



**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](http://www.oobmaine.com) or

[www.oobmaine.com/town-council](http://www.oobmaine.com/town-council)

# Regular Town Council Meeting Minutes

*April 18th, 2023*

I, Tim Fleury, Secretary to the Town Council of Old Orchard Beach, Maine, do hereby certify that the foregoing document consisting of 18 pages is a copy of the original minutes from the regular meeting of the Old Orchard Beach Town Council held on April 18th, 2023.

Prepared By:	Tim Fleury
Approved By:	Old Orchard Beach Town Council
Approval Date:	5/2/2023

Respectfully  
Submitted,

Tim Fleury  
*Town Council*  
*Secretary*



# Town Council Regular Meeting Commentary

**Tuesday, April 18<sup>th</sup>, 2023 @ 6:30pm  
Council Chambers - 1 Portland Avenue**

*[www.oobmaine.com/town-council](http://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 individuals were present:

Chairman Shawn O'Neill

Town Manager Diana Asanza

Vice Chairman Kenneth Blow

Council Secretary Tim Fleury

Councilor V. Louise Reid

Councilor Larry Mead

Councilor Mike Tousignant

Councilor Mike Tousignant had an excused absence.

**EMERGENCY AGENDA ITEM:**

**Discussion with action:** Vote to add Agenda Item #7876 at end of new business. 404.1

**Motion: Councilor Mead**

**Second: Vice Chair Blow**

**Vote: 4-0**

**GOOD & WELFARE: no public**

**Chairman O'Neill** – Thanked the anonymous dog park donation of water and the water is turned on at the park now. Milliken Heights is having a grand opening on Friday, May 9<sup>th</sup>, and Chairman O'Neill has been invited to speak.

**ACCEPTANCE OF MINUTES:**

Accept the minutes from 04/04/2023 regular Town Council meeting.

Chair: Shawn O'Neill

**Motion: Councilor Reid**

**Second: Councilor Mead**

**Vote: 4-0**

**PUBLIC HEARING – ORDINANCE AMENDMENTS:**

**PUBLIC HEARING** – Shall the Town Council consider amendments to Ch. 2, Art. IV, Div. 9 - Compensation of Planning Board Members, Sections 2-405 – 409. This ordinance proposes to authorize compensation for Planning Board members.

Chair: Shawn O’Neill

During 2022, the Planning Board voted to approve a stipend for each member of the Board. The reason for the Board stipend is because of the members’ time commitment, the technical work, and overall importance of their decision making. After Board approval, the stipend cost was included in the FY23 budget and approved by Council.

After consulting with the town attorney, we found an ordinance must be created to authorize payment of the stipend. We developed an ordinance which is now presented for your review and vote.

**Chairman O’Neill opened hearing at 6:34pm**

**Chairman O’Neill closed hearing at 6:36pm**

**Councilor Mead** – modest amount of \$ per meeting \$20 normal member/\$30 for chair. Involves lots of hours of preparation for meetings. Well deserved. Chairman O’Neill – long overdue with time involved and aggravations associated with meetings.

**PUBLIC HEARING – BUSINESS LICENSE & APPROVALS:**

Royal Anchor Resort, (202-1-5), 203 East Grand, Resort lodging – seasonal rental.

Peter and Sharon Surette, Grandview Condo #209, (301-3-1), 189 East Grand #209, one year round rental – short term.

Jennifer and Greg Hill, (324-16-6), 8 Temple Ave., one year round rental – short term.

Chair: Shawn O’Neill

**Opened at 6:36pm**

**Motion to approve: Councilor Mead**

**Second: Councilor Reid**

**Vote 4-0**

**Closed at 6:37pm**

## **TOWN MANAGER REPORT**

Councilor Mead Thanked Town Manager Asanza for her updates about traffic issues in the Saco/Halfway intersection area.

**NEW BUSINESS:**

**AGENDA ITEM #7868**

**Discussion with Action:** Set the Public Hearing Date for May 2, 2023, for the Town Council to consider amendments to Ch. 78, Art. VI, Secs. 78-518, 717, 747, 803, 833, 869, 993, 1023, 1134 and Art. VII, Sec. 78-1281. This is a new ordinance proposing regulations for lodging establishment conversions to condominiums.

Chair: Shawn O'Neill

Lodging establishment conversions to condominiums have been identified as a concern to town staff due to the recent increase in conversion proposals and inquiries and the minimal jurisdiction and standards available to staff to evaluate conversion proposals as well as a possible way to circumvent rules. To prevent these unregulated conversions from continuing and to allow the town to consider its options, the Town felt a temporary pause to conversion proposals (through a moratorium) was necessary to allow time to research and develop appropriate mechanisms that provide more protection to occupants of the units, abutting property owners, and the town as a whole.

