

**TOWN OF OLD ORCHARD BEACH  
REGULAR TOWN COUNCIL MEETING  
TUESDAY, MAY 5, 2009 – 7:00 P.M.  
TOWN HALL CHAMBERS  
AGENDA**

**Pledge to the Flag  
Roll Call**

**ACKNOWLEDGEMENTS:**

**ACCEPTANCE OF MINUTES:** Town Council Meeting of April 21, 2009; Town Council Workshop of April 28, 2009; and Town Council Workshop of April 29, 2009.

**BUSINESS LICENSES:** Hershel & Gina Kuykendall (105A-2-3-6), 6 Pine Valley Road, one year round rental; Alison McCormick dba/Grand Beach Inn Café (202-3-5-A), 198 East Grand Avenue, Victualers; John P. Griffin dba/Oceanside Computer Sales & Service (205-3-5-46), 46 Old Orchard Street, Unit 2, personal service; Mark Nickerson & Stephen Smith (205-7-11), 3 Francis Street, two year round rentals; Michael Douglas (205-11-7), 8B Carll Avenue, one year round rental; Paul Jacques (206-2-4B), 4 Laurene Drive, one year round rental; Dan Parker (206-11-4), 11 Cottage Avenue, three year round rentals; Bob Moser dba/Ideal Cottage Sales LLC (208-3-2), 179 Saco Avenue, Display Sales Area; Sharon Pratt (210-2-24-3), 1 Jeanette Avenue, #3, one year round rental; Joaquin C. Fernandes (301-3-1-307), 189 East Grand Avenue, # 307, one year round rental; Susan M. Fisher (301-6-1-205), 191 East Grand Avenue, #205, one year round rental; Margaret Dorsey (306-2-1-40), 31 East Grand Avenue, # 40, one year round rental; Joe Palmieri dba/Chicago Dogs (306-1-2-N&O), 1 East Grand Avenue, Units 2 & 3, Victualers; Soyeb Patel aka Shai Patel dba/Shai Smoke Shop & Novelty (306-5-2), 6 East Grand Avenue, Novelty Store & Smoke Shop – no guns nor knives no paraphernalia; Gertrude Martone & Theodore MacKenzie (309-9-21), 20 Hillcrest Avenue, one year round rental; Timothy & Norma Brennan (316-3-1), 1 Odena Avenue, one year round rental; ASAC Investments dba/Club Oasis (306-5-3), 8 East Grand Avenue, Victualers, Entertainment & Dancing; and Mark Lindquist (206-7-2), 8 Eden Lane, one year round rental.

**PUBLIC HEARING:** ASAC Investments dba/Club Oasis (306-5-3), 8 East Grand  
**LIQUOR LICENSE:** Avenue, s-m-v in a Class A Lounge

**SPECIAL AMUSEMENT PERMIT:** Vacancy Pub, Inc. dba/Vacancy Pub, Inc. (210-10-4), 17 Ocean Park Road, Karaoke; ASAC Investments dba/Club Oasis (306-5-3), 8 East Grand Avenue, Music & Dancing; Mimi Vattes & Dani Sisson dba/The Galaxy (306-5-4), 10 East Grand Avenue, Music & Dancing; and Maria Spirounias dba/Chas' Sports Pub (208-3-3), 181 Saco Avenue, Music & Dancing.

