



**TOWN OF OLD ORCHARD
BEACH**

Office of the Town Manager

1 Portland Ave, Old Orchard Beach, Maine
Phone: 207.937.5626 Web: www.oobmaine.com or
www.oobmaine.com/town-council

Regular Town Council Meeting Minutes

January 17th, 2023 @ 6:30pm

I, Tim Fleury, Secretary to the Town Council of Old Orchard Beach, Maine, do hereby certify that the foregoing document consisting of 17 pages is a copy of the original minutes from the regular meeting of the Old Orchard Beach Town Council held on January 17th, 2023.

Prepared By:	Tim Fleury
Approved By:	Old Orchard Beach Town Council
Approval Date:	2/7/2023

Respectfully
Submitted,

Tim Fleury
Town Council
Secretary



Town Council Agenda

Regular Meeting

January 17th, 2023 @ 6:30 pm
Council Chambers - 1 Portland Avenue

www.oobmaine.com/town-council*

**Members of the public wishing to view the meeting from home may tune into Local Access TV (Channel 3 or 1301-check with your provider) or by clicking the Meeting Videos link on oobmaine.com.*

PLEDGE OF ALLEGIANCE

ROLL CALL

Tim Fleury called roll, all present.

ACKNOWLEDGEMENTS

Acknowledge passing of Chris Rose – moment of silence

Councilor Reid read letter from residents. *Attached*

Chair O'Neill – thanked residents for letter and god speed to Chris

GOOD & WELFARE – none

ACCEPTANCE OF MINUTES

Acceptance of the Town Council Minutes from 1/3/2023

Motion to accept minutes made by: Councilor Tousignant

Seconded by: Councilor Reid

Vote: 5-0

January 13, 2023

*Fire Chief John Gilboy
Police Chief Elise Chard*

*16 Emerson Blvd
Old Orchard Beach, Me 04064*

*Gregory and Brenda (Bee) Mrowka
131 Temple Ave. #25
Old Orchard Beach, Maine 04064*

Dear Chiefs,

There are situations in life that are thrust upon us all, some on a daily occurrence such as the men and women of your respective departments. We ask you next time to give your member an extra smile, wink or hand to the shoulder in a gesture of thank you and respect.

This we mentioned as we were witness to the high degree of professionalism, training, compassion displayed by all of your first responders to our resident at 1515 hours Wed. Jan. 11th, 2023

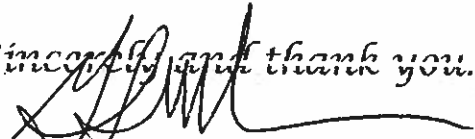
Our friend and neighbor came to the house complaining of chest pains, knowing his cardiac history ..911 was called immediately while we assisted him with our knowledge. Your crews responded in an extremely timely manner and upon their arrival the patient went into cardiac arrest, at which time within seconds the first crews began CPR while calling for a full code. Their back up arrived also in a timely manner. Their team work transforming our living room into a fully equipped emergency room within minutes..

These professionals went about their task to preserve and maintain life with a passion seldom seen by the general public. We could feel the dedication as there were no egos or personal agendas, only a belief and desire to save a human life. We heard verbal exchange to try this, try that, up this, using all of their

knowledge, training, equipment, going beyond time limits that have been established. When they knew their efforts were to no avail and we could feel a sense of failure....did they fail? NO! Their efforts went beyond their known capabilities. We also felt the 'what could we have done' that they felt. We have relayed their superior efforts to family members which is helping in the loss and healing process.

Old Orchard Beach may be a sleepy seaside town in January. Their departments are a proud group. Their efforts were in vain in this one incident. They will be rewarded with other success and smiles on family faces as well as theirs. Thank you for your men and women when you can...a hand on a shoulder, a wink of the eye and a smile...they all earn every one...

Sincerely and thank you...!


Greg and Bee Mrowka

cc/Shawn O'Neil

PUBLIC HEARING – BUSINESS LICENSES & APPROVALS:

Susan and Sheldon Zhang, (105A-1-816), 6 Mickelson Way, one year round rental.

Emily and Jeffrey Guerette, (304-7-1-3), 78 East Grand Avenue #103, one year round rental.

Kerri Richardson and Melissa Silk, (304-7-1-9), 78 East Grand Avenue #109, one year round rental.

Maine Geese Properties LLC, Matthew Purvis, (311-2-10), 113-115 Saco Avenue, two year round rentals.