The Town is now moving forward with a draft lodging condominium ordinance. To date, the Planning Board has reviewed the draft ordinance, held a public hearing and are recommending approval of the ordinance as written.

**Motion to set the date: Councilor Mead**

**Seconded: Vice Chair Blow**

**Vote: 4-0**

**Mary Pat Donnelson:** 8 Brisson Street – asked for clarification about public hearing process.

## **AGENDA ITEM #7869**

**Discussion with Action:** Award a contract to HSE Fire/Safety Equipment in the amount of \$9,981.75 for the purchase of High-Rise Hose & Equipment from CIP account 52002-50895 Fire Equipment/Gear CIP – with a balance of \$37,631.51.

Chair: Shawn O’Neill

While working with an outside training consultant for a review of the Fire Department’s high rise guidelines and procedures it was identified that the Old Orchard Beach Fire Department could use upgrades to our current equipment capabilities to better ready the organization for its response appropriate to our staffing levels.

**Motion to approve: Vice Chair Blow**

**Seconded: Councilor Reid**

**Vote: 4-0**



## **AGENDA ITEM #7870**

**Discussion with Action:** Set the public hearing date of May 2nd, 2023 to amend the Town of Old Orchard Beach code of Ordinances, Chapter 54 Traffic and Vehicles, Section 54-187, Atlantic Avenue, designating a handicap parking space, in front of 76 Atlantic Avenue, MBLU 312-14-2.

Chair: Shawn O'Neill

The Handicap parking spot is needed as there are currently many veterans and members of the public that attend VFW Events at the location.

This is similar to the need located at the American Legion on Imperial Street where currently there are two handicap parking spots.

Based on the Size and location of the VFW one handicap parking space is believed to be sufficient.

**Motion to set the date: Councilor Mead**

**Seconded: Councilor Reid**

**Vote: 4-0**

## AGENDA ITEM #7871

**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:

- Go Camping Way

Sun Retreats, Wild Acres:

- Blackbird Trail
- Blue Heron Trail
- Blue Jay Trail
- Crow Trail
- Downy Trail
- Eagle Trail
- Elder Trail
- Falcon Trail
- Finch Trail
- Flicker Trail
- Flycatcher Trail
- Gannet Trail
- Goldfinch Trail
- Horned Owl Trail
- Hummingbird Trail
- Iceland Trail
- Loon Trail
- Manx Trail
- Mockingbird Trail
- Morning Dove Trail
- Piping Plover Trail
- Raven Trail
- Razorbill Trail
- Robin Trail

- Sparrow Trail
- Starling Trail
- Stellar Trail
- Stork Trail
- Waxwing Trail
- Yellowthroat Trail

#### Sun Retreats, OOB Wagon Wheel:

- Allagash Trail
- Black Bear Trail
- Bobcat Trail
- Coyote Trail
- Doe Trail
- Elk Trail
- Finback Trail
- Fox Run Trail
- Grizzly Trail
- Harp Trail
- Lynx Trail
- Mink Trail
- Pilot Trail
- Rabbit Run Trail
- Turtle Trail
- Wolf Trail

#### Sun Outdoors, OOB Hid'n Pines:

- Allen Trail
- Appledore Trail
- Boon Trail
- Fisherman Trail
- Georgetown Trail
- Great Diamond Trail

- Great Duck Trail
- Harbor Trail
- Jewel Trail
- Lane Trail
- Little Cranberry Trail
- Mackworth Trail
- Monhegan Trail
- Mount Desert Trail
- Peaks Trail
- Saint Croix Trail
- Seal Trail
- Stratton Trail
- Warren Trail

Chair: Shawn O'Neill

As a part of our ongoing project to assign E-911 addresses to all campground and resort sites in the Town, Sun Hid'n Pines RV LLC, Sun Wild Acres RV LLC and Sun Wagon Wheel RV LLC have submitted for your approval new street names. These street names have been reviewed by fire and police and they have found these street names to be acceptable.

These campgrounds are seeking approval of the street names now so that they can prepare for the future implementation of their addressing plans.

**Motion to accept: Vice Chair Blow**

**Seconded: Councilor Mead**

**Vote: 4-0**

## AGENDA ITEM #7872

**Discussion with Action:** Consider Council Resolution in support of the Town of Old Orchard Beach participating in the Community Resilience Partnership (CRP). The CRP provides grants and support to assist communities to reduce carbon emissions, transition to clean energy, and become more resilient to climate change.

