



Town of Old Orchard Beach
Office of the Town Manager

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www.oobmaine.com/town-council

Regular Town Council Meeting Minutes

March 7th, 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 13 pages is a copy of the original minutes from the regular meeting of the Old Orchard Beach Town Council held on March 7th, 2023.

Prepared By:	Tim Fleury
Approved By:	Old Orchard Beach Town Council
Approval Date:	3/21/2023

Respectfully
Submitted,

Tim Fleury
Town Council
Secretary



**Town Council
Regular Meeting Minutes
Followed by an
Executive Session**

March 7th, 2023 @ 6:30pm

**Executive Session to Immediately Follow Regular Meeting
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. The following members were present:

Vice Chair Kenny Blow
Councilor V. Louise Reid
Councilor Mike Tousignant
Councilor Larry Mead

Town Manager Diana Asanza
Council Secretary Tim Fleury

Chairman Shawn O'Neill was not present with an excused absence.

ACKNOWLEDGEMENTS:

Councilor Mead wished the Lady Gulls luck in class C state championship in Bangor that evening.

GOOD & WELFARE:

Patrick Mourmouras – Mr. Mourmouras urged council to let citizens vote on adult use marijuana. Mr. Mourmouras voiced his opinion on the licensing process. Mr. Mourmouras asked council to halt process until June special election and remain neutral. Clarified statement from last meeting by chair O'Neill.

Nancy Frisco – Snow removal issues – people that own property with sidewalks should pay to keep sidewalks clean and be responsible for their clearing. Lack of beach access during snow storms. Need to move benches back. Replace signs that are damaged in winter prior to winter. Remove no-parking signs on private houses. PD should be the only ones that post no-parking signs.

Tom Mourmouras – Mr. Mourmouras gave information on Portland marijuana initiatives and referendum vote. Mr. Mourmouras gave his opinion on the adult use marijuana licensing process and the fairness of the process. Brought up potential settlement offer in executive session.

Hannah King – Denton's law firm – represent Old Orchard Provisions – process of filing application, have not filed yet. Owners of OOP own multiple stores, a cultivation facility, a manufacturing facility, and various stores for multiple years. New construction smaller than the existing red building at their location with a sales floor less than 1000 sq feet. Will meet all criteria for land use for any business in that district. Portland referendum certified in August, accept application at end of August. No need to delay licensing for land use issues. It is not true that the citizen's referendum is the fairest

process. Merit criteria is fair process. OOP is submitting a 400-page application. Unfair to claim process is rigged. Misinformation circulating in news, social media, felt obligated to correct misinformation. Thanked Council for their time in the process and allowing all persons with interest to comment on the process.

Nancy Frisco – voiced her opinion on adult use marijuana in town

ACCEPTANCE OF MINUTES:

Acceptance of the town council minutes from 2/21/2023 meeting.

Vice Chair: Kenny Blow

Motion to accept: Councilor Tousignant

Second: Councilor Reid

Vote: 4-0

PUBLIC HEARING – BUSINESS LICENSE & APPROVALS:

Nicolas Hebert & Linda Morton-Hebert, (103-1-2-7) 82 Cascade Road, Unit #7, one year round rental.

Vice Chair: Kenny Blow

Vice Chairman Blow opened the hearing @ 6:47pm

Vice Chairman Blow closed the hearing @ 6:49pm

Discussion:

Councilor Mead – this is the first application that rental business licenses are declared short term rental (STR) property or not – applicant is not STR property.

Motion to approve: Councilor Mead

Second: Councilor Reid

Vote: 4-0

TOWN MANAGER REPORT

Please see attached report below:

Comments:

Councilor Mead asked if the Town is sending out notices to individuals to resign up for new website. Town Manager Asanza confirmed yes.



Town of Old Orchard Beach

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March 7, 2023

Town Manager's Report

OOB High School Girls Basketball: I'd like to congratulate the Old Orchard Beach High School Girl's basketball team for winning the regional championship and to wish them luck as they compete tonight in Bangor for the State Championship against Dexter Regional High School. The game was originally scheduled for last Saturday but was postponed because of the weather. Earlier this afternoon the fire and police department escorted the team as they left Old Orchard Beach heading to Bangor. Good Luck to the players and coaches.

Website Update: The Town's website will be transitioning to the new and improved website this weekend. The Human Resource Director and Town Staff have been working on this for some time and we are ready to go live on March 13th. The one thing to point out is for those that subscribe to news and notifications – you will need to re-subscribe again because that information is not retained and it will only take a few minutes to sign up again.

Comfortably Home: I would like to call your attention to a new program called "Comfortably Home" administered through Biddeford Housing that will provide high-impact, low cost minor home repairs to homes in Saco, Old Orchard Beach, Biddeford and Buxton. This is made possible with funding from Maine Housing and is geared to help older or disabled homeowners stay in their homes.

