

**TOWN OF OLD ORCHARD BEACH
TOWN HALL CHAMBERS
TUESDAY, OCTOBER 15, 2019**

A Town Council Meeting of the Old Orchard Beach Town Council was held on Tuesday, October 15, 2019. Chair Thornton opened the meeting at 6:30 p.m.

The following were in attendance:

**Chair Joseph Thornton
Vice Chair Shawn O'Neill
Councilor Jay Kelley
Councilor Michael Tousignant
Town Manager Larry Mead
Assistant Town Manager V. Louise Reid**

ABSENT: Councilor Kenneth Blow

ACKNOWLEDGEMENTS:

The Assistant Town Manager reported on OOB365 events to be held during the months of October, November and December.

GOOD AND WELFARE:

HELENE WHITTAKER AND PAT BROWN: We wish to thank Nan McLaughlin for the thoughtful and kind “heads up” she gave us. Because of her we were able to acquire 200 Sidewalk Butler’s including free shipping. This gift came through “Keep America Beautiful” and is saving our Town more than \$20,000, keeping Old Orchard Beach and Ocean Park beautiful. We thank you Nan.

NAN MCLAUGHLIN: Sidewalk Butlers Report

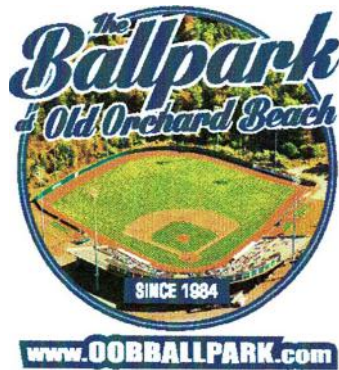
An estimated 195 million pounds of cigarette butts are improperly discarded in the United States annually, which is equal to the weight of about 33,000 High Mobility Multipurpose Wheeled Vehicles. In an ongoing effort to eliminate left over tobacco products, a non-profit organization developed a program to recycle the waste. It is TerraCycle’s goal to eliminate the idea of waste. Cigarette filters (and other related tobacco waste are the number one item recovered during the annual Ocean Conservancy’s International coastal Cleanup Day, with more than 52 million cigarette filters collected from beaches in the past twenty five years. Terra Cylce is an international upcycling and recycling company that collects difficult-to-recycle packaging and product and repurposes the material into affordable, innovative products. The company works with more than 100 major brands in the U.S. and 22 countries worldwide to collect used materials otherwise designated for landfills. These canisters can be found at more than 5,100 locations in the U.S. It is noted that most of the trash collected during police calls are cigarette butts. Cigarette butts don’t degrade – they pollute.

ACCEPTANCE OF MINUTES: Approval of the Town Council Minutes of October 1, 2019.

MOTION: Councilor Tousignant motioned and Councilor Kelley seconded to Approve the Town Council Minutes of October 1, 2019.

VOTE: Unanimous.

PRESENTATION: **BALLPARK QUARTERLY REPORT**
John Gallo, Chair



Ballpark Quarterly Report October 15, 2019

Report spokesperson: Chairman John Gallo

Thank you, Council, for this opportunity to present our quarterly Ballpark Commission report to you in accordance with the Ballpark Ordinance sec. 2-403. Much of this work is organized and coordinated through the Ballpark Manager, Guy Fontaine. This report is a combination of two Quarterly Reports; FY19-3rd Quarter, January 1 thru March 31, 2019 and FY19-4th Quarter, April 1, 2019 thru June 30, 2019.

FY19-3rd Quarter, January 1, 2019 thru March 31, 2019

- During the FY19-3rd Quarter, January 1, 2019 through March 31, 2019 The Ballpark was closed to activities and there is little to report about field use or maintenance.
- Election of officers & reappointments of Commissioners were held at our first meeting in January. The following officers were re-elected:

Chair:	John Gallo
Vice Chair:	Kristopher Fish
Secretary:	Melissa Clark

- In February the Ballpark Operations Manager and the Ballpark Commission Chair attended the Town Job Fair. In March a second Town Job Fair was held and again the Operations Manager and the Ballpark Commission Chair attended. One person was identified through these efforts and was offered a seasonal position as a concession employee.
- The Town Manager, Ballpark Operations Manager, Field Manager and Ballpark Commission Chair met with Jason Lariviere and Marcus Crowell of the Southern Maine River Rats organization to discuss plans for the more extensive use of The Ballpark including possibly constructing a four-season dome and training facility in the parking lot.

