



Town of Old Orchard Beach
Office of the Town Manager

1 Portland Ave, Old Orchard Beach, Maine

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Web: www.oobmaine.com or

www.oobmaine.com/town-council

Regular Town Council Meeting Minutes

February, 21st, 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 24 pages is a copy of the original minutes from the regular meeting of the Old Orchard Beach Town Council held on February 21st, 2023 @ 6:30pm.

Prepared By:	Tim Fleury
Approved By:	Old Orchard Beach Town Council
Approval Date:	3/7/2023

Respectfully
Submitted,

Tim Fleury
Town Council
Secretary



Town Council - Meeting Agenda

February 21st, 2023 @ 6:30pm
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:

Roll was called by Tim Fleury. The following individuals were present:

Shawn O'Neill, Chair
Kenny Blow, Vice Chair
V. Louise Reid, Councilor
Larry Mead, Councilor
Mike Tousignant, Councilor

Diana Asanza, Town Manager
Tim Fleury, Council Secretary

ACKNOWLEDGEMENTS:

GOOD & WELFARE:

Tom Mourmouras - 30 Saco Ave. - provided council with a copy of the notice ME DOT posted for the "Traffic Movement Permit Application for proposed Old Orchard Beach Campground Expansion" at 27 Ocean Park Rd.
- Mr. Mourmouras presented his opinions on the proposed project and town's process for the adult use marijuana licensing process.

Patrick Mourmouras – 11 Ocean Park Rd – Mr. Mourmouras presented his opinion on the town’s adult use marijuana licensing process. Mr. Mourmouras read Facebook comments regarding the notice of "Traffic Movement Permit Application".

Peter Mourmouras – 30 Saco Ave – Mr. Mourmouras presented his opinion on the town’s adult use marijuana licensing process.

Guy Fontaine – 27 Old Salt Rd – questions regarding 27 Ocean Park Rd. and the notice of "Traffic Movement Permit Application" posted in Courier – Mr. Fontaine voiced his concerns on the traffic on Ocean Park Rd at the proposed project and the halfway intersection. Questions on public records posted on town website.

Lori Gramlich – 154 Temple Avenue – concerns on proposed project at 27 Orchard Beach Rd. – concerns on current ongoing traffic study and proposed project - voiced appreciation on East Grand and West Grand Avenue tree removal to increase safety for pedestrian access.

ACCEPTANCE OF MINUTES:

Acceptance of the Town Council Minutes from 1/17/2023.

Chair: Shawn O’Neill

Motioned to accept by: Councilor Mead

Seconded by: Councilor Reid

Vote: 5-0

Councilor Tousignant questioned the minutes being posted to the website.

PUBLIC HEARING - Shall the Town consider amendments to the Code of Ordinances, Chapter 54, Sections 54-37, Penalty, Section 54-141 Reservation of Powers, Section 54-144, Yellow curbs and 54-186, Prohibited at specific locations, adding yellow lines to yellow curbs and removing effective dates to have the section in effect year-round.

Chair: Shawn O'Neill

Chair O'Neill opened the public hearing at 6:52pm

Chair O'Neill closed the public hearing at 6:52pm

PUBLIC HEARING - Shall the Town consider amendments to the Code of Ordinances, Chapter 54, Sections 54-1 Definitions and Section 54-142 Parking at expired meters and overtime parking, adding definitions for electric vehicles and electric vehicle charging stations, and parking restrictions for electric vehicles at electric vehicle charging stations.

Chair: Shawn O'Neill

Chair O'Neill opened the public hearing @ 6:53pm

Councilor Mead - 3-hour limit at charging stations - charged personal vehicle at station from 10%-80% in 3 hours. Councilor Tousignant - keeps people from parking at charging station all day.

Chair O'Neill closed the public hearing @ 6:54pm

PUBLIC HEARING – BUSINESS LICENSE & APPROVALS:

Red Door Market and Deli, (206-31-8B), 39 Old Orchard Beach Street Unit B,
Victualers w/prep, no alcohol.

