



Town Council Agenda

Regular Meeting @ 6:30pm

Tuesday, October 4th, 2022

Council Chambers - 1 Portland Avenue

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PLEDGE OF ALLEGIANCE

ROLL CALL

ACKNOWLEDGEMENTS

GOOD & WELFARE

ACCEPTANCE OF MINUTES

Accept the meeting minutes from the Regular Meeting of Town Council on Tuesday, September 20th, 2022.

Chair: Shawn O'Neill

PUBLIC HEARING – BUSINESS LICENSES & APPROVALS:

The James M. & Josephine T. Smith Living Trust, (318-8-6-72), 146 West Grand Avenue #72, one year round rental.

Denise & Norman Minor, (319-14-2), 1 Odessa Avenue, two year round rentals.

Chair: Shawn O’Neill

PUBLIC HEARING – SPECIAL AMUSEMENT PERMITS & APPROVALS:

TPR, Inc. d/b/a Bull & Brew Winghouse, (306-5-2), 6 East Grand Avenue, inside DJ, Solo, Duet, Band noon – 1:00am.

Patio Pub, Inc. d/b/a Pier Patio Pub, (306-6-1-J), 2 Old Orchard Street, inside & outside DJ, Solo, Duet, Band, Comedy noon – 1:00am.

Patio Pub, Inc. d/b/a Hooligan’s Landing, (306-6-1-DD), 2 Old Orchard Street, inside noon – 1:00am.

Chair: Shawn O’Neill

TOWN MANAGER REPORT

NEW BUSINESS

AGENDA ITEM #7769

Discussion with Action: Approve the liquor license renewals for the following businesses:

TPR, INC d/b/a Tequila Frogs Local Cantina, (306-5-3), 8 East Grand Avenue, m-s-v in a restaurant.

TPR, Inc. d/b/a Bull & Brew Winghouse, (306-5-2), 6 East Grand Avenue, m-s-v in a restaurant.

Patio Pub, Inc. d/b/a Pier Patio Pub, (306-6-1-J), 2 Old Orchard Street, m-s-v restaurant.

Patio Pub, Inc. d/b/a Hooligan’s Landing, (306-6-1-DD), 2 Old Orchard Street, m-s-v restaurant.

Chair: Shawn O’Neill

AGENDA ITEM #7770

Discussion with Action: Adopt four safety policies to meet Maine Municipal Association (MMA) Risk Management compliance: Ergonomic Plan Policy, Incident Review Program Policy, Back Injury Prevention & Safe Lifting Program Policy and Slip & Fall Prevention Policy.

Chair: Shawn O'Neill

AGENDA ITEM #7771

Discussion with Action: Accept the quote from Gorham Sand & Gravel to replace the Town's public driveway along W. Grand Avenue (between MBL 307-3-1 & 307-4-2) in the amount of \$6,496.00 from account #50002-50506 Road Maintenance/Improvement CIP, with a balance of \$679,068.22.

Chair: Shawn O'Neill

AGENDA ITEM #7772

Discussion with Action: Set the Public Hearing Date of October 18th, 2022 for the Town Council to consider amendments to the Medical Marijuana Ordinances Ch. 18, Ch.78, and Appendix A: Ch. 18, Art. XI, Secs. 18-601 – 18-603; Ch. 78, Art. I, Sec. 78-1; Ch. 78, Art. VI, Sections 78-803, -903, -904, -1135; Ch. 78, Art. VII, Sec. 78-1277; Appendix A, Medical Marijuana Production Facility and Medical Marijuana Registered Dispensary.

Chair: Shawn O'Neill

AGENDA ITEM #7773

Discussion with Action: Amend the Council Order for intra-departmental transfers of funds between line items from \$2,000.00, previously approved May 20th, 2014, to \$5,000.00 provided the transfer is approved by the Town Manager and the Finance Director.

