup>st</sup> through 1 a.m. on August 1<sup>st</sup>. For 2021, set-up is from 8 a.m. to 10 p.m. on Friday, July 23<sup>rd</sup>; events are from 11 a.m. to 11 p.m. on Saturday, July 24<sup>th</sup> and Sunday, July 25<sup>th</sup>; 5 p.m. to 11 p.m. on July 26<sup>th</sup>, 27<sup>th</sup>, 28<sup>th</sup>, 29<sup>th</sup>, and 30<sup>th</sup>. Takedown from 11 p.m. on July 30<sup>th</sup> through 1 a.m. on July 31<sup>st</sup>. A request to place a banner in the Square from July 22<sup>nd</sup> to August 1<sup>st</sup>, 2020 and July 25<sup>th</sup> to July 31<sup>st</sup>, 2021. Insurance, listing the Town of Old Orchard Beach as additionally insured, to be provided to the Town Clerk's Office at least one month prior to the event.

**MOTION:** Councilor Kelley motioned and Councilor Blow seconded to Approve the Special Event Permit Application as read.

**VOTE:** Unanimous.

**# 7372 Discussion with Action:** Approve the Special Event Permit applications for the 2019 annual Ocean Park events, as follows: 1) Ocean Park Association to hold a sand sculpture contest on the beach between Randall and Winona Avenues on Wednesday, July 3, 2019, set up from 2 p.m. to 3 p.m., event and takedown 3 p.m. to 5:45 p.m.; 2) Ocean Park Association to hold an Independence Day parade on Thursday, July 4, 2019, set up from 9-10 a.m., event and take down 10

a.m. to noon, rain date July 5<sup>th</sup>, 2019, same times; starting on Temple Avenue; 3) Ocean Park Association to hold the Ocean Park 5k Race on Friday, July 28<sup>th</sup>, 2019, set up from 3-5 p.m., event and take down from 5-8 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, Thursday, July 4<sup>th</sup>, 2019, and Saturday, August 31<sup>st</sup>, 2019, set up 6:30-7:30 p.m., event and take down 7:30-9:30 p.m.; 5) Ocean Park Association to hold Illumination Night on Saturday, August 3<sup>rd</sup>, 2019, set up 2-5 p.m., event and take down 5-10:30 p.m. in Ocean Park; 6) Ocean Park Association to hold a Christian Youth Conference Block Dance, on Temple Avenue, between West Grand Avenue and Seaside Avenue on Saturday, August 10<sup>th</sup>, 2019, set up 6:30-7:30 p.m., event and take down 7:30-11 p.m.

**MOTION:** Councilor Blow motioned and Councilor Kelley seconded to Approve the Special Event Permit Application as read.

**VOTE:** Unanimous.

**# 7373 Discussion with Action:** Approve the Special Event Permit application for the Kora Shriners to hold a parade on Saturday, June 8<sup>th</sup>, 2019 from 10 a.m. to 11:30 a.m. Staging and beginning of parade will be at the Ballpark. Route down Saco Avenue, Heath Street, and parade ends at the intersection of First Street.

**BERNIE MCALLISTER AND BOB DOYLE:** Speaking on behalf of the Kora Shriners, Mr. McAllister reported on the 2019 Summer Ceremonial to be held in Old Orchard Beach. The Shriners are well known around the state and historically their events are well attended. They will this year be saluting and giving remembrance to First Responders who, over the past couple of years particularly, have had losses upon their members. This will be a great parade with many Shriners marching as well as members of Fire Departments and Emergency Management Groups. The event will end with a meal for them at Bailey's Camp Ground.

**MOTION:** Councilor Kelley motioned and Councilor Blow seconded to Approve the Special Event Permit Application as read.

