



## Town Council - Meeting Agenda

**July 25<sup>th</sup>, 2023 @ 6:30pm**  
**Council Chambers - 1 Portland Avenue**

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### **PLEDGE OF ALLEGIANCE:**

### **ROLL CALL:**

### **ACKNOWLEDGEMENTS:**

### **GOOD & WELFARE:**

### **ACCEPTANCE OF MINUTES:**

Acceptance of the minutes from the 6/20/23 Regular Council Meeting.

Chair: Shawn O'Neill

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

Lazy Days Restaurant, David A. Begin/Eric Begin, Port Georgia LLC (206-31-19-A), 4 First Street, m-s-v in a Class 1 Restaurant.

Chair: Shawn O’Neill

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

Lazy Days Restaurant, David A. Begin/Eric Begin, Port Georgia LLC (206-31-19-A), 4 First Street, victualers with prep and alcohol.

Dana and Kathleen Kango, (319-3-2), 5 Hampton Ave, 1 seasonal rental, STR.

Heidi and James Sherman Jr., (312-3-7), 104 First Street, 1 year round rental, STR.

Kristin Riciardone, (313-2-11), 3 Bay Ave Unit 23, 1 seasonal rental, STR.

Sully’s Seacoast LLC, Susan and Jeff Sullivan, (304-7-1), 78 East Grand #106, 1 seasonal rental, STR.

Joseph Slattery, (203-1-10), 91 Portland Ave, 1 seasonal rental, STR.

Abby & Wesley Jacobs, (304-7-1), 78 East Grand Ave # 208, 1 year round rental, STR.

LMM Hospitality LLC, Keshia and Zach Pratt, DBA BOBA (206-32-1), 15 Old Orchard St., victualers with prep, no alcohol.

Anne L’Heureux, (311-15-9), 8 Prospect Ave, 1 year round rental.

John & Jessica Mangini, (308-3-12), 74 Central Park, 1 seasonal rental, STR (new).

Dennis & Sharon Platt, (319-2-3), 11 Hampton Ave, 1 seasonal rental, STR (new).

Beach Days LLC, John Day, (205-17-14), 7 Smith Avenue, one year round rental  
– STR.

Chair: Shawn O’Neill

## **TOWN MANAGER REPORT**

### **NEW BUSINESS:**

#### **AGENDA ITEM #7925**

**Discussion with Action:** Approve the Old Orchard Beach Police Patrolmen’s Association Union Contract for the Police Department effective July 1, 2022 through June 30, 2025.

Chair: Shawn O’Neill

#### **AGENDA ITEM #7926**

**Discussion with Action:** Approve the Local 2247 International Association of Firefighters AFL-CIO-CLC Union Contract for the Fire Department effective July 1, 2023 through June 30, 2026.

Chair: Shawn O’Neill

## AGENDA ITEM #7927

**Discussion with Action:** To see if the Town of Old Orchard Beach will vote to change its plan for its firefighters for future service only effective August 1, 2023.

The Town agrees to:

- a) Adopt Special Plan 3C for its full-time firefighters who regularly work at least 37 hours per week, 52 weeks per year for service rendered after July 31, 2023. Service rendered by firefighters before August 1, 2023 remains under Special Plan 2C; and
- b) Continue to provide Special Plan 3C to its full-time police officers hired after October 11, 1992 who regularly work at least 37 hours per week, 52 weeks per year; and
- c) Continue to provide Special Plan 1C to its full-time police officers hired before October 12, 1992 who work at least 37 hours per week, 52 weeks per year; and
- d) Continue to provide Regular Plan AC to all other full-time employees who regularly work at least 37 hours per week, 52 weeks per year; and
- e) Continue to exclude all other employees, including per diem only employees, elected officials and election workers, from participating in the plan; and
- f) To authorize Diana Asanza, Town Manager to sign the Amended Agreement between the Town and the Maine Public Employees Retirement System.

Motion approved as written.

Chair: Shawn O'Neill

**AGENDA ITEM #7928**

**Discussion with Action:** Shall the Town Council adopt 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

**AGENDA ITEM #7929**

**Discussion with Action:** Appoint Mary Pat Donnellon and Peter Guidi to the Comprehensive Plan Committee, terms to expire 12/31/2025.

Chair: Shawn O'Neill

**AGENDA ITEM #7930**

**Discussion with Action:** Set the public hearing date for August 1<sup>st</sup>, 2023 for the Town Council to consider an amendment to the Code of Ordinances, Chapter 54, Traffic and Vehicles, Section 187, Restrictions and Prohibitions, Old Orchard Street, by adding one fifteen-minute parking space in front of 41 Old Orchard Street (MBLU 206-31-9).

