TOWN OF OLD ORCHARD BEACH REGULAR TOWN COUNCIL MEETING TUESDAY, June 4, 2013 TOWN HALL COUNCIL CHAMBERS 7:00 P.M. AGENDA

Pledge to the Flag Roll Call

PRESENTATION:

Quarterly Report by Ballpark Commission Chair Jerome Plante

Recall Ballot Instructions by the Town Clerk

ACKNOWLEDGEMENTS:

ACCEPTANCE OF MINUTES: Town Council Workshop Minutes of April 30, 2013; Town Council Workshop Minutes of May 1, 2013; Town Council Workshop Minutes of May 2, 2013; Town Council Workshop Minutes of May 8, 2013; and Town Council Meeting of May 21, 2013.

PUBLIC HEARINGS:

Shall We Add Section 54-116 – Designation of All-Terrain Vehicle Access Routes for Municipal purposes, to the Old Orchard Beach Code of Ordinances?

Shall We Amend the Code of Ordinances, Section 54-114 and 54-115 to allow the Chief of Police or his/her authorized representative to determine parking fees in the Milliken Street and Veteran's Memorial Park parking lots?

PUBLIC HEARING BUSINESS LICENSES AND APPROVAL:

MKM Realty Trust (101-1-15-6), 3 Millbrook Drive, one year round rental; Sun Wagon Wheel RV LLC dba/Wagon Wheel RV & Campground Resort, (108-2-1-A), 3 Old Orchard Road, Tent & Trailer Campground, Sites, Laundromat; Sun TRS Wagon Wheel LLC dba/Sun TRS Wagon Wheel LLC (108-2-1-B), 3 Old Orchard Road, Victualers with Preparation, Alcohol off Premise, Coin Operated Devices; Sun TRS Wagon Wheel LLC dba/Sun TRS Wagon Wheel LLC (108-2-1-C), 3 Old Orchard Road, six seasonal RV Rentals, two year round rentals; Michael Petrone (104-2-10), 129 Portland Avenue, Unit 19, one year round rental; Ron & Kristen Hanson dba/Hanson's Hometown Hardware (205-15-1), 2 Cascade Road, Suite 6, Retail; Sun Wild Acres RV LLC dba/Wild Acres RV and Campground Resort (208-3-2-A), 179 Saco Avenue, Tent & Trailer Campground, Sites, Laundromat; Sun TRS Wild Acres LLC dba/Sun TRS Wild Acres LLC (208-3-2-B), 179 Saco Avenue, Victualers with Preparation, Alcohol off Premise; Coin Operated Devices, Vending Machines, Rental of Merchandise, Mini Golf, Recreational Vehicle Sales: Sun TRS Wild Acres LLC dba/Sun TRS Wild Acres LLC (208-3-2-C), 179 Saco Avenue, 45 RV Rentals, one year round rental, three seasonal rentals; Timothy Crane (305-2-1-44), 31 East Grand Avenue, #44, one year round rental; Tanya Robinson (305-3-9), 5 Boisvert Street, Unit #108, one year round rental; Finiko LLC dba/Les Crepes (307-2-1), 1 Old Orchard Street, Victualers with Preparation, No Alcohol Sales; and Vanessa & Ronald Darling (311-15-8), 10 Prospect Street, Building 8 & 10, two year round rentals.

NEW BUSINESS:

- # 5941 Discussion with Action: Accept the bid from Defining Lines Landscaping for weekly maintenance of Veteran's Memorial Park from June 5, 2013 through June 30, 2013, at a rate of \$380 per week for three-and-one-halfweeks (3 1/2) totaling \$1,330.00 from Account Number 20152-50310 - Service Contracts, with a balance of \$3,178; and pending the approval of the Fiscal 2014 budget from July 1, 2013 through October 31, 2013 at a rate of \$380 per week for eighteen weeks (18) totaling \$6,840.00; and to continue mowing fifteen (15) times at \$380 per mowing, Public Works totaling \$5.700 from Account Number Director 20152-50310 - Service Contracts. **Bill Robertson**
- # 5942 Discussion with Action: Accept and Approve the Stipulation of the Proposed Consent Agreement between the Town of Old Orchard Beach, Maine and Kate's Homemade Butter, Inc. (the "Operator"), to use its best efforts to complete and move to its new business operations facility in Arundel, Maine, on or before September 30, 2013; but if unable to move its operation to Arundel prior to the target date, the Operator shall provide to the Town Manager a thirty (30) day advanced notice and a new target date; and continue to monthly update the Code Enforcement Officer on the status of the project starting June 30. 2013 and provide reasonable access during that period and during normal business hours to the **Town Manager** facility it is constructing in Arundel. **Robert Peabody**
- # 5943 **Discussion with Action Regarding 13 Old Orchard Street Enforcement matter** (Assessor's Map 307, Block 3, Lot 4), and disposing of Adjacent Town-owned property.
- # 5944 Discussion with Action: Appoint Robert Peabody and Phil Wevenberg as Representatives to the Citizen's Board of the Maine Water Company/aka/ **Connecticut Water Service (formerly Biddeford** Chair Saco Water Company).