Chair: Shawn O'Neill

AGENDA ITEM #7774

Discussion with Action: Accept the quote from K&K Systems in the amount of \$5,719.33 for the purpose of improving traffic/pedestrian safety near the intersection of Union Avenue/Saco Avenue from account #20132-50501 Police: Operation Supplies/Equipment Non Capital, with a balance of \$8.702.00.

Chair: Shawn O’Neill

AGENDA ITEM #7775

Discussion with Action: Authorize the Town Manager to enter into a purchase and sale agreement with the “1907 Fire Society” for the purchase of a 1925 Mack Type 45 Fire Engine, Serial # 5117, in the amount of \$1.00, as is where is from account #20138-50501 Fire Department: Operating Supplies/Equipment, with a balance of \$46,818.36.

Chair: Shawn O’Neill

AGENDA ITEM #7776

Discussion with Action: Accept a donation of \$500.00 for account #25140-40531 Fire Department Donations, from the non-profit group the “1907 Fire Society” to be used, as deemed necessary by the Fire Chief, to move, protect, secure the 1925 Mack Type 45 Fire Engine.

Chair: Shawn O’Neill

AGENDA ITEM #7777

Discussion with Action: Approve the following line item transfers for the Planning Department in the amount of \$21,055.29 from the following accounts with surplus balances:

From the Planning Department Budget:

\$2,000.00 from account #20110-50107 Part Time Employee Expense, with a balance of \$2,000.00;

\$82.88 from account #20110-50111 Overtime Wage Expense, with a balance of \$82.88;

\$127.95 from account #20110-50252 Travel/Food/Lodging, with a balance of \$127.95;

\$100.00 from account #20110-50256 Dues/Memberships/Licenses with a balance of \$100.00;

\$83.40 from account #20110-50310 Service Contracts Expense with a balance of \$83.40;

\$989.57 from account #20110-50320 Advertising Expense with a balance of \$989.57;

\$429.57 from account #20110-50402 Phone/Cellular/Paging with a balance of \$429.57;

\$1,045.21 from account #20110-50300 Professional Engineering Services, with a balance of \$1,045.21 and;

From the Parks Maintenance Budget:

\$12,244.74 from account #20152-50310 Service Contracts, with a balance of \$12,244.74;

\$3,370.08 from account #20152-50501 Operating Supplies/Equipment, with a balance of \$3,370.08 and;

\$581.89 from account #20152-50511 Grounds Maintenance, with a balance of 3,031.74.

Total Surplus: 21,055.29.

Transfer to the following Planning account with a deficit balance, account #20110-50106 Full Time Employee Expense, with a balance of (\$21,055.29).

Chair: Shawn O'Neill

AGENDA ITEM #7778

Discussion with Action: Approve the following line item transfers for Town Hall Maintenance Department in the amount of \$9,733.88 from the following accounts with surplus balances:

From the Historical Society Budget:

\$5,328 from account #20177-50108 OOB Seasonal Employee Wages, with a balance of \$5,328;

\$2,207.35 from account #20177-50450 OOB Building Repair/Maintenance, with a balance of \$2,207.35;

\$397.84 from account #20177-50501 OOB Operating Supplies, with a balance of \$800.00 and;

From the Town Hall Budget:

\$1,800.69 from account #20115-50400 Town Hall: Electricity Expense, with a balance of \$2,917.94.

Total Surplus: \$9,733.88

Transfer to the following Town Hall accounts with deficit balances:

20115-50501 Operating Supplies, with a balance of (\$6,183.72) and;

20115-50405 Heating Fuel with a balance of (\$3,550.16).