**VOTE:** Unanimous.

**# 7374 Discussion with Action:** Approve the Special Event Permit application for Oceanwood to hold "Kindness Day Activities" on Fridays from June 30<sup>th</sup> to August 16<sup>th</sup>, 2019 from 10 a.m. to noon. Horses with campers to ride from Oceanwood to Porter Road. Disembark on the beach end of Porter Road, campers will clean the Goosefare Brook area, and then campers will ride back to Oceanwood. Insurance, listing the Town as additionally insured, to be provided to the Town Clerk's Office at least one month prior to the first event.

**MOTION: Councilor Blow motioned and Councilor Kelley seconded to Approve the Special Event Permit Application as read.**

**VOTE: Unanimous.**

**# 7375 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 26<sup>th</sup>, 2019, rain date Monday, May 27<sup>th</sup>, 2019, from 3 p.m. to 9 p.m.**

**MOTION: Councilor Tousignant motioned and Councilor Blow seconded to Approve the Special Event Permit Application as read.**

**VOTE: Unanimous.**

**# 7376 Discussion with Action: Approve the Special Event Permit application for June 9, 2019 from 12:00 noon to 2:00 p.m. for OOB Community Friendly Connection to hold a “Block Celebration” in the area of Atlantic Courts Park to Washington Avenue; permission to close Washington Avenue from Atlantic Avenue to Central Park Avenue from noon to 2 p.m. BBQ and music on private property; sidewalk delineator demonstration in front of 20 Washington Avenue. If agreeable with Public Works Director it will remain (remove for winter operations). Sidewalk may be painted with permission of Public Works Director. Painting done to contrast with the road, showing it is a safe place to walk, use strollers and wheelchairs.**

**MOTION: Councilor Blow motioned and Councilor Kelley seconded to Approve the Special Event Permit Application as read.**

**VOTE: Unanimous.**

**# 7377 Discussion with Action: Approve the Special Event Permit application for Jeffrey Cormier and Laurie Verardo to hold a Wedding on the Beach at the end of Union Avenue, on Saturday, August 10<sup>th</sup>, 2019 from 4 p.m. to 6:30 p.m. Request for tiki torches and a platform. Per Public Works Director, platform has to have permission from Maine DEP. Per Fire Chief, burn permit is required to tiki torches. Insurance, listing the Town as additionally insured, to be provided to the Town Clerk’s Office at least one month prior to the event.**

**MOTION: Councilor Tousignant motioned and Councilor Kelley seconded to Approve the Special Event Permit Application as read.**

**VOTE: Unanimous.**

**# 7378 Discussion with Action: Approve the Liquor Licenses Renewals for Richard Payette dba/Jumpin Jakes Seafood Cafe (208-3-3), 181 Saco Avenue, m-s-v in a Restaurant; and Robert Bouthot dba/Strike Zone Restaurant & Pub (205-4-1-C), 20 Old Orchard Street, m-s-v in a Restaurant/Lounge.**

**MOTION: Councilor Blow motioned and Councilor Kelley seconded to Approve the Liquor License Renewals as read.**

**VOTE: Unanimous.**

**MOTION: Councilor Tousignant motioned and Councilor Blow seconded to RECESS the Town Council Meeting to Enter into a Budget Workshop to discuss budget considerations for the Ballpark and the CIP.**

**VOTE: Unanimous.**

**MOTION: Councilor Blow motioned and Councilor Kelley seconded to Address Agenda # 7379 and Enter into Executive Session: (Note: This item discusses labor contract issues related to the Old Orchard Beach Patrolmen's Association – Maine Association of Police Union Contract; and the Old Orchard Beach Local 2247 International Association of Firefighters AFL-CIO-CLO 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.**

**# 7379 Executive Session: (Note: This item discusses labor contract issues related to the Old Orchard Beach Patrolmen's Association – Maine Association of Police Union Contract; and the Old Orchard Beach Local 2247 International Association of Firefighters AFL-CIO-CLO 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.)**

**MOTION: Councilor Blow motioned and Councilor Kelley seconded to Exit the Executive Session at 8:50 p.m.**

**VOTE: Unanimous.**

**ADJOURNMENT:**

**MOTION: Councilor Blow motioned and Councilor Tousignant seconded to Adjourn the Town Council Meeting at 8:51 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 seventeen (17) pages is a copy of the original Minutes of the Town Council Meeting of May 7, 2019.**

