



## Town Council - Meeting Agenda

**September 5<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](http://oobmaine.com).)*

### **PLEDGE OF ALLEGIANCE:**

### **ROLL CALL:**

### **ACKNOWLEDGEMENTS:**

### **GOOD & WELFARE:**

### **PRESENTATION:**

PD Presentation – Chief Chard

FY 2022 Audit Presentation – RHR Smith & Co.

**ACCEPTANCE OF MINUTES:**

**Acceptance of Minutes from the 8/15/2023 Regular Council Meeting.**

Chair: Shawn O'Neill

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

Sonia Persechiri, (206-29-15), 6 A Street, one seasonal short-term rental.

AGH Properties, Dan Hoffman, (205-1-3), 44 Adelaide Rd., one year-round short-term rental.

Bluestone Partners LLC, John and Petra Donovan, (312-7-12) 53 West Old Orchard Ave., one year-round long-term rental.

Colm Hogan, (318-8-6-14), 146 West Grand Ave #14, one year-round short-term rental.

Eric Hobin, (106-5-17), 9 Birch Lane, one year-round short-term rental.

Marshal and Julie Armitage, (318-8-1), 29 Reggio, two year-round short-term rentals.

Danielle Chapman, (316-3-7-A & B), 4 Odessa Ave. Units A & B, two seasonal, short-term rentals.

Chair: Shawn O'Neill

## **TOWN MANAGER REPORT**

### **UNFINISHED BUSINESS:**

#### **AGENDA ITEM #7966**

**Discussion with Action:** Enact an Emergency Ordinance establishing a Moratorium on Short Term Rentals, whereas no specific regulations governing Short Term Rentals exists under the Town of Old Orchard Beach's Zoning Ordinances, which the Town Council has determined creates a public emergency under the provisions in Section 410.1 of the Town Charter, and which has raised concerns related to public safety and welfare and potential adverse effects on the fabric of residential neighborhoods.

Tabled at 8/15/2023 Regular Town Council Meeting.

Chair: Shawn O'Neill

### **NEW BUSINESS:**

#### **AGENDA ITEM # 7980**

**Discussion with Action:** Town Council to consider amendments to Ch. 71, Article III, Sec. 78-41 (b). This amendment proposes changes to the Post-construction Stormwater Management ordinance.

Chair: Shawn O'Neill

**AGENDA ITEM # 7981**

**Discussion with Action:** Town Council to consider amendments to Ch. 78, Article II, Sec. 78-36 (b); Article VI, Sec. 78-215 (b) (3), (4) and renumber existing (4), (5), and (6); Article VIII, Sec. 78-1412; and 78-1856 – 1863. These amendments propose changes to the Erosion and Sedimentation Control ordinance to comply with the Town’s current Stormwater Management Plan.

Chair: Shawn O’Neill

**AGENDA ITEM #7982**

**Discussion with Action:** Approve the purchase and delivery to the Fire Department of 2, 40’ storage containers from IPL Management LLC for \$12,460.00 from account #52002-50813 CIP Facility Improvements, Fire with a balance of \$154,025.24.

Chair: Shawn O’Neill

**AGENDA ITEM #7983**

**Discussion with Action:** Award the proposal from Fire Tech & Safety of New England, Inc. in the amount of \$65,095.00 for the purchase of Structural Firefighting Turnout Gear from account # 52002-50895 CIP Fire Equipment/Gear with a balance of \$65,922.54

Chair: Shawn O’Neill

### **AGENDA ITEM #7984**

**Discussion with Action:** Set the date of September 19, 2023 to hold a public hearing to consider whether to approve a Contract Zone Agreement between Land Matters, LLC and the Town of Old Orchard Beach, for the property located at 60 Saco Ave., Map 206, Block 10, Lot 1 in the GB2 district, pursuant to 30A M.R.S.A., Section 4352 (8), Chapter 78, Section 78-31 and Chapter 78, Article IX of the Old Orchard Beach Zoning Ordinance, and Section 410 of the Old Orchard Beach Charter. The purpose of the Contract Zone is to allow the establishment of a 6-unit residential condominium building.

Chair: Shawn O'Neill

### **AGENDA ITEM #7985**

**Discussion with Action:** Appoint Edwin Bones as an associate member of the Zoning Board of Appeals, term to expire 12/31/24.