Total Deficit: \$9,733.88

Chair: Shawn O'Neill

AGENDA ITEM #7779

Discussion with Action: Approve the line item transfer for the Insurance account in the amount of \$196,463.38 from the following accounts with surplus balances:

From the Insurance Budget:

\$3,625.51 from account #20119-50203 ICMA 457, with a balance of \$6,034.95;

\$50,000.00 from account #20119-50209 Health Savings, with a balance of \$50,000.00;

\$68,311.10 from account #20119-50210 Health Insurance, with a balance of \$68,311.10;

\$6,096.77 from account #20119-50211 Dental Insurance, with a balance of \$6,096.77;

\$1,620.12 from account #20119-50212 IPP insurance, with a balance of \$1,620.12;

\$1081.50 from account #20119-50213 Life Insurance, with a balance of \$1,081.50;

\$59,296.00 from account #20119-50371 General/Vehicle/Flood Insurance with a balance of \$59,296.00 and;

\$6,432.38 from account #20119-50373 Unemployment Compensation, with a balance of \$6,432.38.

Total Surplus: \$196,463.38

Transfer to the following accounts with deficit balances:

20119-50124 In Lieu of Health Insurance, with a balance of (\$15,396.40);

20119-50201 Fica/Medicare, with a balance of (\$42,409.40);

20119-50202 Maine State Retirement, with a balance of (59,919.97);

20119-50214 Workers Compensation, with a balance of (\$72,087.61) and;

20119-50374 Other Insurance Expense, with a balance of (\$6,650.00).

Total Deficit: \$196,463.38

Chair: Shawn O'Neill

AGENDA ITEM #7780

Discussion with Action: Approve the line item transfer for the Police Department in the amount of \$179,496.18 from the following accounts with surplus balances:

From the Police Department Budget:

\$88,723.65 from account #20131-50104 Seasonal Reserves, with a balance of \$88,723.65;

\$45,308.35 from account #20131-50251 Conferences/Training, with a balance of \$45,308.35;

\$9,462.05 from account #20131-50230 Clothing Allowance, with a balance of \$9,462.05;

\$5,322.00 from account #20131-50400 Electricity Expense, with a balance of \$5,322.00;

\$4,510.89 from account #20131-50501 Operating Supplies/Equipment, with a balance of \$4,510.89;

\$946.71 from account #20131-50502 Printing/Copying, with a balance of \$2,562.41 and;

From Insurance Budget:

\$25,222.53 from account 20119-50115 Separation Pay, with a balance of \$26,000.00.

Total Surplus: \$179,496.18

To the following Police Department accounts with deficit balances:

20131-50106 Full Time Employee Wages, with a balance of (\$99,350.11);

20131-50109 Seasonal Overtime Wages, with a balance of (\$46,845.86);

20131-50111 Overtime Wage Expense, with a balance of (\$17,811.58) and;

20131-50310 Service Contracts, with a balance of (\$15,488.63).

Total Deficit: \$179,496.18

Chair: Shawn O'Neill

AGENDA ITEM #7781

Discussion with Action: Approve the line item transfer for Parking Enforcement Department in the amount of \$28,141.75 from the following accounts with surplus balances:

From the Parking Enforcement Budget:

\$7,074.41 from account #20132-50452 Operating Equipment, with a balance of \$7,074.41;

\$5,541.42 from account #20132-50502 Printing/Copy, with a balance of \$5,541.42;

\$824.98 from account #20132-50501 Operating, with a balance of \$2,449.79 and;

From Municipal Street Light Budget

\$14,700.94 from account #20140-50400 Street & Traffic Light Expense, with a balance of \$29,400.43.

Total Surplus: \$28,141.75

To the following Parking Enforcement accounts with deficit balances:

20132-50106 Full Time Employee Expense, with a balance of (\$23,138) and;

20132-50530 Bank Fees, with a balance of (\$5,003.75).

Total Deficit: \$28,141.75

Chair: Shawn O'Neill

AGENDA ITEM #7782

Discussion with Action: Approve the line item transfer for the Lifeguard Department in the amount of \$23,516.79 from the following accounts with surplus balances:

From the Lifeguard Budget:

\$9,500.00 from account #20137-50111 Overtime Wage Expense, with a balance of \$9,500.00;

\$956.00 from account #20137-50230 Clothing Allowance, with a balance of \$956.00

\$449.00 from account #20137-50251 Conferences/Training, with a balance of \$449.00

\$130.15 from account #20137-50402 Phone/Cellular/Paging, with a balance of \$130.15

\$891.98 from account #20137-50452 Operating equipment, with a balance of \$891.98

\$3,021.39 from account #20137-50501 Operating Supplies, with a balance of \$3,021.39 and;

From Municipal Street Light Budget

\$8,568.27 from account #20140-50400 Street & Traffic Lights expense, with a balance of \$14,699.49.

