



Town Council - Meeting Agenda

Tuesday, June 6th 2023 @ 6:30pm
Council Chambers - 1 Portland Avenue

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(Channel 3 or 1301 - check with your provider) or by clicking the Meeting Videos link on oobmaine.com.)*

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ACKNOWLEDGEMENTS:

GOOD & WELFARE:

PRESENTATION:

ACCEPTANCE OF MINUTES:

Acceptance of the minutes from the April 25, 2023, April 27, 2023, May 2, 2023, May 9, 2023, & May 16, 2023 Budget Workshops; the May 16, 2023 Regular Meeting; and the May 2, 2023 & May 9, 2023 Executive Sessions.

Chair: Shawn O'Neill

PUBLIC HEARING – LIQUOR LICENSE & APPROVALS:

Birdies Grill and Tavern, Rebecca Allen, (208-1-6), 168 Saco Ave, m-s-v in a restaurant.

Johnny Shucks Maine Lobster, OOB Maine Lobster LLC, (205-5-5), 16 Old Orchard Street, m-v in a restaurant.

Chair: Shawn O'Neill

PUBLIC HEARING – BUSINESS LICENSE & APPROVALS:

The Carolina Motel, Potentia LLC, (304-2-1), 1 Rousin St, 34 unit motel

BNB Real Estate, Nazrin Dixon, (305-6-5), 44 East Grand, 4 year round rentals – STR.

BNB Real Estate, Nazrin Dixon, (305-6-6), 46 East Grand, 8 year round rentals – STR.

Andrew Gould, (315-18-5), 65 Union Avenue, one year round rental –STR

Peter Beyeler, (314-15-3), 91 Union Ave, one year round rental – STR

The Beach House, David and Nancy Bonneau, (206-29-10) – 40 Summit St, one year round rental – STR

Jose Silva, (301-3-1-206), 189 East Grand #206, one year round rental – STR

Birdie's Grill and Tavern, Rebecca Allen, (208-1-6), 168 Saco Ave., victualers with prep and alcohol.

Rebecca Allen, (208-1-6), 168 Saco Ave., 3 year round rentals.

Isaac Herman, (206-7-12), 5-7 Shady Lane, one year round rental – STR

Seagrass Management LLC, Jennifer Brown, (318-8-6-32), 146 West Grand #32, one year round rental – STR.

Stuart Leckie, (208-1-1-4), 180 Saco Ave #4, one seasonal rental – STR.

Adamo Properties LLC, Jason Adamo, (105A-1-821), 66 Wild Dunes Way, one year round rental.

Johnny Shucks Maine Lobster, Old Orchard Beach Associates, (205-5-5), 16 Old Orchard St., victualers with prep and alcohol.

Johnna Brown and Jeff Brown, (206-27-5-10), 5 Sunset Drive #10, one seasonal rental – STR.

Chair: Shawn O'Neill

TOWN MANAGER REPORT

Tabled Items:

AGENDA ITEM #7891

Discussion with Action: Approve the proposal from Safe Stadium Facility Evaluation in the amount of \$13,897.00 for the inspection and assessment of seven (7) steel sports lighting poles at the Ballpark from account number 51002-50911 CIP Ballpark Improvements with a balance of \$143,949.38.

Item was tabled without prejudice at the May 16, 2023 meeting for further research.

Chair: Shawn O'Neill

NEW BUSINESS:

AGENDA ITEM # 7892

Discussion with Action: Set the Public Hearing Date for June 20, 2023, for the Town Council to consider amendments to Ch. 78, Art. VI, Sec. 78-869 (b) (2); 78-870 (b); 78-871 (c) (1), (2) and renumber existing (2) and (3). These amendments propose changes to the NC3 District setback, multifamily, and parking standards.

Chair: Shawn O'Neill

AGENDA ITEM # 7893

Discussion with Action: Shall the Town consider amendments to the Code of Ordinances, Chapter 54, Traffic and Vehicles, Section 187, Restrictions and Prohibitions, Old Orchard Street, by adding one ten-minute parking spot in front of 33 Old Orchard Street (MBLU 206-31-6) and one ten-minute parking spot in front of 28-30 Old Orchard Street (MBLU 205-4-4).

(Council recommended changing to four (4) 15-minute parking spaces.)

Chair: Shawn O'Neill

AGENDA ITEM # 7894

Discussion with Action: Cancel the regular meeting of the Old Orchard Beach Town Council on Tuesday, July 4th, 2023 in recognition of the July 4th holiday.

Chair: Shawn O'Neill

AGENDA ITEM # 7895

Discussion: Introduce ordinance amendments associated with the Housing Opportunity Program. This program is associated with state law LD2003 which seeks to increase housing opportunities by encouraging the production of housing.