Comfortably Home will provide minor home repairs such as installing bathroom grab bars in showers or bathtubs, repairing broken stairs, smoke detectors, or installing hard to reach light bulbs indoors and outdoors, those improvements that will help ensure safety for senior citizens and those with disabilities. If you or someone you know could benefit from this program, applications are now being accepted and you can reach out to Old Orchard Beach's Community Friendly Connection and Lee Keonigs at 934-4351, or contact my office at 937-5626 for more information.

NEW BUSINESS:

AGENDA ITEM #7850

Discussion with Action: To award the contract to Defining Lines Landscaping dba Enviro Solutions for summer seasonal maintenance services of Downtown and Beachfront areas including Memorial Park and Ocean Park village center, and Municipal Restrooms in the amount of \$287,500 for year one beginning, \$296,125.00 for year two and \$305,008.75 for year three.

Vice Chair: Kenny Blow

Motion to award: Councilor Mead

Seconded: Councilor Reid

Vote: 4-0, roll called by Tim Fleury

Town Manager Asanza gave more information on existing operations and the continuation of the contract. 20% increase expected, old contract from 2019. Eliminates entrance fee of \$.50 for West Grand Ave, \$27,000 difference for attendant. Addresses complaints regarding entrance fee. 11% increase if Council wanted to continue fee program.

Councilor Tousignant – where is the \$27k coming from? Town Manager Asanza – budgeting in FY '24 – Councilor Tousignant - one of original councilors who instituted charge. Councilor Tousignant gave a history of the reasoning for the charge and discussed the needs for an attendant with the council. Town Manager Asanza clarified that any damages caused by vandalism would be covered by the contractor and any infrastructure repairs would be covered by the town.

Councilor Mead – happy to see \$.50 fee removed – good look for town not to pay for restrooms – comfortable knowing it is the same contractor that knows issues.

AGENDA ITEM #7851

Discussion with Action: Approve the quote of \$15,806 for the purchase, upgrade, and installation of the Munis server as well as required licensing for all users from account 51002-50923 CIP IT Network/Firewall infrastructure with a balance of 26,447.11. This was approved as part of the FY 2023 CIP Budget.

Vice Chair: Kenny Blow

Motion to approve: Councilor Reid

Seconded: Councilor Mead

Vote: 4-0

AGENDA ITEM #7852

Discussion with Action: Approve the bid from Kevin Lessard & Sons Electric to replace and upgrade the wiring and lighting for the parking lot lights at the Old Orchard Beach Recreation complex at the Ballpark. This would be funded through capital 51002-50911 with a balance of \$192,543.10.

Vice Chair: Kenny Blow

On February 13, 2023, the Town went out for a request for a proposal to replace and upgrade the wiring and lighting for the parking lot lights at the Old Orchard Beach Recreation complex at the Ballpark. At that time, we only received one bid from Kevin Lessard & Sons Electric for \$48,593.72.

Motion to award: Councilor Tousignant

Seconded: Councilor Mead

Vote: 4-0

Councilor Mead – does this include repair of streetlights along Ballpark Way to the front entrance? – Town Manager Asanza confirmed that it does.

AGENDA ITEM #7853

Discussion with Action: Approve the purchase of one 2023 Polaris Ranger SP 570 Premium ATV from Abbott's Power Equipment for \$14,986.98. \$14,323.02 from Police Department Capitol Improvement Account 52002- 50815 with a balance of \$14,323.02 and \$663.96 from Account # 20131-50453 Police Department Vehicle Repair with a balance of \$17,732.78.

Vice Chair: Kenny Blow

The Side by Side style ATV was approved as part of the 2022/2023 fiscal CIP Budget to replace one aging ATV. Quotes were obtained from ABBOTS Power Equipment, Westport Motorsports and Robertson's Power Sports. Quote #1 from ABBOTT's Power Equipment was chosen due to price and availability of ATV.

Motion to approve: Councilor Tousignant

Second: Councilor Reid

Vote: 4-0

ADJOURNMENT

Vice Chair: Kenny Blow

Motion to adjourn @ 7:05pm : Councilor Mead

Second: Councilor Reid

Vote: 4-0

EXECUTIVE SESSION:

Legal Consult: Executive session for a consultation with the Town Attorney concerning the legal rights and duties of the Town Council, under Title 1 M.R.S.A. Section 405 (6)(E) and the Council anticipates that the discussion will be held in executive session.

Vice Chair: Kenny Blow

Motion to enter into exec session @ 7:08pm: Councilor Mead

Second: Councilor Tousignant

Vote: 4-0

Motion to leave exec session @ 8:15pm: Councilor Mead

Second: Councilor Tousignant

Vote: 4-0

Labor Contracts: Executive session pursuant to MRSA Title 1, Section 405(6)(D), to discuss labor contracts for Local 2247 International Association of Firefighters AFL-CIO-CLC (IAFF).

Vice Chair: Kenny Blow

Motion to enter into exec session @ 8:16pm: Councilor Mead

Second: Councilor Tousignant

Vote: 4-0

Motion to leave exec session @ 9:20pm: Councilor Mead

Second: Councilor Tousignant

Vote: 4-0