- A break in the water line coming into The Ballpark was discovered.
- The Ballpark Operations Manager continued to book and schedule events.

FY19-4th Quarter, April 1, 2019 thru June 30, 2019

- The break in the water line coming into The Ballpark previously discovered was repaired. This break was under the stadium and buried several feet underground. The Public Works department did not have any equipment large enough to handle the job but small enough to maneuver under the stadium, so it was necessary to hire a construction contractor to assist in making the repair.
- The Ballpark reopened, baseball returned, and other events started to happen.
- In the May-June timeframe baseball games were scheduled for all but three days. Most weekends had multiple games scheduled each day. Users included all OOB High School home games, four Thornton Academy home games, two U13 & U14 Battle of the Beach tournaments on consecutive weekends, two Saco Parks & Rec. Department Babe Ruth games played by the OOB team, the Yankee Small College Conference championship, 15 Southern Maine Men's Baseball League games, one game from the Coastal North East Baseball League from Dover NH, and 15 GNCBL games.
- The Firecracker Showcase Tournament for ages U-13 thru U-18 was held at multiple facilities in Southern Maine and included 14 games at the OOB Ballpark. The Ballpark hosted all the Championship games for each age bracket that Monday.
- The Ballpark Operations Manager maintained contact with current and potential customers and updated The Ballpark calendar, website and Facebook accounts regularly. Thanks to the popularity of our venue, customers recognize the importance of getting their requests in early.
- The Ballpark Operations Manager organized and prepared for the Blues Festival including contracts for the performers, vendors, stage rental, backup generator, entertainers' accommodations and special needs, and many other details too numerous to list.
- Negotiations for the 2019 New England Parkinson's Ride annual event began. In 2018 they raised over \$1,107,000. As of the time of time this report was created, the amount raised in the 2019 event was \$1,215,000. All from an organization that has one full-time employee and one paid part-time volunteer! The hundreds of other people who help make this event happen are all volunteers inspired by a great cause. Ride Director Cindy Theberge says the same thing every year, "There is nowhere else we could hold this event; we are so grateful for the Town of Old Orchard Beach and for The Ballpark."
- The Ballpark Operations Manager continued to book and schedule events.

Looking Forward:

The Ballpark Operations Manager and the Ballpark Commission continue to explore additional uses of The Ballpark and to find a collegiate or professional team that will operate as a Home Team at The Ballpark with a full schedule of games and increase both the fan base and The Ballpark revenue.

We are always looking for new ideas to expand The Ballpark's value to the local communities and invite anyone who has an idea for a new event or use of The Ballpark facility to please contact The Ballpark Commission or Operations Manager. You do not need to be a resident of Old Orchard Beach to have a fantastic idea! We invite comments

from anyone. We also want to hear from you if you think we are doing something wrong or if you have an idea of how we could do something better.

Special Acknowledgements:

The Commission is pleased to have the addition of Doug LeClair to our group. Doug was appointed to the Ballpark Commission in May and has been a great asset to the work we are doing and as a volunteer at many of our events. We wish to thank the Town Manager, Larry Mead, and the Town Council for their continued support of The Ballpark. We also wish to acknowledge the support provided by the Public Works and Recreation Departments throughout the year. And finally, we want to thank the residents of Old Orchard Beach, Saco, Biddeford, Scarborough and all the other nearby communities who come to the events in The Ballpark. Although the Ballpark is located in Old Orchard Beach it is, in fact, Everyone's Ballpark with hundreds of baseball games, concerts, and other events each year. Most of these events are free to the public and all are family oriented.