Chair: Shawn O’Neill

Chair O’Neill opened the public hearing @ 6:55pm

Motioned to accept by: Councilor Reid

Seconded by: Councilor Tousignant

Vote: 5-0

Chair O’Neill closed the public hearing @ 6:56pm

TOWN MANAGER REPORT

Attached below:

Councilor Mead – addressed the good and welfare comments – the application was submitted to the state through the permit process – 155 campsite expansion located in the City of Saco – approval of that expansion is through Saco planning board – potential restaurant and cannabis store would be in Old Orchard Beach – no adult marijuana licenses have been submitted yet – the merit point process gives more points to smaller businesses – the proposed business size on the application would receive 0 points.



Town of Old Orchard Beach

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February 21, 2023

Town Manager's Report

Parking Ban: With this week's snow event starting tomorrow evening a parking ban has been posted starting Wednesday, February 22 at 7:00 am until Saturday morning, February 25 at 7:00 am.

When a PARKING BAN is declared, vehicle parking on public streets will not be allowed until the emergency ban is officially lifted. Residents can park their vehicles in the Milliken Street parking lot, Veterans Memorial parking lot, and Ocean Park Square during the PARKING BAN.

Community Animal Watch: There are currently four open seats on the Community Animal Watch Committee, and we need your help. This is a group that helps our pets in need and OOB residents that are having a hard time caring for them. The committee was active in fundraising efforts and also active in pursuing donations of pet supplies that are offered through the Community Food Pantry. If you would like to get involved and they truly need your help, please contact the Town Clerk's office at 937-5624 to learn more about this great opportunity.

Bus Fare Discounts:

The southern ME Transit agencies are promoting a discounted bus fare campaign called "Fare Deal" that runs from March 1st through September 30th. All bus fares will be half off the regular bus fare during this promotion, with a goal of increasing ridership to pre-pandemic levels, and to help those transit users hit hard by inflation. The participating agencies are BSOOB (Biddeford Saco Old Orchard Beach Transit), Greater Portland METRO, and South Portland Bus Service.

This campaign is part of a collaboration between the three agencies, where each designated funding for this as part of the American Rescue Plan Act.

Community Resiliency Partnership Workshop 2/13/2023:

Last week on February 13th a workshop was held to learn more about climate change and what Old Orchard Beach can do to be more resilient. The Town is enrolling in the State's Community Resiliency Partnership or CRP program, in partnership with Southern Maine Planning and Development, to better understand what is important to Old Orchard Beach and the priorities for addressing local climate change. Part of the process it hear receive public feedback on what is important to you with regards to climate change. We had a good turnout for the workshop and received helpful feedback, but there is still time for your comments. The public comment period will be open till March 6th, and if you go to the Town's website under the Planning Dept webpage you will see a link for a fillable form where you can provide your comments. If you have any questions, please call my office at 937-5626.

FY 24 Capital Budget Presentations:

This week we will begin the Capital Improvement Program department presentations to the Finance Committee. The meetings are scheduled for Thursday February 23, and Friday February 24th at the Police Department Community Room, beginning at 4:30pm.

Thank you,
Diana H. Asanza

NEW BUSINESS:

AGENDA ITEM #7837

Discussion with Action: Adopt the Personnel Policy Manual as required by Charter Section 502.8, with changes to Article VII, Section 7-2 Vacation.

Chair: Shawn O'Neill

Diana Asanza, Town Manager – explained the changes to the policy and moving vacation time in line with the industry standards. It's a step in the right direction to attract employees.

Motioned to adopt by: Councilor Tousignant

Seconded by: Vice Chair Blow

Vote: 5-0

Councilor Mead – support adding 3 weeks at start of employment to assist in recruitment and retention. in Support of 4 weeks at 5 years, concern on 5 weeks at 10 years.

AGENDA ITEM #7838

Discussion with Action: Confirm the appointment of John Gilboy as Fire Chief and Emergency Management Director for the Town of Old Orchard Beach, effective February 21st, 2023 at a salary of \$105,000.00.

Chair: Shawn O'Neill

Diana Asanza, Town Manager, voiced her support of appointing John Gilboy as fire chief.