Chair: Shawn O'Neill

### **AGENDA ITEM #7986**

**Discussion with Action:** Approve the Special Event Permit application for 5k Sports Race Management to hold a road race on Sunday, October 8<sup>th</sup>, 2023, from 9 a.m. to 1 p.m. Two Old Orchard Beach police officers are required, and must be booked at least two weeks prior to the event; any cancellation of the event must be at least one week prior to the event.

Chair: Shawn O'Neill

## **AGENDA ITEM #7987**

**Discussion with Action:** Set the public hearing date of September 19th, 2023, to amend the Code of Ordinances, Section 54, Traffic and Vehicles, Section 187, Restrictions and Prohibitions, York Street, changing the designation of the first two parking spaces on the left side facing the ocean, from East Grand Avenue, as handicap parking, to designating the second and third parking spaces on the left side facing the ocean, from East Grand, as handicap parking spaces.

Chair: Shawn O'Neill

## **AGENDA ITEM #7988**

**Discussion with Action:** Approve the FY 23 Line Item Transfer of \$209,445.20 from the following accounts with credit balances:

- \$4,342.40 from account 20119-50115 Separation Pay with a balance of 4,342.40
- \$14,640.29 from account 20119-50124 In Lieu of Health Insurance with a balance of \$14,640.29
- \$32,059.69 from account 20119-50203 ICMA 457 Employer Share with a balance of \$32,059.69
- \$50,000 from account 20119-50209 Health Savings account with a balance of \$50,000
- \$96,364.55 from account 20119-50210 Health Insurance with a balance of \$96,364.55
- \$6,730.39 from account 20119-50211 Dental Insurance with a balance of \$6,730.39
- \$1,788.95 from account 20119-50212 IPP Insurance with a balance of \$1,788.95
- \$1,763.48 from account 20119-50213 Life Insurance with a balance of \$1,763.48
- \$896.44 from account 20119-50373 Unemployment Compensation with a balance of \$896.44
- \$859.01 from account 20118-50350 Contingency Expense with a balance of \$90,635

Total to be Transferred: \$209,445.20

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To the Following Accounts with Deficit Balances:

- \$8,121.02 to account 20119-50201 FICA and Medicare Expense with a balance of (\$8,121.02)
- \$58,545.90 to account 20119-50202 Maine State Retirement with a balance of (\$58,545.90)
- \$129,103.98 to account 20119-50214 Workers Comp with a balance of (\$129,103.98)
- \$13,674.30 to account 20119-50371 General/Vehicle/Flood Insurance with a balance of (\$13,674.30)

Total Deficit: \$209,445.20

Chair: Shawn O'Neill

**AGENDA ITEM # 7989**

**Discussion with Action:** Approve the FY 23 Line Item Transfer of \$2,388.93 from account 20118-50350 Contingency expense with a balance of \$89,775.99 to account 20115-50310 Town Hall Service Contracts with a balance of (\$2,388.93).

Chair: Shawn O'Neill



## AGENDA ITEM # 7990

**Discussion with action:** Approve the FY 23 Line Item Transfer of \$103,557.19 from account 20139-50106 Code Enforcement Full time Employee Expense with a balance of \$109,125.67 to the following accounts with deficit balances:

\$75,590.88 to account 20139-50101 Code Enforcement Department Head Salary with a balance of (\$75,590.88)

\$27,966.31 to account 20139-50107 Code Enforcement Part time Employee with a balance of (\$27,966.31)

Total Deficit: \$103,557.19

Chair: Shawn O'Neill

### **AGENDA ITEM # 7991**

**Discussion with Action:** Accept the proposal from Androscoggin Bank for the lease purchase of three 2021 Hyundai Kona's and 1 2020 Hyundai Ioniq for the price of \$89,872. The total purchase price of \$89,872 will be financed through a lease purchase agreement with Androscoggin Bank at 4.99% (Tax Exempt) with 5 annual payments of \$19,766.10 from account 20197-50330 Debt Service Equipment Replacement with a balance of \$470,239.28. The town previously leased these vehicles for free and will now be buying them out at the end of the lease term. This purchase was approved as part of the FY 2024 Debt service Budget.

Chair: Shawn O'Neill

### **AGENDA ITEM # 7992**

**Discussion with Action:** Amend OOB365's approved Special Event Permit, approved on 08/16/2022, for an event that includes Fireworks on the beach in front of the Brunswick, by moving the date of the event from September 11<sup>th</sup>, 2023 to October 8<sup>th</sup>, 2023, and moving the location from in front of the Brunswick to in front of Palace Playland.

Chair: Shawn O'Neill

### **ADJOURNMENT**

Chair: Shawn O'Neill