Prince Chubs Palaces LLC, Joseph and Emily Kaster, (311-12-10), 31 Linden Avenue, one year round rental.

Ryan Perry, (314-4-5), 10 Lake Avenue, one year round rental.

Phillip McArdle, (315-13-13-1), 6 Seaview Avenue, one year round rental.

Chair O'Neill opened the hearing at 6:38pm.

Motioned to approve by: Councilor Tousignant

Seconded by: Councilor Reid

Vote: 5-0

Chair O'Neill closed the hearing at 6:39pm.

PUBLIC HEARING – SPECIAL AMUSEMENT PERMITS & APPROVALS:

Dominator Golf, LLC, Dunegrass Golf Club (105A-1-200), 65 Wild Dunes Way, Clubhouse and Ballroom, inside and outside for weddings from 4:00 pm to 10:00 pm.

Chair O'Neill opened the hearing at 6:39pm.

Motioned to approve by: Councilor Tousignant

Seconded by: Councilor Reid

Vote: 5-0

Chair O'Neill closed the hearing at 6:40pm.

TOWN MANAGER REPORT



Town of Old Orchard Beach

Town Manager
OOB Town Hall
1 Portland Avenue
OOB, ME 04064

Diana H. Asanza
Telephone: (207) 937-5628
Fax: (207) 937-5728
Email: dasanza@oobmaine.com

January 17, 2023

Town Manager's Report

Balsam Bower Goldenrod The stormwater drainage improvement project on Balsam Lane, Bower Lane and Goldenrod Street is currently out for public bid and today we had a site walk with residents to go over the project scope, schedule and answer any questions they had. There was a nice turnout and we have already heard interest from several construction companies. Bids are due January 26th and we will bring our recommendation for Council's approval around the first meeting in February.

FY 24 Budget preparation: I continue to work with each department to develop the FY 24 capital budgets and department operating budgets. The Finance Committee will begin to meet during the month of February, in preparation for the budget presentation to Council in March.

New Town Website: The new Town website is scheduled to go live February 1st. The Town contracted with BrandFirst Marketing Firm to assist the Town in revamping its website for better content, consistent messaging, and functionality. Fran Beaulieu, Director of HR and Communications, and Kim McLaughlin, Town Clerk have been working with the project team at BrandFirst and with departments on content and functionality. The goal is to have an intuitive website that is easy for the public and staff to navigate.

Property Tax Stabilization Program: I received an update from our Assessing Department on the State of Maine Senior Citizen Property Tax Stabilization Program. This program was implemented last year, which allows senior citizen residents to stabilize or freeze the property taxes on their homestead. The application deadline was Dec 1st, and staff reviewed and processed 847 applications. A few did not qualify and letters to property owners will be going over the next few weeks. If anyone has questions or would like to find out more about this property tax relief program for senior citizens, additional information can be found

on the Town's website under the Assessing department webpage or call 937-5614.

To be eligible for the Program, an individual must meet all of the following as of April 1 of the property tax year for which they are requesting stabilization (so for applications due December 1, 2022, qualifications must be met as of April 1, 2023):

- 1) at least 65 years old,*
- 2) a permanent resident of Maine,*
- 3) have owned a Maine homestead for at least ten years, and*
- 4) be eligible for a homestead exemption on the property they are placing in the Program.*

Thank you,
Diana H. Asanza

TABLED ITEMS

AGENDA ITEM #7812

Discussion with Action: Shall the Town Council adopt amendments to the Adult Use Marijuana Business, Conditional Use Ordinance Ch. 78, Art. VII, Div. 2- Conditions, Sec. 78-1279 (5) b, (5) h, and re-letter (5), and Ch 18, Article XII, Sections 18-604 -622 Amendments – Adult Use Marijuana Business Licensing

Tabled from 1/3/2023 meeting.

Chair: Shawn O'Neill

Chair O'Neill - Unprecedented move – 2 public hearings on issue so far – deferring to take public input.

Councilor Mead – minor amendments propose to chair – and discuss merits to chair

Councilor Mead – Council has been working on modifications for over a year based on sincere wishes to improve the ordinance passed in 2021. The council has been accepting public input and crafting the best ordinance with the best information given to them. Councilor Mead is proud of the work the council has done and supports the motion as amended. Councilor Mead feels the town will be adequately served by a single license and supports the merit criteria selection process.

Chair O'Neill – does not support the merit process and the amendment at this time. Prefers a lottery method of choosing the single license.