Summary of Events

Events	Number of Events
2019 Blues Festival	1
Coastal New England Basketball	1
Concerts in the Park	4
Dirigo Vintage Baseball	1
Firecracker Baseball	19
GNCBL	53
Hitters Count 13U	16
Hitters Count 14U	3
Hitters Count Practice Night	1
Maine Woods Baseball	2
OOB High School	11
River Rats Scout Day	1
Rumble in the Park	1
Saco Bay Blue Devils	8
Saco Park and Recreation	1
Shriners Parade Parking & Set Up	1
SMAA Class A South vs. Chevrus	1
SMMBL	32
SMRR 14U	31
TA Varsity Basketball	3
York HS vs. Edward Little HS	1
Total	192

PUBLIC HEARING:

Zoning Map Amendment

Shall We consider a zoning map and ordinance amendment: Zoning Map Amendment: Amend zoning map to replace the R4 District with GB1 District for the property located at 15 Ocean Park Road (210-10-3). Zoning Ordinance Amendment (GB1 District Location): Amend Ch. 78, Sec. 78-801 (a)?

CHAIR: I open this Public Hearing at 6:52 p.m.

BACKGROUND:

TO: Old Orchard Beach Town Council
SUBJECT: GB1 and R4 Zoning Map Amendment; GB1 Zoning Ordinance Amendment
DATE: 24 September 2019

This map and ordinance amendment proposal is associated with the property located at 15 Ocean Park Rd (210-10-3). This proposal is requesting a change to the zoning map and a change to ordinance language. The proposal is submitted by Eastwood Development Corp who is representing the property owner, Colonial Motor Court LLC. As I understand, the reason for this amendment is to increase options for use of the property.

Amendment Highlights

This proposal is requesting a change to the zoning map and a change to ordinance language. The zoning map amendment proposes to extend the General Business 1 (GB1) Zoning District into the area currently identified Residential 4 (R4) so the entire lot will be zoned GB1. Currently, the GB1 district extends into the lot 400 linear feet from the centerline of Ocean Park Rd. The remainder of the lot is zoned R4.

The proposed zoning ordinance amendment excludes the 15 Ocean Park Rd from the GB1 District 400 linear foot from the centerline of the road requirement identified in 78-801 (a). 78-801 (a) currently states:

The general business district 1 (GB-1) shall extend along Old Orchard Road, Ocean Park Road, Temple Avenue, and Saco Avenue from the Saco town line to E. Emerson Cummings Blvd./Union Avenue, the Portland Road from Imperial Street and Cascade Road, Cascade Road from Portland Avenue to Miles Avenue and shall extend to a lot line of any lot with direct frontage on any of the streets or roads mentioned in this subsection for a maximum depth of 400 linear feet from the street centerline.

The proposed amendment adds the following language to the end of 78-801 (a):

The GB-1 district located on the parcel of land identified as 15 Ocean Park Road, Map/Block/Lot: 210/10/3, shall extend to all lot lines and shall be exempt from the maximum depth of 400 linear feet from the street centerline.

So, the proposed new 78-801 (a) reads as follows (new language underlined):

The general business district 1 (GB-1) shall extend along Old Orchard Road, Ocean Park Road, Temple Avenue, and Saco Avenue from the Saco town line to E. Emerson Cummings Blvd./Union Avenue, the Portland Road from Imperial Street and Cascade Road, Cascade Road from Portland Avenue to Miles Avenue and shall extend to a lot line of any lot with direct frontage on any of the streets or roads mentioned in this subsection for a maximum depth of 400 linear feet from the street centerline. The GB-1 district located on the parcel of land identified as 15 Ocean Park Road, Map/Block/Lot: 210/10/3, shall extend to all lot lines and shall be exempt from the maximum depth of 400 linear feet from the street centerline.

Use:

Currently 15 Ocean Park Rd is vacant. Its last use was overnight cabins which ceased approximately 8 years ago. Because the property zoning is split between two districts some uses allowed in one district are not allowed in the other. The lot owner wants to maximize the property options by increasing its allowable uses and believes replacing the R4 with GB1 will do this. The GB1 allows almost all of the uses allowed in the R4 as well as a mix of nonresidential uses (see Secs. 78-802 & 803).