Motioned to appoint by: Councilor Tousignant

Seconded by: Councilor Reid

Vote: 5-0

Kim McLaughlin, Town Clerk, swore John Gilboy in as Fire Chief and Emergency Management Director for Old Orchard Beach.

Chief John Gilboy thanked all present for his opportunity.

AGENDA ITEM #7839

Discussion with Action: Appoint Patrick Surette as Deputy Election Warden, term to expire 11/1/2023.

Chair: Shawn O'Neill

Motioned to appoint by: Councilor Reid

Seconded by: Vice Chair Blow

Vote: 5-0

Town Manager Asanza introduced Mr. Surrette to the board.

AGENDA ITEM #7840

Discussion with Action: Amend the 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 amend by: Councilor Mead

Seconded by: Councilor Reid

Vote: 5-0

AGENDA ITEM #7841

Discussion with Action: Accept the proposal from Precision Tanks for \$32,765.00 from account 20118-50350 Contingency with a balance of \$123,400.00 to install 1 -15 gallon double walled spillbox for the Public Works Underground Vehicle Fuel Tank. This also includes all DEP paperwork required for the 10 year extension.

Chair: Shawn O'Neill

Motioned to accept by: Vice Chair Blow

Seconded by: Councilor Mead

Vote: 5-0

Chair O'Neill – not budgeted item so coming from contingency funds – Councilor Tousignant – tank replacement? – Town Manager Asanza – replacement planned prior to year 6 of 10 year extension.

Chris White, Director of Public Works, clarified purchase and 10 year extension process – recommended replacing tanks in the next 5 years.

AGENDA ITEM #7842

Discussion with Action: Approve the quote from Jordan Equipment for the purchase of a manhole saw attachment for Public Works Dept., for the Bobcat T770 for \$27,000 from Account 50002-50551 Public Works CIP Operating Equipment account with a balance of \$32,153.09.

Chair: Shawn O'Neill

Motioned to accept by: Councilor Mead

Seconded by: Councilor Reid

Vote: 5-0

Chris White, Director of Public Works, – item to cut and remove pavement around manhole covers, cleaner cut and replacement for items – trading in unused piece of equipment to reduce cost.

AGENDA ITEM #7843

Discussion with Action: Approve the quote from Motion Industries to rebuild one 125 blower motor for \$5,411.48 from Account 20161-50452 Wastewater Operating Equipment Repair, with a balance of \$24,445.45.

Chair: Shawn O'Neill

Motioned to accept by: Councilor Mead

Seconded by: Councilor Reid

Vote: 5-0

AGENDA ITEM #7844

Discussion with Action: Approve the quote from Carbon Activated Corporation to provide replacement odor control media in the amount of \$6,684.00 from Account 20161-50330 Wastewater Equipment Replacement with a balance of \$12,034.48.

Chair: Shawn O'Neill

Motioned to accept by: Councilor Tousignant

Seconded by: Councilor Mead

Vote: 5-0

Chris White, Director of Public Works, the media is changed every year in the equipment.

AGENDA ITEM #7845

Discussion with Action: Convey foreclosed property identified as 18 SMITHWHEEL ROAD #27, Parcel Number 00210-00002-06-27 to owners of record FAIRBANKS JEFFREY J & HICKEY BARBARA A, for the total amount of \$3,065.85 in outstanding taxes and accumulated interest, due on the effective date of conveyance, including FY21, FY22 & FY23 taxes, plus any legal costs incurred by the Town of Old Orchard Beach.

Chair: Shawn O'Neill

Motioned to accept by: Councilor Mead

Seconded by: Vice Chair Blow

Vote: 5-0

AGENDA ITEM #7846

Discussion with Action: Waive outstanding personal property taxes for PP #67075, NORMAN & DIANA HOULE, 26 WALNUT STREET #5D for \$24.98. Property was sold in 2016, taxes were paid in 2017, and balance is for FY18 and FY19 personal property.