Motioned to amend Chapter 18-610 Part 1, f as follows: striking the second full sentence and replacing it as follows: The license administrator or their designee may consult with town staff, town legal counsel, and peer review engineers for the purpose of assisting with the evaluation and amend Chapter 18-610 Pat 1, h as follows: replacing the words forty-five (45) days with the words sixty (60) days. Councilor Mead

Seconded by: Counselor Reid

Roll call – Councilors Mead, Reid, Blow, Tousignant, and O’Neill – yes.

Vote: 5-0

Motion to adopt the new amendments as presented: Councilor Mead

Seconded by: Councilor Blow

Roll call: Councilors Mead, Reid, Blow, Tousignant – yes. Chair O’Neill – no.

Vote: 4-1

NEW BUSINESS

AGENDA ITEM #7816

Discussion with Action: Renew the emergency ordinance establishing a moratorium on Hotel/Motel Condominium Conversions pursuant to Charter Section 410.1 due to expire February 4, 2023, to be extended for 60 days.

Chair: Shawn O'Neill

Councilor Tousignant asked for an update.

Jeffrey Hinderliter – town planner – It has been discussed internally on what standards should be in ordinance. It was started today and by the end of month it will be completed to have planning board review and then council review. A March council meeting is the goal. We are going to need another extension after this one to complete the process.

Motioned to renew by: Vice Chair Blow
Seconded by: Councilor Mead
Vote: 5-0

AGENDA ITEM #7817

Discussion with Action: Set the Public Hearing Date for February 7th, 2023 for the Town Council to consider amendments to Old Orchard Beach Code of Ordinances Ch. 18 Businesses, Art II Licenses, Sec. 18-26 (Definitions), Sec. 18-33 (a) (6) (Application). Amendments propose to add a short-term rental definition and identification standard.

Chair: Shawn O'Neill

Motioned to approve by: Vice Chair Blow
Seconded by: Councilor Reid
Vote: 5-0

AGENDA ITEM #7818

Discussion with Action: Re-appoint William Jones as a regular member of the Board of Assessment Review, term to expire 12/31/2025; Michael Shannon as the citizen member of the Business License Administrative Board, term to expire 12/31/2024; Margaret Bayles as a regular member of the Community Animal Watch, term to expire 12/31/2024; Mark Koenigs and Irvin Paradis as regular members and Dawn-Marie Dunbar and Charles Backus as alternate members of the Conservation Commission, terms to expire 12/31/2025; Gary Luca and Francis Manduca as regular members of the Design Review Committee, terms to expire 12/31/2024; Timothy Bollea and Reza Namin as regular members of the Finance Committee, terms to expire 12/31/2024; Christopher Hitchcock, Marianne Hubert, Winthrop Winch as regular members and Samuel Dupuis as an alternate member of the Planning Board, terms to expire 12/31/2024; Stan Defreese and Thomas Mourmouras as regular members of the Zoning Board of Appeals, terms to expire 12/31/2025.

Chair: Shawn O'Neill

Motioned to approve by: Councilor Tousignant

Seconded by: Councilor Mead

Vote: 5-0

Chair O'Neill – thanks to board members that spend their time serving their community.

AGENDA ITEM #7819

Discussion with Action: Re-appoint Kim McLaughlin as Registrar of Voters, term to expire 12/31/24.

Chair: Shawn O'Neill

Motioned to approve by: Councilor Reid

Seconded by: Councilor Mead

Vote: 5-0

AGENDA ITEM #7820

Discussion with Action: Renew the liquor license of Dominator Golf, LLC, Dunegrass Golf Club, (105A-1-200) 65 Wild Dunes Way, m-s-v in a Restaurant and Golf Course and for the auxiliary license with a mobile service bar.

Chair: Shawn O'Neill

Motioned to approve by: Vice Chair Blow

Seconded by: Councilor Tousignant

Vote: 5-0

AGENDA ITEM #7821

Discussion with Action: Approve the purchase of two Touch and Display Pay Stations from FLOWBIRD in the amount of \$13,400.00 from Police Department CIP Pay and Display Parking Machine Account number 52002-50884 with a balance of \$13,300.00 and \$100.00 from Account number 20132-50501 Parking Enforcement Operation Equipment Repair with a balance of \$1,173.00.

Chair: Shawn O'Neill

Motioned to approve by: Vice Chair Blow

Seconded by: Councilor Reid

Vote: 5-0

Councilor Tousignant asked if it is the same vendor.