Total Surplus: \$23,516.79

Transfer to the following Lifeguard Department account with a deficit balance: account #20137-50108 Seasonal Employee Wage, with a balance of (23,516.79).

Total Deficit: \$23,516.79

Chair: Shawn O'Neill

AGENDA ITEM #7783

Discussion with Action: Approve the line item transfer for Code Enforcement Department in the amount of \$20,255.74 from the following accounts with surplus balances:

From Tax Abatement/Overlay Expense Budget:

\$18,835.48 from account #20196-50390 Tax Abatements/Overlay, with a balance of \$42,371.90 and;

From Code Enforcement Budget:

\$1,420.26 from account #20139-50300 Professional/Engineering, with a balance of \$1,480.08.

Total Surplus: \$20,255.74

To the following Code Enforcement Department accounts with deficit balances:

20139-50107 Part Time Employee Expense, with a balance of (\$17,957.92) and;

20139-50500 Admin/Office Supply with a balance of (\$2,297.82)

Total Deficit: \$20,255.74

Chair: Shawn O'Neill

AGENDA ITEM #7784

Discussion with Action: Approve the line item transfer for the Wastewater Department in the amount of \$48,441.39 from the following accounts with surplus balances:

From Wastewater Budget:

\$10,994.60 from account #20161-50101 Department Head Salary, with a balance of \$10,994.60;

\$11,520 from account #20161-50108 Seasonal Employee Wages, with a balance of \$11,520.00;

\$10,618.36 from account #20161-50342 Waste Pumping, with a balance of \$10,618.36;

\$3,217.33 from account #20161-50405 Heating Fuel Expense, with a balance of \$3,217.33;

\$474.29 from account #20161-50256 Dues/Membership Expense, with a balance of \$569.80 and;

From Tax Abatement/Overlay Expense Budget:

\$11,616.81 from account #20196-50390 Tax abatements/Overlay, with a balance of \$24,561.86.

Total Surplus: \$48,441.39

To the following Wastewater Department accounts with deficit balances:

20161-50340 Waste Tipping/Disposal, with a balance of (20,065.65) and;

20161-50400 Electricity Expense, with a balance of (\$28,375.74).

Total Deficit: \$48,441.39

Chair: Shawn O'Neill

AGENDA ITEM #7785

Discussion with Action: Transfer \$9,178.39 from account #20191-50345 General Assistance, with a balance of \$13,932.40, to account #20191-50101 Department Head Salary, with a balance of (\$9,178.39).

Chair: Shawn O'Neill

AGENDA ITEM #7786

Discussion with Action: Approve the line item transfers for the Recreation Department in the amount of \$21,846.31 from the following accounts with surplus balances:

\$11,512.85 from account #20196-50390 Tax Abatements/Overlay Expense, with a balance of \$11,959.58;

\$6,131.22 from account #20140-50400 Municipal Street Lights: Street & Traffic Lights, with a balance of \$6,131.22;

1,957.46 from account #20101-50303 Town Council: Audit Services; with a balance of \$2,000.00 and;

From the Recreation Budget:

\$1,944.43 from account #20171-50310 Service Contracts, with a balance of \$1,944.43 and;

\$300.35 from account #20171-50320 Advertising Expense, with a balance of 1,039.97.

Total Surplus: \$21,846.31

To the following Recreation Department accounts with deficit balances:

20171-50106 Full Time Employee Wage, with a balance of (\$16,334.63) and;

20171-50400 Electricity Expense, with a balance of (\$5,511.68)

Total Deficit: \$21,846.31

Chair: Shawn O'Neill

ADJOURNMENT