Chair: Shawn O'Neill

AGENDA ITEM # 7896

Discussion With Action: Accept the Quote from Quirk Chevrolet for a 2023 Chevrolet Silverado 1500 4x4 Crew Cab for the price of \$47,998 and the quote of \$14,500 from New England Vehicle Outfitters for the emergency light installation. This vehicle will serve as the Deputy Chiefs Vehicle, car-2. This purchase was approved as part of the FY 2023 Debt Service Budget. The total purchase price of \$62,498 will be financed through a lease purchase agreement with Androscoggin Bank at 5.63% (tax exempt) with five annual payments in the amount of \$13,905.37 from account 20197-50330 Debt Service Equipment Replacement with a balance of \$94,409.21.

Chair: Shawn O'Neill

AGENDA ITEM # 7897

Discussion with Action: Approve the line item Transfer for the Public Works department in the amount of \$40,000.00 from account 20151-50106 Public Works Full Time employee wages with a balance of \$258,863.29 and \$25,453.08 from account 20197-50395 Debt Service Interest Expense with a balance of \$278,390.72 to account 20151-50501 Public Works Operating Equipment with a balance of (29,686.66).

(These line item transfers will bring the account balance for 20151-50501 to \$35,766.42.)

Chair: Shawn O'Neill

AGENDA ITEM # 7898

Discussion with Action: Approve the quote from United Ag & Turf for the purchase of a John Deere Z930M ZTrak mower in the amount of \$11,553.08 from account 20151-50501 Public Works Operating Equipment with a balance of \$35,766.42.

Chair: Shawn O'Neill

AGENDA ITEM # 7899

Discussion with Action: Approve the quote from Kompan Inc. in the amount of \$5,522.40 for a Motorcycle themed in-ground Seesaw for the Memorial Park playground from account 20152 50501 Memorial Park Operating Supplies and Equipment with a balance of \$7,546.85.

Chair: Shawn O'Neill

AGENDA ITEM # 7900

Discussion with Action: Approve the quote from Hayes Pump for a replacement mechanical seal on RAS pump for \$9,060.00 from account 20161-50452 Wastewater Operating Equipment with a balance of \$12,834.54.

Chair: Shawn O'Neill

AGENDA ITEM # 7901

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 7 Mile Beach Condominiums' project: Overlook Drive and Salt Point Drive.

Chair: Shawn O'Neill

AGENDA ITEM # 7902

Discussion with Action: Approve the Special Event Permit applications for the 2023 annual Ocean Park Association events, as follows: 1) a sand sculpture contest on the beach between Randall and Winona Avenues on Monday, July 3rd, set up from 1-2 p.m., event and takedown 2-5 p.m.; 2) an Independence Day Parade , starting on Temple Avenue, on Tuesday, July 4th, set up from 9-10 a.m., event and take down 10- noon; 3) the Ocean Park 5k Race on Friday, July 28th, set up from 3-5 p.m., event and take down from 5-8 p.m. in Ocean Park; 4) Illumination Night, Saturday, August 5th, event set-up 2-5 p.m., event and takedown, 5-10:30 p.m., candles removed from beach early morning of August 6th; 5) Bonfire on the beach at the end of Randall Avenue, Thursday, August 3rd, set-up 7-7:30 p.m., event 7:30-9:30 p.m., takedown 9:30-10 p.m.; 6) Kids Fun Run, back streets of Ocean Park, Saturday, July 29th, set-up from 9-10 a.m., event and takedown from 10-11 a.m. 7) Square Dance between West Grand and Seaside Avenues, Tuesday July 4th, request to close that section of Temple Avenue, set-up from 5-7 p.m., event 7-9 p.m. and takedown from 9-10 p.m.; 8) Request to close Colby Avenue in front of their Recreational Hall, for a dance being held inside their Hall, Saturday, July 1st, 2023, set-up from 5-6 p.m., event from 6-9 p.m., and takedown by 9-10 p.m.—event also includes a bonfire on the beach, to end by 11 p.m.

Chair: Shawn O'Neill

AGENDA ITEM # 7903

Discussion with Action: Approve the Special Event Permit Application for MAPS to hold their annual Breakaway 5K Road Race on Saturday, August 19th, 2023, 6:00a.m. to 10a.m. starting in the Square. Also, to set up a tent on the grass area by the restrooms at the Milliken Street Municipal Parking Lot for pre-registered runners to pick up their race packets on Friday, August 18th, 2023 from 5 p.m. to 7 p.m. Insurance, listing the Town of Old Orchard Beach as additionally insured, to be provided to the Town Clerk's Office at least two weeks prior to the event.

Chair: Shawn O'Neill

AGENDA ITEM # 7904

Discussion with Action: Approve the proposal from Stantec Consulting Services to be scheduled after July 1, 2023, in the amount of \$6,910.00 from account 20173-50300 Conservation Commission Professional Engineering with a projected FY24 budget of \$9,000 for invasive plant control services.

