

**TOWN OF OLD ORCHARD BEACH  
REGULAR TOWN COUNCIL MEETING  
TUESDAY, MARCH 5, 2013  
TOWN HALL COUNCIL CHAMBERS  
7:00 P.M.  
AGENDA**

**Pledge to the Flag  
Roll Call**

**PRESENTATION:**

Community Development Update  
by Community Development Director,  
Jeffrey Hinderliter

**ACKNOWLEDGEMENTS:**

**ACCEPTANCE OF MINUTES:** Town Council Minutes of February 19, 2013, and Town Council Workshop Minutes of February 25, 2013.

**PUBLIC HEARING BUSINESS LICENSES AND APPROVAL:**

Tuan M. Le (301-7-1-4), 180 East Grand Avenue Unit # 4, one year round rental; Joshua & Olgalucia Filler (305-4-1-607), 1 Cleaves Street Unit # 607, one year round rental; and Preston R. Savarese (314-15-8), 82 Ocean Avenue, two year round rentals.

**PUBLIC HEARING SPECIAL AMUSEMENT PERMITS:**

Dunegrass Golf LLC d/b/a Dunegrass Golf Club (105A-1-200), 65 Wild Dunes Way, Live Music Outside & Inside 8:00 am – 1:00 am; New England Restaurant Group d/b/a Pirates Patio & Galley (304-2-9), 2 Walnut Street, Amplified Music, Dancing & Karaoké, Clubhouse Outside & Inside 12:00 pm – 8:00 pm; Jeanne LaChance d/b/a JJ's Eatery Too (306-5-1-F), 12 B Old Orchard Street, Single Acoustic 6:30 pm – 10:30 pm; and Dale C. Tarbox d/b/a Sunset Bar & Grill (307-1-6), 6 Fernald Street, Live Music Outside 2:00 pm – 10:00 pm.

**TOWN MANAGER'S REPORT:**

**NEW BUSINESS:**

**#5837** Discussion with Action: Accept, with regret, the resignation of Leigh Traci Gikas from the Recycling Committee. Chair Sharri MacDonald

**#5838** Discussion with Action: Approve Liquor License Renewals of Dunegrass Golf LLC d/b/a Dunegrass Golf Club(105A-1-200), 65 Wild Dunes Way, m-s-v in Restaurant and Golf Club; New England Resturant Group d/b/a Pirates Patio & Galley(304-2-9), 2 Walnut Street, m-s-v in a Restaurant; Jeanne LaChance d/b/a JJ's Eatery Too(306-5-1-F), 12 B Old Orchard Street, m-s-v in a Restaurant/ Lounge; and Dale C. Tarbox d/b/a Sunset Bar & Grill(307-1-6), 6 Fernald Street, m-s-v in a Restaurant. Chair Sharri MacDonald

- #5839** Discussion with Action: Accept the bid of \$79,315.45 for a five year lease purchase agreement from Specialized Purchasing Consultants for Printers and Copiers for the Municipality as a result of a municipality bidding process. The first lease of \$10,791.24 will be due in FY2014 in the Proposed FY2014 Budget under Debt Service. Town Mgr. Mark Pearson
- #5840** Discussion with Action: Accept donations in the amount of \$21,356.65 from Account Number 30146 - 40802, (Program Donations Revenue), with a balance of \$21,356.65 to be used for the purchase of a Life-Like EMS Patient-Simulator Training Mannequin for the Fire/EMS Department. Chief John Glass
- #5841** Discussion with Action: Accept the bid of \$22,848.80 from World Point, 1326 S. Wolfe Road Wheeling, Illinois for the purchase of a Life-like EMS Patient Simulator Training Mannequin for the Fire/EMS Department using \$21,356.65 from Account Number 30146-40802, (Program Donations Revenue), with a balance of \$21,356.65 and \$1,492.15 from account number 20138-50251 (Fire-EMS Conferences & Training) with a balance of \$5,270.00 as of 2/22/2013. Chief John Glass
- #5842** Discussion with Action: Approve the Special Event Permit for the New England Parkinson's Ride on Saturday, September 7<sup>th</sup>, 2013 from 6:30 a.m. to 5 p.m. Insurance listing the Town of Old Orchard Beach as additionally insured to be given to the Town Clerk's Office at least one month prior to the event. Conditions are listed on the permit. Request to waive the fee. Town Clerk Kim McLaughlin
- #5843** Discussion with Action: Approve the Pole Permit from Central Maine Power Company to construct and maintain buried cables, conduit, manholes and handholes, together with wire and cables, transformers, cutouts, and other equipment therein under Mullen Avenue, beginning at existing pole 28 on East Grand Avenue traveling easterly along the right side of Mullen Avenue for approximately 165 feet. Chair Sharri MacDonald
- #5844** Discussion: Proposal for seasonal business on the beach. Planner Jeffrey Hinderliter