Adjacent land uses include a campground (OOB Campground) abutting one side and the rear and a single-family, apartment building, and nonresidential (food service). Adjacent zoning districts include GB1, R4 and Campground Overlay.

Spot Zoning

The question of “Spot Zoning” is something to consider as part of our review. Spot zoning has been defined as the process of singling out a property for a use classification totally different from the surrounding area for the benefit of the property owner to the detriment of other owners. To determine whether a proposed amendment creates a spot zone, the following should be considered:

- Size of area associated with the amendment. Is it just a small parcel, neighborhood, entire zoning district?
- Use classification and development of adjacent property
- Relation of amendment to existing zoning patterns and objectives
- History of the amendment
- Benefits or detriments to the owner, adjacent owners, neighborhood, town
- Is the proposed change pursuant to and consistent with the comp plan

It's important to note that spot zoning is a neutral term which includes both legal and illegal land use controls. Because a zoning amendment benefits only a particular property or is adopted at the request of a particular property owner for that owner's benefit is not determinative of whether it is an illegal spot zoning. This is important because spot zoning is not derogatory or favorable- it's simply neutral. The primary test is if amendments are consistent with and in basic harmony with the Town's comp plan and, as you'll see below, staff feels this proposal is consistent with the adopted comp plan.

Comp Plan Consistency

Consistency with the adopted comprehensive plan is another matter the Council must consider. Zoning map and ordinance amendments must be consistent with the currently adopted comprehensive plan. Regarding this proposal, its staff's opinion the changes are consistent with the adopted comp plan.

In regards to zoning map amendments, one of the best ways to check consistency is reviewing the adopted future land use plan map (FLUPM) vs. proposed zoning district amendment and then ask the following question- how does the FLUPM zoning district match to the proposed zoning district? In this case there's an interesting finding, it appears the proposed amendment (R4 to GB1) is actually more consistent with the FLUPM compared to what's shown on the currently adopted zoning map.

Included with this memo is a portion of the FLUPM showing the FLUPM zoning districts vs. currently adopted zoning districts (excluding overlay districts). The solid colored areas show the zoning districts adopted as part of the comp plan. The red lines and letters/numbers show the currently adopted zoning district boundaries and zoning

districts. Regarding 15 Ocean Park Rd property, you'll see the FLUPM shows the entire lot colored blue which identifies this lot to be entirely with the B2 district (General and Highway Business District). The red lines show the property as currently zoned- approx. half GB1 and half R4. What this tells me is the zoning district was not changed to reflect the FLUPM which is why we continue to have the current district designation (GB1 and R4) and not the FLUPM zoning district (B2) proposed by the comp plan. So, it could be argued the zoning districts (GB1 and R4) as currently shown is not in conformance with the adopted comp plan- the lot should be entirely with the B2 and this proposal will actually make the zoning district consistent with the comp plan.

Regarding the comp plan text, the B2 district, as described in the comp plan, is quite similar to the GB1 district. Both districts encourage commercial growth and recognize the advantages of being close to a high travelled road. One may ask should we change the district to B2 instead of extending GB1. Our answer to that is a change to B2 would require the creation of an entirely new ordinance along with all the space and bulk, performance standards, etc. Such a change would be much more involved than the one proposed. Because GB1 and B2 are quite similar we see no need to proceed with that approach.

The B2 is identified as a growth area which, in general, means the lands are physically suitable for development or redevelopment and contain sufficient area to accommodate planned growth and development. Specifically, the 1992 comp plan states the B2 District is intended for business uses where exposure to passing motorist is an asset in attracting patrons (Sec. V, p. 9).

Planning Board Action:

The PB considered the applicants proposal during the summer of this year. A public hearing was held during September. No one appeared at the public hearing but the Town received email comments from an abutter which discussed their concerns. As I understand the owner of 15 Ocean Park Rd spoke to the abutter about their concerns after the public hearing. At the PB's September meeting the Board voted 3-2 to recommend the Council adopt the proposed map and ordinance amendments. Specific reasons for the dissenting votes were not provided.