Chair: Shawn O'Neill

### **AGENDA ITEM #7931**

**Discussion with Action:** Shall the Town Council adopt 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 #7932**

**Discussion with Action:** Approve the agreement between the Town of Old Orchard Beach and the Town of Scarborough for the Town of Scarborough to provide Dispatch and Public Safety Answering Point services for the Town of Old Orchard Beach for the time period of 7/1/2023 through 6/30/2024 for a fee of \$451,793.00 from account #20131-50310 Police Service Contracts with a FY 24 balance of \$544,200.

Chair: Shawn O'Neill

### **AGENDA ITEM #7933**

**Discussion with Action:** Accept the Quote from Bill Dodge Auto Group in the amount of \$39,725.18 for a 2023 GMC Savana 2500 and the quote in the amount of \$5,950.00 from New England Vehicle Outfitters for the emergency light installation, for a total of \$45,675.08 to be financed through a lease purchase agreement with Androscoggin Bank at 5.62% (tax exempt) for five years with annual payments not to exceed \$10,734.47 from account 20197-50330 Debt Service Equipment Replacement with a balance of \$642,500.00.

Chair: Shawn O'Neill

**AGENDA ITEM #7934**

**Discussion with Action:** Accept the Quote from Motorola Solutions in the amount of \$100,950.00 for 50 Motorola APX-900 P25 Portable Radios for the Fire and Police Departments to be financed through a lease purchase agreement with Androscoggin Bank at 5.62% (tax exempt) with five annual payments in the amount of \$22,455.93 from account 20197-50330 Debt Service Equipment Replacement with a balance of \$642,500.00.

Chair: Shawn O'Neill

**AGENDA ITEM #7935**

**Discussion with Action:** Approve the Council Order 2023-1 to authorize the Lease Purchase of Public Safety Radio Equipment in the Principal Amount of \$100,950.00

Chair: Shawn O'Neill

**AGENDA ITEM #7936**

**Discussion with Action:** Accept the quote from TSI for a Porta Count Respiratory Fit Tester in the amount of \$16,570.00 from account #52002-50927 Fire Safety Equipment with a balance of \$39,475.00.

Chair: Shawn O'Neill

**AGENDA ITEM #7937**

**Discussion with Action:** Accept the quote from Stryker in the amount of \$22,083.43 for a Lucas 3 Chest Compression System from account #52002-50927 Fire Safety Equipment with a balance of \$39,475.00.

Chair: Shawn O'Neill

**AGENDA ITEM #7938**

**Discussion with Action:** To accept grant funds in the amount of \$21,250.00 from The Recycling Partnership, to be used towards the purchase of recycling totes for municipal solid waste automated collection services.

Chair: Shawn O'Neill

**AGENDA ITEM #7939**

**Discussion with Action:** Approve the bid from Rehrig Pacific Company in the amount of \$444,132.50 for the purchase of municipal solid waste and recycling carts, to be funded in part by the Recycling Partnership Grant in the amount of \$21,250 and a lease purchase agreement through Gorham Savings Bank, in the principal amount of \$422,882.50 financed for 10 years at 5.00% with annual payments in the amount of \$52,249.96 from account number 20197-50330 Debt Service Equipment Replacement with a balance of \$642,500.00.

Chair: Shawn O'Neill



**AGENDA ITEM #7940**

**Discussion with Action:** Approve the Council Order 2023-2 entitled “Order to Authorize Lease Purchase of Solid Waste and Recycling Carts in the Principal Amount of \$422,882.50.

Chair: Shawn O’Neill

**AGENDA ITEM #7941**

**Discussion with Action:** Authorize the Town Manager to enter into the Animal Shelter Agreement for Fiscal Year 2024 with the Animal Welfare Society for the purpose of providing shelter for stray and lost domesticated companion animals located within the Town of Old Orchard Beach, in the amount of \$13,069.92 from account #20131-50310 Service Contracts Expense with a balance of \$544,200.00.

Chair: Shawn O’Neill

**AGENDA ITEM #7942**

**Discussion with Action:** Approve the quote from Precision Equipment Coatings to paint the John Deere 624k loader for an amount not to exceed \$18,000.00 from account 50002-50551 CIP Public Works Operating Equipment Capital with a balance of \$100,153.09.

Chair: Shawn O’Neill

### **AGENDA ITEM #7943**

**Discussion with Action:** Approve a budget carry from the FY 23 Operating Budget, account number 20151-50300 Public Works Engineering Fees in the amount of \$7,573 with a balance of \$54,809.14 to the FY 24 Operating Budget account number 20151-50300 Public Works Engineering Fees for MS4 Engineering Services.

Chair: Shawn O'Neill

### **AGENDA ITEM #7944**

**Discussion with Action:** Approve a budget carry forward from the FY 23 Operating Budget, account number 20131-50519 Police Department K-9 Program in the amount of \$15,000 with a balance of \$15,000 to the FY 24 Operating Budget, account number 20131-50519 Police Department K-9 program to fund the K-9 program in the FY 2024 Budget.