**V. Louise Reid**

**TOWN OF OLD ORCHARD BEACH  
TOWN COUNCIL WORSHIP  
Tuesday, May 7, 2019  
TOWN HALL CHAMBERS  
6:30 p.m.**

**A Town Council Workshop Meeting of the Old Orchard Beach Town Council was held on Tuesday, May 7, 2019 following the Town Council Meeting. Chair Thornton opened the meeting at 7:25 p.m., following the Town Council Meeting.**

**The following were in attendance:**

**Chair Joseph Thornton  
Councilor Kenneth Blow  
Councilor Jay Kelley  
Councilor Michael Tousignant  
Town Manager Larry Mead  
Assistant Town Manager V. Louise Reid  
Guy Fontaine – Ballpark Operations Manager  
John Gallo – Chair – Ballpark Commission**

**Absent: Vice Chair Shawn O’Neill**

**This evening’s workshop is focusing on the Ballpark Budget and CIP.**

**It would appear that the Operating Budget of the Ballpark is being reduced from \$48,000 to \$41,000, or a decrease of (-14.58%).**

**BALLPARK OPERATING BUDGET - EXPENSES**

**Full Time Salary which accounts funds for the Operations Manager is \$33,000. Seasonal wages are at \$26,500 and covers funds for the Field Manager, Assistant Field Personnel, Concession Manager, Concession and Event Help. FICA/Medicare coverage was at \$4,555.**

**Professional Engineering had nothing budgeted for this year.**

**Many of the changes in line items are related to the Surge not being part of the 2019 year.**

**The Service contracts were funded at \$1,500 and covered the Website Hosting which was \$300 annually and the cost of dumpsters and portable toilets. Advertising Expense (Sponsorship Events) was funded at \$4,000 and funded the expenses for sponsorship banners and pocket schedules. It should be noted that this also covered special event advertising such as the Blues Festival, Farmers Market, Pocket Schedules and Sponsorship Banners.**

Electricity was at \$22,000; Water, based on previous history and the rate increase at \$3,000; Phone, Cellular and Paging for the Operation Manager's Cell Phone (\$62 monthly) was funded at \$770; and Networking/Internet at \$1,325 (Spectrum Internet and Phone bundle at \$103.50 monthly).

There was not funding for Heating Fuel as the Ballpark is closed in the winter. Building Repairs and Maintenance was funded at \$2,500 and funded repairs to the Club House and the Administrative Offices. This include Fire/Smoke alarm for Club House; Security Lighting for the Restroom Building and Storage Building; and the installation of a divider in the public Men's Restroom. Operating Equipment Repairs covered \$500 for the lighting repairs. Administrative and Office Supplies was budgeted at \$500 and Operating Supplies Expense at \$1,000. This will fund cleaning supplies, paper supplies for bathroom and concession and propane for the stand-alone grills.

Other Facilities Maintenance was funded at \$1,000 for unanticipated repairs to the Concession Stand, Storage Shed/Garage, Sky Box/Press Box and public Restrooms. Vehicle Fuel for the lawn mower and grounds maintenance equipment and for the ATV is at \$600. Ground Maintenance funded the Boston Company at \$4,800; Marking paint (Site One formerly John Deere) at \$5,800; and Turface & Mount Clay (Site One formerly John Deere) at \$5,800 for a total of \$11,450.

Concession was expensed at \$13,000 and covered concession supplies for retail sale. This was based on the 50% of projected revenue. The Special Events Expense was at \$13,000 as well and were expenses basically associated with the Blues Festival Concert.

The total expenses for the Ballpark were \$140,200.