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 October 15th, 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 78 – Zoning, Article VI – Districts, Division 8 – General Business District 1 (GB-1), Section 78-801 – Location purpose, (a) by adding the underscored language:
Sec. 78-801. - Location; purpose.

- (a) The general business district 1 (GB-1) shall extend along Old Orchard Road, Ocean Park Road, Temple Avenue, and Saco Avenue from the Saco town line to E. Emerson Cummings Blvd./Union Avenue, the Portland Road from Imperial Street and Cascade Road, Cascade Road from Portland Avenue to Miles Avenue and shall extend to a lot line of any lot with direct frontage on any of the streets or

roads mentioned in this subsection for a maximum depth of 400 linear feet from the street centerline. The GB-1 district located on the parcel of land identified as 15 Ocean Park Road, Map/Block/Lot: 210/10/3, shall extend to all lot lines and shall be exempt from the maximum depth of 400 linear feet from the street centerline.

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

PUBLIC HEARING BUSINESS LICENSES AND APPROVAL:

CHAIR: I open this Public Hearing at 6:56 p.m.

390 Main LLC (312-15-5), 29 Central Park Avenue, eight new unit seasonal rentals; Jeffrey Chute (318-8-6-63), 146 West Grand Avenue, one year round condo rental; Barbara Hickey & Jeffrey Fairbanks (107-3-6-15), 6 Country Drive, two year round Condo rentals; and Joanne Morin (201-1-10-305), 215 East Grand Avenue, #305, new seasonal Condo rental.

CHAIR: I close the Public Hearing at 6:56 p.m.

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

VOTE: Unanimous.

TOWN MANAGER'S REPORT:

Property Tax Relief Program

New beginning this tax year the Town Council has established a property tax relief program for long term Old Orchard Beach residents who are 70 years or older. The Town Council began the program in order to provide tax relief to older, long-term residents who have limited incomes and limited savings. The Town council knows that although the value of homes are increasing incomes of our older residents may not be. In order to qualify, you must meet all of the following criteria: Received a Property Tax Refund this year from the State of Maine Property Tax & fairness Credit Program. If you aren't sure, check with your accountant, or contact the Town Hall Tax Office (934-5714, extension 1531) or the Assessor's Office (934-5714, extension 1514); Receive the Homestead Exemption at the time of the Application. Again, contact the Town Hall if you are not sure. Your primary residence has been in Old Orchard Beach for ten consecutive years prior to the date of the Application; You are 70 years of age as of November 1st. You have no past due property taxes as of the date of the Application. Applications are due no later than November 1st. Applications are available on the Town's web site on the homepage or may be picked up at town Hall at the Tax Office or the Assessors Office.

Sale of Town Properties: The Finance Department is advertising for sale three tax-acquired properties. 10 Goodwin Avenue. This lot has an existing and abandoned single family house. A requirement of the sale will be that the home be demolished within six months of purchase. Because the existing house if a non-conforming use I should be assumed that any replacement structure will need to be on the existing foundation footprint. 15 Kapok

Avenue – the second property is 10,000 square feet buildable lot at the corner of Homewood Blvd. and Kapok Avenue. 30 Juniper Avenue – the third property is a 20,000 square feet buildable lot at 30 Juniper Street in the Homewood Park subdivision. Property specific information is available on the Town’s web site. This will be sealed bid process. It should be noted that the Council can, in its sole discretion, reject all proposals. Bids are due by noon on Friday, October 18th.

Preliminary ISO rating – Town has received preliminary notification that it’s Flood Insurance Community Rating has been upgraded from Category 8 to Category 7. The significance of this is that property owners who have flood insurance and are in a FEMA designated special hazard area will receive an additional 5% discount on their insurance rates. This improvement is due to the efforts of the Planning and Code Enforcement Department in meeting certain preparedness and information standards established by the Insurance Services Offices.