**The following Agenda Items will be run by Chair Sharri MacDonald**

- #5845** Discussion with Action: Approve the line item transfers from the Town Manager Department for the Budget Overruns; transfer \$6000.00 from Unemployment Compensation account number 20102-50373, with a balance of \$38,510.00, to Service Contracts, account number 20102-50310. Transfer \$3000.00 from Unemployment Compensation account number 20102-50373, with a balance

of \$32,510.00, to Service Contracts, account number 20102-50404. Transfer \$7600.00 from Unemployment Compensation account number 20102-50373, with a balance of \$29,510, to Bank Fees, account number 20102-50530. Transfer \$4925.00 from Unemployment Compensation account number 20102-50373, with a balance of \$24,585, to Debit card fees, account number 20102-50540.

**#5846** Discussion with Action: Approve the line item transfers from the Tax Collector Department for the Budget Overruns; transfer \$1752.00 from Contingency account number 20118-50350, to Part-time Employee Wage Expense, account number 20104-50107. Transfer \$398.30 from Dental Ins - ER, account number 20104-50211, with a balance of \$1069.48, to MSR-Employer Share Expense 20104-50202. Transfer \$102.00 from Dental Ins - ER, account number 20104-50211, with a balance of \$671.18, to Registry of Deeds Fee Expense, account number 20104-50304. Transfer \$3849.68 from Contingency account number 20118-50350, to Computer Support/Serv Exp, account number 20104-50454.

**#5847** Discussion with Action: Approve the line item transfers from the Treasurer/Finance Department for the Budget Overruns; transfer \$3141.94 from Contingency account number 20118-50350, to Part-Time Employee Wage Expense, account number 20105-50107. Transfer \$6416.00, from ICMA 457 – ER account number 20105-50203, with a balance of \$7548.44, to MSR- Employer Share Exp, account number 20105-50202.

**#5848** Discussion with Action: Approve the line item transfers from the Board of Registration Department for the Budget Overruns; transfer \$90.00 from Admin/Office/Supp, account number 20109-50500, with a balance of \$407.01, to Conference/Training Exp account number 20109-50251. Transfer \$54.00, from Admin/Office/Supp account number 20109-50500, with a balance of \$317.01, to Travel/Food/Lodging Expense, account number 20109-50252.

**#5849** Discussion with Action: Approve the line item transfers from the Design Review Committee for the Budget Overruns; transfer \$111.00, from Contingency account 20118-50350, to Advertising Exp, account number 20112-50320.

**#5850** Discussion with Action: Approve the line item transfers from the Code Enforcement Department for the Budget Overruns; transfer \$2300.00, from Contingency account 20118-50350, to MSR-Employer Share Exp, account number 20113-50202. Transfer \$2773.00, from Contingency account 20118-50350, to Conferences/Training Exp, account number 20113-50251. Transfer \$1177.00, from ICMA 457-ER account 20113-50203, with a balance of \$3100.22, to Phone/Cellular/Paging Exp, account number 20113-50402. Transfer \$561.78, from ICMA 457-ER account 20113-50203, with a balance of \$1923.22, to Admin/Office Supp/Eqt., Non-Cap, account number 20113-50500.

**#5851** Discussion with Action: Approve the line item transfers from the Town Hall Bldg Maint Department for the Budget Overruns; transfer \$180.00, from TH Water account 20115-50401, with a balance of \$717.10, to Phone/Cellular/Paging Exp, account number 20115-50402. Transfer \$9590.00, from Contingency account 20118-50350, to Heating Fuel Exp, account number 20115-50405. Transfer \$1328.00, from Contingency account 20118-50350, to Vehicle Fuel Exp, account number 20115-50510.

**#5852** Discussion with Action: Approve the line item transfers from the Park Maintenance Department for the Budget Overruns; transfer \$2,242.59 from Contingency, account number 20118-50350, to Overtime Construction, account number 20152-50110; transfer \$166.99 from Operating Supplies, account number 20152-50501 with a balance of \$1,489.90, to FICA & Medicare – ER Share Exp, account number 20152-50201; transfer \$54.00 from Operating Supplies, account number 20152-50501, with a balance of \$1,322.91, to Water Expense,

account number 20152-50401; transfer \$3,600.00 from PW Grounds Maintenance, account number 20151-50511, to Grounds Maintenance/Improve Expense, account number 20152-50511, Grounds Maintenance/Improve Expense.