Deputy Chief Hemmingway – Yes, same vendor under a new name – replace single and double meters with the new unit and integrate with the Passport system.

AGENDA ITEM #7822

Discussion with Action: Authorize the Treasurer, per 36 M.R.S.A., subsection 944, to record a waiver of foreclosure in the Registry of Deeds for the property at 14 Mayflower Drive, Assessor's record T1020, Theresa Pooler Bugenske, Owner.

Chair: Shawn O'Neill

Diana Asanza – Town Manager – next 8 items – FY 2021 tax liens mature in 2023 and the town will be legal owners of those properties. The council has the opportunity to waive foreclosures for the town's best interest. Properties listed are mobile homes and the town would be liable for rents/fees/assessments, etc. Recommended to waive foreclosure.

Councilor Tousignant and the Town Manager discussed occupied status of the properties and alternate methods of collecting funds before foreclosure process.

Motioned to approve by: Vice Chair Blow

Seconded by: Councilor Mead

Vote: 5-0

AGENDA ITEM #7823

Discussion with Action: Authorize the Treasurer, per 36 M.R.S.A., subsection 944, to record a waiver of foreclosure in the Registry of Deeds for the property at 10 Beechplum Drive, Assessor's record T0880, Cynthia Curran & Annette Jordan, Owner.

Chair: Shawn O'Neill

Motioned to approve by: Councilor Mead

Seconded by: Vice Chair Blow

Vote: 5-0

AGENDA ITEM #7824

Discussion with Action: Authorize the Treasurer, per 36 M.R.S.A., subsection 944, to record a waiver of foreclosure in the Registry of Deeds for the property at 36 Goosefare Drive, Assessor's record T2006, Karol Ladakakos, Owner.

Chair: Shawn O'Neill

Councilor Mead – for public's knowledge: In the past the town has sent employee to see property and determine if worth obtaining. There is a balance between tax dollars collected and the worth of the property. Councilor Tousignant asked the Town Manager to help explain the law. Town Manager Asanza explained the law. Chair O'Neill – The town decided years ago that no one in town would be removed from homes due to back taxes. If the home is sold, the new owners owe back taxes.

Motioned to approve by: Vice Chair Blow

Seconded by: Councilor Tousignant

Vote: 5-0

AGENDA ITEM #7825

Discussion with Action: Authorize the Treasurer, per 36 M.R.S.A., subsection 944, to record a waiver of foreclosure in the Registry of Deeds for the property at 87 Ryefield Drive, Assessor's record T0040, Gale Madore, Owner.

Chair: Shawn O'Neill

Motioned to approve by: Councilor Tousignant

Seconded by: Councilor Mead

Vote: 5-0

AGENDA ITEM #7826

Discussion with Action: Authorize the Treasurer, per 36 M.R.S.A., subsection 944, to record a waiver of foreclosure in the Registry of Deeds for the property at 7 Freshwater Drive, Assessor's record T1640, Sharon A Roberts, Owner.

Chair: Shawn O'Neill

Motioned to approve by: Vice Chair Blow

Seconded by: Councilor Reid

Vote: 5-0

AGENDA ITEM #7827

Discussion with Action: Authorize the Treasurer, per 36 M.R.S.A., subsection 944, to record a waiver of foreclosure in the Registry of Deeds for the property at 32 Ryefield Drive, Assessor's record T3000, John Sousa, Owner.

Chair: Shawn O'Neill

Motioned to approve by: Vice Chair Blow

Seconded by: Councilor Reid

Vote: 5-0

AGENDA ITEM #7828

Discussion with Action: Authorize the Treasurer, per 36 M.R.S.A., subsection 944, to record a waiver of foreclosure in the Registry of Deeds for the property at 7 Castine Drive, Assessor's record T1750, Karen-Sue Underwood, Owner.

Chair: Shawn O'Neill

Motioned to approve by: Councilor Mead

Seconded by: Councilor Reid

Vote: 5-0

AGENDA ITEM #7829

Discussion with Action: Authorize the Treasurer, per 36 M.R.S.A., subsection 944, to record a waiver of foreclosure in the Registry of Deeds for the property at 25 Mayflower Drive, Assessor's record T1175, Brenda Wormwood, Owner.

Chair: Shawn O'Neill

Motioned to approve by: Vice Chair Blow

Seconded by: Councilor Reid

Vote: 5-0

ADJOURNMENT

Motion to adjourn @ 7:22pm: Councilor Tousignant

Seconded by: Councilor Mead

Vote: 5-0