The paving work on Saco Avenue is nearing completion. The remainder of the Rt. 5 improvements from Half-Way intersection to the Saco Town Line at 1-195 will take place in the spring. Paving work was also completed today on Fort Hill Avenue and Longwood Avenue. Tomorrow paving work is scheduled for Evergreen Avenue, 11th Street and Maine Avenue.

A reminder that residents can vote by absentee ballot at town Hall for the open Town Council and School Board seats as well as for the Maine State Bond Proposals. Last day to obtain an absentee ballot is October 31st. Absentee ballots can be returned to Town Hall up till Monday, November 4th. Election Day is Tuesday the 5th and voting will be held at the Old Orchard Beach High School from 8:00 a.m. to 8:00 p.m.

NEW BUSINESS:

7567 Discussion with Action: Appoint Stan DeFreese as a Regular Member of the Zoning Board of Appeals, term to expire 12/31/2019.

MOTION: Councilor Kelley motioned and Vice Chair O’Neill seconded to Appoint Stan DeFreese as a Regular Member of the Zoning Board of Appeals, term to expire 12/31/2019.

VOTE: Unanimous.

7568 Discussion with Action: Amend the Town of Old Orchard Beach Code of Ordinances, Chapter 34, Housing; Section 91, Occupancy Requirements, Subsection C – Temporary Seasonal Workers.

BACKGROUND:

Many of the temporary seasonal workers in Old Orchard Beach obtain housing in rooms that are configured the same as the motel rooms in Old Orchard Beach that have two queen beds and accommodate four adults. These rooms often include a kitchenette and bathroom with shower and toilet. The proposed ordinance changes will clarify that this efficiency-room concept is permitted for temporary seasonal workers so long as the gross square footage equals at least 70 square feet of space per occupant, and that there is at least one shower unit, one sink and one toilet for every five occupants. Staff from the Fire Department and the Code Enforcement Office has assisted in drafting the proposed

ordinance changes and believe that the proposed changes will provide safe and efficient housing for temporary seasonal workers. In addition, the changes will provide some relief to the scarcity of available housing for summer workers.

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 October 1st, 2019, at 6:30 p.m. to consider the following:

Be it hereby ordained, by the Town Council of the Town of Old Orchard Beach, Maine, in Town Council assembled, that Chapter 34, Housing, section 34-91 (Occupancy requirements) of the Town of Old Orchard Beach Code of Ordinances is amended by adding the underscored language and deleting the strikethrough language:

Sec. 34-91. - Occupancy requirements.

- (a) Generally. No person shall occupy as owner-occupant or shall let to another for occupancy any dwelling, dwelling unit, or rooming unit which does not comply with the minimum standards for space and occupancy in this section. Any motel, hotel, guest cottage, cabin, sporting camp or similar facility must comply with these space and occupancy standards when an occupant stays in one or more units for a continuous period in excess of 30 days.
- (b) Dwelling and rooming units. Every dwelling, dwelling unit and rooming unit shall contain at least 200 square feet of floor area of habitable space for the first occupant and at least 150 square feet of additional area of habitable space for each additional occupant. A child under the age of one shall not be counted as an occupant for the purposes of this section.
- (c) Temporary seasonal housing workers. Where sleeping quarters are furnished within existing structures between April 1 and October 31 for temporary seasonal workers, ~~every room occupied for sleeping purposes by one person shall contain at least 70 square feet of floor space, every room occupied for sleeping purposes by more than one person shall contain at least 50 square feet of floor space for each occupant thereof and the dwelling unit shall include a kitchen or kitchenette, a bathroom, and a living room of not less than 120 square feet of habitable area.~~ for every 5 occupants there shall be at least (1) Shower Unit, (1) Sink and (1) Toilet. A room occupied for sleeping purposes may include a kitchenette and a bathroom. Every room occupied for sleeping purposes shall contain at least 70 gross square feet of floor space per person. The calculation of gross square footage shall be limited to spaces used for living, sleeping, eating or cooking, including bathrooms, toilet rooms, foyers, closets and hallways within controlled space. The auxiliary spaces used to determine gross square footage, such as bathrooms, toilet rooms, foyers, closets, hallways and kitchens, shall not be used for sleeping quarters. If it is unfeasible to meet the kitchen, kitchenette or bathroom requirements in the space then access to communal kitchen or bathroom may be approved by the authority having jurisdiction, provided that such space is in an attached structure, provides 24/7 access and is under the control of the temporary seasonal workers.