**#5853** Discussion with Action: Approve the line item transfers from the WasteWater Treatment Department for the Budget Overruns; transfer \$571.61 from Dental Ins – ER, account number 20161-50211, with a balance of \$3,709.30, to In Lieu of Health Ins. Expense, account number 20161-50124; transfer \$5,000.00 from Heating Fuel, account number 20161-50405, with a balance of \$11,062.99, to Vehicle Fuel Expense, account number 20161-50510.

**#5854** Discussion with Action: Approve the line item transfers from the OOB Historical Society for the Budget Overruns; transfer \$612.00 from Contingency, account number 20118-50350, to Networking/Internet Expense, account number 20177-50404.

**#5855** Discussion with Action: Approve the line item transfers from the General Assistance Department for the Budget Overruns; transfer \$380.00 from Dept. Head Salary, account number 20191-50101, with a balance of \$8,363.50, to Part-Time Employee Wage Expense, account number 20191-50107; transfer \$600.00 from Dept. Head Salary, account number 20191-50101, with a balance of \$7,983.50, to Phone/Cellular/Paging Expense, account number 20191-50402.

**#5856** Discussion with Action: Approve the line item transfers from the IT Department for the Budget Overruns; transfer \$655.40 from Computer System Upgrade, account number 20120-50856, with a balance of \$8,738.59, to Computer Support/Service Expns, account number 20120-50454.

**#5857** Discussion with Action: Approve the line item transfers from the Police Department for the Budget Overruns; transfer \$14,351.48 from Part-Time Emp Wage, account number 20131-50107, with a balance of \$91,979.12, to Seasonal Overtime, account number 20131-50109. Transfer \$54,600.00 from Contingency, account number 20118-50350; \$1,300.00 from Physical Fitness Inc., account number 20131-50128 with a balance of \$1,326.99; \$1,000.00 from Travel/ Food/Lodging, account number 20131-50252 with a balance of \$1,633.33; \$1,500.00 from Water Exp, account number 20131-50401 with a balance of \$1,998.26; \$2,000.00 from Clothing Allowance, account number 20131-50230 with a balance of \$6,423.55; \$2,000.00 from Heating Fuel, account number 20131-50405 with a balance of \$7,658.16; \$5,000.00 from Operating Supplies, account number 20131-50501 with a balance of \$9,231.46; \$5,000.00 from Dental Insurance, account number 20131-50211 with a balance of \$11,774.36; \$3,700.00 from Building Repair/Maint, account number 20131-50450 with a balance of \$5,624, for a total of \$76,100.00, to Overtime Wage Expense, account number 20131- 50111. Transfer \$25,127.12 from Full Time Wages from account number 20131-50106 with a balance of 410,286.02, to Holiday Wage Expense, account number 20131-50113. Transfer \$259.08 from Building Repair/ Maint from account number 20131-50450 with a balance of \$5,624.58, to Education Incentive Expense, account number 20131-50127. Transfer \$2,084.00 from Contingency, account number 20118-50350, to Networking/ Internet Expense, account number 20131-50404.

**#5858** Discussion with Action: Approve the line item transfers for the Lifeguards for the Budget Overruns; transfer \$7,383.75 from Seasonal Wages, account number 20137-50108, with a balance of \$44,274.44, to Seasonal Employee Salary Expns, account number 20137-50103.

**#5859** Discussion with Action: Approve the line item transfers from the Fire and Rescue Department for the Budget Overruns; transfer \$1,080.00 from Contingency, account number 20118-50350, to Life Insurance- ER Share Expn, account number 20138-50213. Transfer \$2,136.00 from Contingency, account number 20118-50350, to Phone/ Cellular/ Page Expense, account number 20138-50402.

Transfer 1,500.00 from Conference Training, account number 20138-50251 with a balance of \$5,270.00, to Operating Equipment Repair Exp., account number 20138-50452.

**#5860** Discussion with Action: Approve the line item transfers from the Public Works Department for the Budget Overruns; transfer \$15,600 from Overtime Construction, account number 20151-50110, with a balance of \$32,897.91, to Seasonal Employee Wage Expense, account number 20151-50108. Transfer \$1,000.00 from Sewer Maint/Insp., account number 20151-50508, with a balance of \$26,977.01, to Advertising Expense, account number 20151-50320. Transfer 34,859.77 from Contingency, account number 20118-50350, to Equipment Replace/ Lease, account number 20151-50330. Transfer \$10,500 from Road Maintenance Repair, account number 20151-50506, with a balance of \$30,808.12, to Vehicle Repair/ Tires/ Oil Expns., account number 20151-50453.

**#5861 EXECUTIVE SESSION** - Discussion with possible action: Personnel Matters related to the Town Manager (Note: This item discusses privacy issues defined under Title 1, M.R.S.A. Section 405(6)(A), and the Council anticipates that the discussion portion will occur in Executive Session

**GOOD AND WELFARE:**

**ADJOURNMENT**