Chair: Shawn O'Neill

AGENDA ITEM # 7905

Discussion with Action: Approve a budget carry forward from FY 23 Operating Budget, account number 20110-50310 Town Planner Service Contracts in the amount \$29,500, with a balance of \$29,500 to the FY 24 Operating Budget, account number 20110-50310 Town Planner Service Contracts to contract with SMPDC for professional services to assist with updating the Old Orchard Beach Comprehensive Plan.

Chair: Shawn O'Neill

AGENDA ITEM # 7906

Discussion with Action: Approve a budget carry forward from FY 23 Operating Budget, account number 20151-50106 Public Works Full Time Wages in the amount of \$40,000 with a balance of \$218,863.29 to the FY 24 Operating Budget, account number 20151-50106 Public Works Full Time Wages to fund the Transfer Station Attendant Position in the FY 2024 Budget.

Chair: Shawn O'Neill

AGENDA ITEM # 7907

Discussion with Action: Approve a budget carry forward from FY 23 Operating Budget, account number 20197-50330 Debt Service Equipment Replacement in the amount of \$11,500 with a balance of \$94,409.21 to the FY 24 Operating Budget, account number 20197-50330 Debt Service Equipment Lease to fund a new Van for the Fire Police. This was an FY 23 budgeted item but due to lack of inventory the vehicle has not yet been purchased.

Chair: Shawn O'Neill

AGENDA ITEM #7908

Discussion with Action: Appoint Kevin Hedberg as a regular member of the Board of Assessment Review, term to expire 12/31/2024; appoint George Plaumann as a regular member of the Board of Assessment Review, term to expire 12/31/2025.

Chair: Shawn O'Neill

AGENDA ITEM # 7909

Discussion with Action: Renew the liquor license for The Local Eatery and Tap, (309-1-5), 23 Washington Ave, m-s-v Class A Restaurant/Lounge.

Chair: Shawn O'Neill

AGENDA ITEM # 7910

Discussion with Action: Renew the liquor license for the Bell Buoy Restaurant, KTD, Inc, (205-4-5-B), 24 Old Orchard St, m-s-v in a restaurant.

Chair: Shawn O'Neill

AGENDA ITEM # 7911

Discussion with Action: Renew the liquor license for the Old Orchard Beach Inn, OOB Inn LLC, (205-1-3), 6 Portland Ave, m-s-v in a bed and breakfast.

Chair: Shawn O'Neill

AGENDA ITEM # 7912

Discussion with Action: Approve the Special Event Permit Application for Palace Playland and the Pier to hold Fireworks displays every Thursday at 9:45 p.m. on the beach in front of Palace Playland, June 22nd to August 24th, 2023, to also include July 3rd and July 4th, 2023. Approval by the State Fire Marshall's Office to be provided to the Town Clerk's Office at least one week prior to the first display. No fee as this event is co-sponsored by the Town. Insurance, listing the Town of Old Orchard Beach as additionally insured to be provided at least two weeks prior to the events.

Chair: Shawn O'Neill

AGENDA ITEM #7913

Discussion With Action: Consider the Following:

FY 2024 Municipal Operating Budget Appropriation in the amount of \$22,334,967

FY 2024 Capital Improvement Budget Appropriation in the amount of \$3,223,046

FY 2024 Non-Property Tax Revenue Appropriation in the amount of \$6,043,800

FY 2024 Appropriation of \$500,000 from the Unassigned Fund Balance and

\$500,000.00 from the Rescue Fees Billing Fund; for the purpose of reducing the FY2024 Property Tax Commitment.

Authorizing the Finance Director to set the Percentage Rate for the FY 2024 tax bill to be used for operation and maintenance of the Wastewater Treatment Plant and sewer infrastructure, after approval of the FY 2024 Budget.

Authorizing and directing the Assessor to prepare a perfect list of all taxes of the municipality and to commit the same to the Tax Collector.

Authorizing and directing the Tax Collector and Treasurer, pursuant to 36 M.R.S.A., Section 906, to apply any tax payment received from an individual as payment for any property tax against outstanding or delinquent taxes due on said property in chronological order beginning with the oldest unpaid tax bill provided. However, that no such payment may be applied to any tax for which an abatement application or appeal is pending unless approved in writing by the taxpayer.

Setting Property Tax due dates of **September 21st, 2023** and **March 21st, 2024** for the FY 2024 property taxes.

Setting interest rate of **8%** for delinquent property taxes.

Authorizing the Tax Collector and Treasurer to accept prepayments of taxes before commitment at an interest rate of 0%, pursuant to 36 M.R.S.A, Section 506.

Chair: Shawn O'Neill

AGENDA ITEM # 7914

Discussion with Action: To approve the use of up to \$1,000,000 from the Unassigned Fund Balance to be used specifically for Capital Infrastructure Improvements for roads and sidewalk Infrastructure projects. In the event funding is not used, the funds will remain in the town's Unassigned Fund Balance.

Chair: Shawn O'Neill

ADJOURNMENT

Chair: Shawn O'Neill