(d) No outbuilding, basement, garage, attic or other space shall be used as space for sleeping quarters unless the space complies with the ordinances as written for the Town of Old Orchard Beach Maine.

(ed) Posting of notice of permitted occupancy. Notice shall be posted in each unit offered for rent stating the maximum number of occupants allowed under this article.

(fe) Notice of permitted occupancy required. When a person lets to another for occupancy any dwelling, dwelling unit, or rooming unit, he shall notify the occupant in writing of the maximum number of persons permitted to occupy the premises by this section.

(Ord. of 4-2-1991, § 4; Ord. of 4-7-2009(1); [Ord. of 3-15-2016](#))

MOTION: Councilor Tousignant motioned and Councilor Kelley seconded to Amend the Town of Old Orchard Beach Code of Ordinances, Chapter 34, Housing; Section 91, Occupancy Requirements, Subsection C – Temporary Seasonal Workers.

VOTE: Unanimous.

7569 Discussion with Action: Approve the Special Event Permit application for Tony Myatt to hold a 10k on the beach and East Grand Avenue on Saturday, October 17th, 2020 from 10 a.m. to 1 p.m. The packet pick-up location is on private property. They will race on the beach from the Pier and into Scarborough and race back on East Grand Avenue and ending in the Square. Request to close the Square during the race hours, for the finish line. 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.

MOTION: Vice Chair Shawn O'Neill motioned and Councilor Kelley seconded to Approve the Special Event application for Tony Myatt to hold a 10k on the beach and East Grand Avenue on Saturday, October 17th, 2020 from 10 a.m. to 1 p.m. The packet pick-up location is on private property. They will race on the beach from the Pier and into Scarborough and race back on East Grand Avenue and ending in the Square. Request to close the Square during the race hours, for the finish line. 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.

VOTE: Unanimous.

7570 Discussion with Action: Accept the bid from Michael Nappi Concrete Inc., in the amount of \$8,000 to repair the Sidewalks at Town Hall from Account Number 50002-50507 – CIP Public Works Sidewalk Maintenance/Improvement, with a balance of \$430,697.78.

MOTION: Councilor Tousignant motioned and Councilor Kelley seconded to Accept the bid from Michael Nappi Concrete Inc., in the amount of \$8,000 to repair the Sidewalks at Town Hall from Account Number 50002-50507 – CIP Public Works Sidewalk Maintenance/Improvement, with a balance of \$430,697.78.

VOTE: Unanimous.

MICHAEL NAPPI CONCRETE, INC.
176 Pheasant Hill Drive - Portland, Maine 04103
(207) 831-2671

Town of Old Orchard Beach
Department of Public Works
1 Portland Avenue
Old Orchard Beach, Maine 04064

Job: Town Hall QUOTE

October 4, 2019

Repair Concrete Sidewalks

The 75' Sidewalk Section and Back Door Landing \$4500.00

The 16' Sidewalk with Wall \$3500.00

All removal and prep done by Town of OOB

Total Amount: \$8000.00

PROPOSAL

J McCarthy Concrete
 P O Box 27
 Lewiston, ME 04243

Tel: (207) 784-9943
 Fax: (207) 784-9949
 Cell: (207) 212-7250
 mmccarthy@jmacscustomconcrete.com

Town of Old Orchard Beach
 1 Portland Ave
 Old Orchard Beach, ME 04064
 Attn: Joe Cooper
 June 1, 2019