Code Enforcement Officer Jim Butler

Sharri MacDonald

5945 Discussion with Action: Approve line item transfer from the Tax Department: transfer \$300 from Account Number 20104-50251 – Conference Training with a balance of \$475; to Account Number 20104-50500 – Office Supplies, with a balance of \$20.26; Approve line item transfer from Town Manager's Department; transfer \$1,100 from Account Number 20101-50310 – Service Contracts, with a balance of \$4,000: to Account Number 20101-50303 – Audit Services, with a balance of (\$1,100); Approve the line item transfer from the Town Manager's Department: transfer \$1.500 from Account Number 20102-50454 – Computer Support Services with a balance of \$10,203.06; to Account Number 20102-50500 – Administrative Office Supplies with a balance of (\$241); Approve the line item transfer from Town Manager's Department; transfer \$10,000 from Account Number 20102-50315 – User License with a balance of \$25.574.27: to Account Number 20102-50852 – Computer System Upgrade with a balance of \$4,913.62; Approve the line item transfer from the Public Works Department in the amount of \$1,500 from Account Number 20151-50101 -Department Head Salary, with a balance of \$12,316.49; to Account Number 20151-50108 – Seasonal Employee Wage with a balance of \$8,288.00; Approve the Line item transfer from the Town Manager's Department in the amount of \$5,000 from Account Number 20102-50300 – Professional Engineering with a balance of \$10,738.78; to Account Number 20102-50809 - GIS Program with a balance of \$2,883.49; Approve the line item transfer from the Town Manager's Department; transfer \$300 from Account Number 20102-50549 – Miscellaneous Expense, with a balance of \$1,839.87; to Account Number 20102-50252 – Mileage, with a balance of \$29.13.

- # 5946 Discussion with Action: Approve the Special Event Permit application for OOB365 to hold their Smokin' at the Ballpark BBQ, on Friday, June 21st, from 9 a.m. to 8 p.m. and Saturday, June 22nd, from 6 a.m. to 7 p.m., 2013; request to place a banner at the intersection of E. Emerson Cummings Blvd and Saco Avenue; and a request to waive the fee.
- # 5947 Discussion with Action: Approve the Special Event Permit application for the POW/MIA Recognition/ OOB365 to hold the POW-MIA Recognition Weekend on Friday, September 20th through Sunday, September 22nd, 2013 at the Ballpark from 8 a.m. to 8 p.m.; to include ceremonies, BBQ grills and the Ballpark Concession Stand, the landing of a Huey 68-16563, and other military equipment.

Town Manager Robert Peabody, Jr.

Town Clerk Kim McLaughlin A request to place a banner on the posts at the intersection of E. Emerson Cummings Boulevard and Saco Avenue two weeks prior to the event; and a request to waive the fee.

Town Clerk Kim McLaughlin

5948 Discussion with Action: Approve the Special Event Permit application for the Harley Davidson Motor Company to hold a Maine State H.O.G. Rally on Saturday, June 28th, 2014, from 7 p.m. to 11 p.m., to include a dance party, P.A. System and DJ, and closing ceremonies. First Street will be closed from Staples Street to the end of the Chamber of Commerce building. Motorcycles will be parking in part of the Memorial Park parking lot; a police escorted parade; possibility of a tent. Request for a banner in the Square and the Gazebo from June 26th-28th, 2014. Application fee to be paid to the Town Clerk's Office by August 1st, 2013. Insurance, listing the Town as additionally insured, to be provided to the Town Clerk's Office at least **Town Clerk** one month prior to the event. Kim McLaughlin

GOOD AND WELFARE:

ADJOURNMENT