### **BALLPARK REVENUES**

Miscellaneous Revenues were calculated to be \$1,000. This includes the Clynk Account. Telco Site Revenue was \$4,200; Transfer in from the General Fund at \$41,000; Ballpark Donation Revenue at \$2,000; Ballpark Concession Revenue at \$30,000; Ballpark Gate Receipts which is an increase which is an increase for the Blues Festival event; Ballpark Field Rentals at \$23,000 which includes regular users including GNCBL (College League), and Southern Maine River Rats; Ballpark Souvenir Revenue at 42,500; Men's League Revenue at \$6,000, Special Events and Rental including NE Parkinson's Ride, Concerts, Farmers Market, etc. at \$5,000; and Ballpark Sponsorship Revenue at \$7,500 including Pocket Calendar Sponsors and Banners.

This is the \$140,200 Revenue that is calculated.

It is noted that the FY20 Budget Revenue Projection is a negative (\$13,700).

It is anticipated the following Revenue:

		Change
Miscellaneous Revenue	\$ 1,000.00	(1,700.00)
Telco Site Revenue CMP	4,200.00	
Transfer General Fund	41,000.00	(7,000.00)
Ballpark Donation Revenue	2,000.00	(2,000.00)
Ballpark Concession Revenue	\$ 30,000.00	\$ 12,000.00
Ballpark Field Rentals	23,000.00	6,000.00
Ballpark Souvenir Revenue	2,500.00	1,500.00
Men's League Donation	6,000.00	(3,000.00)
Special Events/Rentals/Vendors	5,000.00	
OOB Surge, Inc.		(18,000.00)
Surge Concession Revenue		(12,000.00)
Ballpark Sponsorship Revenue	7,500.00	( 2,500.00)
	\$ 140,200.00	\$ (13,700.00)

It is Anticipated Expenses:

Regular Employee Salary Expense	\$ 33,000.00	
Seasonal Employee Wage Expense	26,500.00	\$ (6,500.00)
Annual Stipend Expense		
Overtime Wage Expense		
FICA – Medicare, ER Share Expense	4,500.00	( 445.00)
Service Contracts Expense	1,500.00	500.00
Advertising Expense	4,000.00	1,000.00
Electricity Expense	22,000.00	( 3,000.00)
Water Expense	3,000.00	100.00
Phone/Cellular/Paging Expense	770.00	(30.00)
Networking/Internet Expense	1,325.00	75.00
Building Repair Expense	2,500.00	
Operating Equipment Repair Expense	500.00	(500.00)
Administrative Office Supplies/Equip	500.00	(100.00)
Operating Supplies/Equipment	1,000.00	
Other Facilities Maintenance Improvements	1,000.00	
Vehicle Fuel Expense	600.00	250.00
Ground Maintenance/Improvement Expense	11,450.00	(6,050.00)
Concession Supplies Ballpark	13,000.00	(2,000.00)
Special Events Expense	13,000.00	3,000.00
	\$ 140,200.00	(13,700.00)

## **BALLPARK CIP**

The Ballpark requested from the 2018 budget the amount of \$50,000 for the Structural Repairs; \$18,500 for the Kubota Tractor/Loader/Grader/Backhoe; and \$5,000 for the fencing around the bullpens; for a total of \$73,500. Another \$50,000 is being suggested for Fiscal Budget FY21 and FY22 – and another \$12,500 for lighting in Fiscal Year 2021. This year they are not asking for CIP money because some of the pre-approved funding has not been spent.

The Ballpark Operations Manager gave an outstanding and positive report along with the comments by the Town Manager indicating of the support and positive response given to the activities at the Ballpark. Even with the elimination of the Surge, it appears that events such as the 5<sup>th</sup> year of the Blues Festival have increased in attendance and also funding. They have plans to sell marketing material this summer such as hats, t-shirts, and other Ballpark advertising materials. It was noted by the Town Manager that the Ballpark Operations Manager and the Committee have been fiscally responsible in their spending and in the organizational structure of programming.

The Ballpark Workshop ended at 8:30 p.m.

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 four (4) pages is a copy of the original Minutes of the Town Council Workshop of May 7, 2019.

V. Louise Reid