Following work to be completed at the Town Office, 1 Portland Ave, Old Orchard Beach, ME
Construction of 15'- 6" x 4' x 6" replacement concrete sidewalks – set up & install the following: form work, # 4 rebar, 2" rigid insulation, 6 x 6 w1.4 x w1.4 W.W.F., pour, finish with wet-tooled control joints
Construction of 10'- 2" x 4' x 6" replacement concrete sidewalks – set up & install the following: form work, # 4 rebar, 2" rigid insulation, 6 x 6 w1.4 x w1.4 W.W.F., pour, finish with wet-tooled control joints
Construction of 72' x 4' x 6" replacement concrete sidewalks – set up & install the following: form work, # 4 rebar, 2" rigid insulation, 6 x 6 w1.4 x w1.4 W.W.F., pour, finish with wet-tooled control joints
Construction of 11' x 6'- 6" x 1' replacement concrete slab @ rear entrance – set up & install the following: form work, # 4 rebar, 2" rigid insulation, # 4 rebar @ 1' centers, pour, finish with wet-tooled control joints
Concrete mix to be 4,000 psi with 6% air entrainment
All Labor & Materials: \$ 14,250.00
Exclusions: <ul style="list-style-type: none"> • All demolition of existing concrete by others • All removal & replacement of existing handrails by others • All barricades and temporary signage by others • All excavation, backfilling, and asphalt replacement by others
Terms: Net 15 Days from Invoice – No retain-age

7571 Discussion with Action: Approve the Special Event Permit Application for Barry Tripp and OOB Recreation Department to hold a Community Halloween Skateboard Day/Bowl Festival/Barbecue/Zombie Beach (Surf Band) on Saturday, October 26, 2019 from Noon to 4:00 p.m.; rain date October 27, 2019 at the OOB Skateboard Park.

MOTION: Councilor Kelley motioned and Councilor Tousignant seconded to Approve the Special Event Permit Application for Barry Tripp and OOB Recreation Department to hold a Community Halloween Skateboard Day/Bowl Festival/Barbecue/Zombie Beach (Surf Band) on Saturday, October 26, 2019 from Noon to 4:00 p.m.; rain date October 27, 2019 at the OOB Skateboard Park.

VOTE: Unanimous.

7572 Discussion with Action: Authorize the Finance Director to purchase a new Ford EcoSport to be used by Assessing and Code Enforcement, in an amount not to exceed \$20,000; \$7,000 from Account Number 51002-50908 – CIP Administration Town Hall Vehicle, with a balance of \$7,194; and \$13,000 from Account Number 20197-50330 – Debt Service Lease Purchase, with a balance of \$148,073.81.

BACKGROUND:

The Town Council approved in September the purchase of a 2019 Ford EcoSport in the amount of \$17,584. This replaced one of the two Jeeps used by Assessing and Code Enforcement. The second Jeep has been taken out of service because the inspection sticker has expired and it is in need of significant repair totaling at least \$2,400. In addition, once the vehicle was on the lift it was evident that the rocker panels are rusting and there is rust on the frame. The vehicle is 15 years old. Given its condition and age it is preferable to not put additional money into repairs. The account used to purchase the 2019 Ford acquired in September has a \$7,000 balance. There is also \$25,000 in funding available in the lease purchase accounts because of favorable pricing received this year on several DPW vehicle lease-purchases. It had been intended to seek funding in FY21 for the second Assessing/Code vehicle. Given the available funds it is advantageous to address this need in the current fiscal year.

MOTION: Councilor Tousignant motioned and Councilor Kelley seconded to Authorize the Finance Director to purchase a new Ford EcoSport to be used by Assessing and Code Enforcement, in an amount not to exceed \$20,000; \$7,000 from Account Number 51002-50908 – CIP Administration Town Hall Vehicle, with a balance of \$7,194; and \$13,000 from Account Number 20197-50330 – Debt Service Lease Purchase, with a balance of \$148,073.81.

VOTE: Unanimous.

ADJOURNMENT:

MOTION: Councilor Kelley motioned and Councilor Tousignant seconded to Adjourn the Town Council Meeting.

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 fifteen (15) pages is a copy of the original Minutes of the Town Council Meeting of October 15, 2019.

V. Louise Reid