Chair: Shawn O'Neill

Town Manager Asanza gave an explanation of the CRP participation: The CRP, or Community Resilience Partnership, is the program established by the Governor's Office of Policy Innovation and the Future (GOPIF) to assist Maine communities with taking action on climate change. SMPDC worked with OOB, Eliot, Fryeburg, and Berwick to apply for a "Service Provider" grant to support OOB and the other municipalities with enrolling in the CRP program. Enrolling in the program unlocks access to additional funding through State funded "Action Grants" for the town to implement projects related to climate change. The enrollment process requires that OOB complete the assessment forms, hold a public workshop to receive public feedback on climate change priorities for OOB and to adopt a municipal resolution of commitment to climate resilience. Through the "Service Provider" grant, SMPDC will be assisting OOB with the process of enrolling in the CRP.

The resolution designates the Town Manager's office and the Town Planner's office as the point of contact for this program. From the public feedback we identified the priorities in the resolution with the following action areas:

- Improving energy efficiency and reducing greenhouse gas emissions in municipal buildings and operations.
- Support alternative transportation modes, including bike paths and pedestrian sidewalks.

- Protecting the environment including coastal sand dunes.
- Promoting natural climate solutions by protecting wetlands, open spaces and forests.
- And overall building a healthy and resilient community that is socially connected to withstand disaster and foster community recovery.

Adopting this resolution is the last step in the enrollment process.

Chairman O'Neill read the resolution for the record.

**Motion to accept: Vice Chair Blow**

**Seconded: Councilor Reid**

**Vote: 4-0**

Councilor Mead – discussed the presentation from SMPDC staff and questioned what grant funding was available. He discussed the storm damage on New Salt Road and tide gate replacement and asked if the grant funding was available to study the tide gate and if improvements are needed, can it be pursued? Town Manager Asanza explained that grants run from \$50-100k.

## **AGENDA ITEM #7873**

**Discussion with Action:** Approve the Beach Management Agreement with the U.S. Fish & Wildlife Services (USFWS) and the Maine Department of Inland Fisheries & Wildlife (MDIFW); from 2023 to 2025.

Chair: Shawn O'Neill

In 2009, representatives of the Town of Old Orchard Beach (the Town), the U.S. Fish & Wildlife Service (USFWS), and the Maine Department of Inland Fisheries and Wildlife (MDIFW) first developed the following Beach Management Agreement for the Town of Old Orchard Beach. In March 2023, representatives of the Town, MDIFW, and Maine Audubon agreed to draft a renewal of the Beach Management Agreement for 2023-2025.

The intent of this agreement is to implement measures that will protect piping plovers, least terns, and migratory shorebirds on Old Orchard Beach from predator and human-related activities and harm. Success of this agreement depends on the participation and cooperation of the Town, U.S. Fish & Wildlife Service (USFWS), and Maine Department of Inland Fisheries and Wildlife (MDIFW).

**Motion to accept: Councilor Mead**

**Seconded: Councilor Reid**

**Vote: 4-0**

Councilor Mead asked if there are any significant changes. Town Manager Asanza informed the councilor that there are no significant changes.

## **AGENDA ITEM #7874**

**Discussion with Action** - Shall the Town adopt 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

This item is to clarify Section 54 – 37 Penalty under Chapter 54 Traffic and Vehicle, by adding the word “yellow line” to section 54-37 Penalty to enforce prohibited parking at locations that are identified by either a “yellow curb” or “yellow line”. Currently it only states parking prohibited at locations that are identified by a yellow curb.

**Motion to adopt: Vice Chair Blow**

**Seconded: Councilor Mead**

**Vote: 4-0**



## **AGENDA ITEM #7875**

**Discussion with Action** - Shall the Town adopt 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

This amendment is to add a definition for Electric Vehicles and Electric Vehicle Charging Stations to Chapter 54 now that the Town has installed electric vehicle charging stations for public use and create parking time limits for EV's at charging stations.

There are four parking spaces on First Street for EV's and this amendment establishes a limit of three (3) hours that EV's are allowed to park in the space to charge their vehicle. The cost is the normal meter rate of \$3 per hour.

**Motion to adopt: Councilor Mead**

**Seconded: Councilor Reid**

**Vote: 4-0**

Councilor Reid – will this be on the website? Big change from what we had in the past? Town Manager Asanza explained the item is more of a housekeeping item. The change happened last year and it's being added now. Vice Chair Blow asked if it was for active charging only. Town Manager Asanza – yes, 3 hours and \$3/hour, signage on parking spaces to explain the times and rates.

**AGENDA ITEM #7876**

**Discussion with Action:** Approve the quote from Xylem Water Solutions for \$13,986.00 to replace the pump for the East Grand pump station. From account # 30181-50551 Sewer Reserve with a balance of \$963,037.84.

Chair: Shawn O'Neill

**Motion to approve: Councilor Mead**

**Seconded: Councilor Reid**

**Vote: 4-0**

**ADJOURNMENT**

**Motion: Councilor Mead made a motion to adjourn at 7:01pm.**

**Second: Councilor Reid**

**Vote: 4-0**

Chair: Shawn O'Neill