Chair: Shawn O'Neill

### **AGENDA ITEM #7945**

**Discussion with Action:** Accept the quote from Douglas Sports Equipment in the amount of \$15,393.00, for 6 Premier PPS-22SQ Portable Pickleball Systems from account 51002-50902 CIP Admin Rec-Loranger Tennis/Pickleball Court with a balance of \$67,018.00.

Chair: Shawn O'Neill

### **AGENDA ITEM #7946**

**Discussion with Action:** Approve the purchase of ten Franklin 4-Station Voting Booths from Inclusion-Solutions, in the amount of \$10,206.96 from account number 20107-50501, Operating Supplies for Elections with a balance of \$15,000.00.

Chair: Shawn O'Neill

### **AGENDA ITEM #7947**

**Discussion with Action:** To approve the proposal from Wright Pierce for the New Salt Road reconstruction, to include design, and construction administration and oversight, in the amount of \$58,300.00 from account number 50002-50506 CIP Road Maintenance and Improvement with a balance of \$1,025,414.31. This proposal is part of the Town's claim for disaster reimbursement through the FEMA Disaster Assistance from the December 23, 2022, storm event.

Chair: Shawn O'Neill

### **AGENDA ITEM #7948**

**Discussion with Action:** To approve the proposal from Wright Pierce for the New Salt Road Tide Gate Structural Assessment, to include inspection of the tide gates and culverts including appurtenant structures, in the amount of \$6,600.00 from account number 20151-50300 Public Works Professional Engineering Services with a balance of \$168,000.00. This proposal is part of the Town's claim for disaster reimbursement through the FEMA Disaster Assistance from the December 23, 2022, storm event.

Chair: Shawn O'Neill

### **AGENDA ITEM #7949**

**Discussion with Action:** Renew the liquor license for Big Daddy's Bar and Grill, Guy Loranger, Big Daddy's Bar & Grill, Inc., (307-3-4) 13 Old Orchard Street, m-s-v in a Class A Restaurant.

Chair: Shawn O'Neill

### **AGENDA ITEM #7950**

**Discussion with Action:** Accept Federal Grant funds in the amount of \$5,000.00 from the Juvenile Justice Assistance Program administered by the State of Maine Department of Corrections.

Chair: Shawn O'Neill

### **AGENDA ITEM #7951**

**Discussion with Action:** Move the Special Event Permit for the Salvation Army Family Fun Night, closing the section of Church Street adjacent to their property, from August 2<sup>nd</sup> to July 31<sup>st</sup>, 2023, the same times of 3 p.m. to 9 p.m. This permit was approved August 3<sup>rd</sup>, 2021.

Chair: Shawn O'Neill

### **AGENDA ITEM #7952**

**Discussion with Action:** Approve the Special Event Permit application for the Old Orchard Beach Recreation Department to hold Community Concerts in Memorial Park, the following Thursdays, July 20<sup>th</sup>, 2023, July 27<sup>th</sup>, 2023, August 3<sup>rd</sup>, 2023 and August 10<sup>th</sup>, 2023, rain date August 17<sup>th</sup>, 2023.

Chair: Shawn O'Neill

### **AGENDA ITEM #7953**

**Discussion with Action:** Approve the Special Event Permit application for the Old Orchard Beach Recreation Department to hold Round Robin Basketball Games at the Memorial Park Basketball Courts on Saturday, July 22<sup>nd</sup>, 2023, from 8 a.m. to 7 p.m., including set-up and takedown. Rain date July 23<sup>rd</sup>, 2023, same times.

Chair: Shawn O'Neill

### **AGENDA ITEM #7954**

**Discussion with Action:** Approve the Special Event Permit application for Ashley Hay to hold a wedding on the beach at the end of Parcher Avenue. Event, including set-up and take down, is from 2 p.m. to 8 p.m., Saturday, August 19<sup>th</sup>, 2023.

Chair: Shawn O'Neill

### **AGENDA ITEM #7955**

**Discussion with Action:** Approve the Special Event Permit for the New England Parkinson's Ride to set-up at the Ballpark on Thursday, September 7<sup>th</sup>, 2023 from 11 a.m. to 3 p.m., and hold their event on Friday, September 8<sup>th</sup>, 2023, at the Ballpark, from 4 p.m. to 9 p.m., and the race beginning and ending at the Ballpark on Saturday, September 9<sup>th</sup>, 2023 from 5 a.m. to 5 p.m. Clean-up is part of the contract with the Ballpark.

Chair: Shawn O'Neill

## **AGENDA ITEM #7956**

**Discussion with Action:** Approve the Special Event Permit applications for Pier Leasing Co. to hold their Bikefest on Saturday, August 26<sup>th</sup>, 2023 from 10 a.m. to 10 p.m. and to hold a Jeepfest on Saturday, September 9<sup>th</sup>, 2023, 10 a.m. to 10 p.m. Request to close the Square to parking with the exception that the horseshoe must be kept open for emergency vehicle access.

Chair: Shawn O'Neill

## **ADJOURNMENT**

Chair: Shawn O'Neill