**TOWN MANAGER'S REPORT:**

**NEW BUSINESS:**

- |        |   |                                   |
|--------|---|-----------------------------------|
| # 5177 | <b>Discussion: Budgetary Process – Fiscal Year – 2009 – 2010.</b>   | <b>Chair Sharri MacDonald</b>     |
| # 5178 | <b>Discussion with Action: Amend the General Assistance Ordinance.</b>  | <b>Chair Sharri MacDonald</b>     |
| # 5179 | <b>Discussion: Update on Bill LD 1119 presented to the Maine Legislature by Representative George Hogan Regarding the Saco Bay Boundary Issue.</b>  | <b>Town Manager Stephen Guntz</b> |
| # 5180 | <b>Discussion with Action: Set a Public Hearing Date of May 19, 2009 on a proposed ordinance entitled “Ordinance Prohibiting Operation of Chem-Free Dances in Drinking Establishments” (which would repeal and replace the current ordinance in Chapter 6, Article IV, “Chem-free Dances in Drinking Establishments Restricted.”)</b> | <b>Chair Sharri MacDonald</b>     |
| # 5181 | <b>Discussion with Action: Set a Public Hearing Date of May 19, 2009 to Adopt the Ordinance entitled “Closing of Ways (Temporary Road Postings to Weight Limits).”</b>  | <b>Chair Sharri MacDonald</b>     |
| # 5182 | <b>Discussion with Action: Approve the Special Event Permit Application for the Erskine Academy, Class of 1994, to hold their reunion on the beach at the end of Walnut Street on June 13, 2009 from 8:00 a.m. to 4:00 p.m.; and no alcohol to be consumed on the beach.</b>  | <b>Chair Sharri MacDonald</b>     |
| # 5183 | <b>Discussion with Action: Approve the Special Event Permit Application for the Surfrider Foundation to hold International Surf Day 2009 on the beach at the end of Union Avenue, to include a bonfire, on June 20, 2009 from 6:00 p.m. to 9:00 p.m.; and a request to waive the fee.</b>   | <b>Chair Sharri MacDonald</b>     |

- # 5184 **Discussion with Action:** Approve the Special Event Permit Application to authorize The Salvation Army to close a portion of Church Street on May 9, 2009 from 10:00 a.m. to 2:00 p.m. to hold a Family Health and Safety Fun Fair; and a request to waive the fee. **Chair Sharri MacDonald**
- # 5185 **Discussion with Action:** Approve the waiving of the Conditional Use Application fee of \$1,500 for the reapplication to the Planning Board by Hid'n Pines Campground. **Town Manager Stephen Gunty**
- # 5186 **Discussion with Action:** Approve the Liquor License Renewals for Vacancy Pub, Inc., dba/Vacancy Pub Inc. (210-10-4), 17 Ocean Park Road, s-m-v in a Class A Lounge; Les M. Watson & William M. Watson dba/Watson's Restaurant & Catering dba/Pierre's Restaurant (305-4-4), 47 East Grand Avenue, s-m-v in a Restaurant; Mimi Vattes & Dani Sisson dba/The Galaxy (306-5-4), 10 East Grand Avenue, s-m-v in a Class A Lounge; and Maria Spirounias dba/Chas' Sports Pub (208-3-3), 181 Saco Avenue, m in a Restaurant/Lounge. **Chair Sharri MacDonald**
- # 5187 **Discussion with Action:** Award the contract for for E. Emerson Cummings Boulevard Sidewalk Project (Maine Department of Transportation [MDOT] Grant Program) to Peters Constructions in the amount of \$104,727.60; total amount of contract paid 100% by MDOT directly to contractor. **Town Manager Stephen Gunty**
- # 5188 **Discussion with Action:** Award the contract to Peters Construction in the amount of \$192,244.75 from Account Number 31141-50869 – Capital Expense - Ross Road Reconstruction, with a balance of \$345,095.08. **Town Manager Stephen Gunty**
- # 5189 **Discussion with Action:** Authorize the Town to sign the Interlocal Stormwater Working Group (ISWG) Agreement Renewal along with a membership fee in the amount of \$7,500 from Account Number 20151-50508 – DPW Operating Fund – Sewer Maintenance, with a balance of \$8,320.98. **Town Manager Stephen Gunty**

- # 5190 Discussion with Action: Enactment of Emergency Ordinance Establishing Moratorium on “Head Shops.”** **Town Manager Stephen Gunty**
- # 5191 Discussion with Action: Approve the Purchase of a Supervisory Control and Data Acquisition System (SCADA) from Results Engineering in the amount of \$363,400 from Account Number 21004-50846 – Capital – Waste Water, with a balance of \$497,527.** **Town Manager Stephen Gunty**
- # 5192 Discussion with Action: Accept un-audited March 2009 Financial Statement.** **Councilor Laura Bolduc**
- # 5193 Discussion with Action: Approve hours of Voter Registration office to be open in connection with the Regional School Unit Budget Validation Referendum to be held on June 9, 2009 as follows: Tuesday, June 2 from 8:00 a.m. to 6:00 p.m.; Wednesday, Thursday and Friday, June 3, 4, and 5 from 8:00 a.m. to 4:00 p.m.; and Monday, June 8 from 8:00 to 4:00 p.m.** **Chair Sharri MacDonald**

**GOOD AND WELFARE:**

**ADJOURNMENT:**