Chair: Shawn O'Neill

Motioned to waive by: Councilor Tousignant

Seconded by: Vice Chair Blow

Vote: 5-0

Councilor Mead – is there a minimum amount of personal property taxes that can be waived? – Town Manager Asanza – no, it is past the time frame for the assessors to waive.

AGENDA ITEM #7847

Discussion with Action: Waive outstanding past due personal property balances for deceased individuals. MARY BRAY, personal property #68132 in the amount of \$128.47, EDMOND LANDRY, personal property #50157 in the amount of \$270.00, FRANCIS QUIRK & LUCILLE QUIRK, personal property #50011 in the amount of \$287.49, PAUL PETTEE & MARY PETTEE, personal property #50105 in the amount of \$146.20, GARY GIGUERE, personal property #50029 in the amount of \$52.54, BARBARA FROST, personal property 3005 in the amount of \$31.98.

Chair: Shawn O'Neill

Motioned to waive by: Councilor Tousignant

Seconded by: Councilor Reid

Vote: 5-0

AGENDA ITEM #7848

Discussion with Action: Per Section 50-111 of the Code of Ordinances, the Town Council, for E-911 services, are naming the private ways in the following campgrounds:

Old Orchard Beach Campground street names will be:

- Acorn Trail,
- Aster Trail,
- Bamboo Trail,
- Basswood Trail,
- Bear Oak Trail,
- Caribou Trail,
- Chickadee Trail,
- Chipmunk Trail,
- Christmas Tree Trail,
- Conifer Trail,
- Dragonfly Trail,
- Gray Squirrel Trail,
- Heartwood Trail,
- Iris Trail,
- Jack Pine Trail,
- Lavender Trail,
- Lilac Trail,
- Mallard Trail,
- Moose Trail,
- Porcupine Trail,
- Raccoon Trail,
- Sage Trail,
- Scarlet Oak Trail,
- Snowy Owl Trail,
- Sugar Maple Trail,
- Sunflower Trail,
- Turkey Trail,
- White Tailed Deer Trail.

Paradise Park Resort Campground Street names will be:

- Paradise Trail,
- Ice Pond Trail,
- Sunshine Trail,
- Sundial Trail,
- Hidden Cove Trail,
- Blue Sky Trail,
- Campfire Trail,
- White Sand Trail,
- Lobster Trail,
- Lighthouse Trail,
- Salty Trail,
- Wilderness Trail.

Seacoast Resort street names will be:

- Cullen Trail,
- Kenzie Trail,
- Seacoast Trail,
- Charlie Trail,
- Emmarie Trail.

Chair: Shawn O'Neill

Motioned to accept by: Vice Chair Blow

Seconded by: Councilor Mead

Vote: 5-0

Councilor Mead – thank you to deputy assessor Karen Fortier for all the hard work she has done on this project.

Guy Fontaine – questioned on campground emergency coverage in Saco

Karen Fortier, Deputy Assessor – OOB Campground – 2 streets are in OOB,

the rest are in Saco – working with Saco to make sure names are approved in both cities to clarify mutual aid situations – Police Chief Elise Chard – this makes it easier for the E-911 system and will clarify who responds to calls, Saco or OOB.

AGENDA ITEM # 7849

Discussion with Action: Award the bid to Loranger Door and Window in the amount of \$5,733.00 for the installation of front doors at the Recreation Community Building from account 51002-50926 CIP Recreation Accessibility Upgrade with a balance of \$7,780.00.

Chair: Shawn O’Neill

Motioned to award by: Councilor Mead

Seconded by: Councilor Reid

Vote: 5-0

ADJOURNMENT @ 7:39pm

Motion to adjourn by: Councilor Mead

Seconded by: Councilor Reid

Vote: 5-0

Chair: Shawn O'Neill

Chair O'Neill called an executive session @ 7:49pm to discuss the acquisition of real property under Title 1 M.R.S.A. Section 405 (6)(C). Pursuant to Charter Section 904

Motion to enter executive session: Vice Chair Blow

Seconded by: Councilor Reid

Vote: 5-0

Motion to leave executive session @ 8:07pm: Councilor Mead

Seconded by: Councilor Reid

Vote 5-0