



Town Council - Meeting Agenda

September 19, 2023 @ 6:30pm
Council Chambers - 1 Portland Avenue

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PLEDGE OF ALLEGIANCE:

ROLL CALL:

ACKNOWLEDGEMENTS:

GOOD & WELFARE:

PRESENTATION:

Fire Department Appointments – Chief John Gilboy

ACCEPTANCE OF MINUTES:

Accept minutes from the 9/3/23 Regular Council Meeting.

Chair: Shawn O'Neill

PUBLIC HEARINGS ORDINANCE AMENDMENTS:

Public Hearing #1

Moratorium on Short Term Rentals:

Shall the Council enact an 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 and which has raised concerns related to public safety and welfare and potential adverse effects on the fabric of residential neighborhoods.

Chair: Shawn O'Neill

Public Hearing #2

Contract Zone Agreement:

Shall the Council 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

Public Hearing #3

Traffic and Vehicle Restrictions and Prohibitions:

Shall the Council 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

PUBLIC HEARING – BUSINESS LICENSE & APPROVALS:

Dylan J. Ball, (314-11-2), 93 Ocean Ave, three seasonal short-term rentals.

David Stone, (308-1-12), 18 Pine Ave, one seasonal short-term rental.

BK Properties, LLC, Shamayel Kargar, (305-2-1-83), 32 East Grand Ave #83, one seasonal short-term rental.

John Morich, (313-2-1-24), 1 Bay Ave, one seasonal short-term rental.

Chair: Shawn O'Neill

PUBLIC HEARING – SPECIAL AMUSEMENT PERMITS & APPROVALS:

The Beachwood, John and Shannon Cloutier, (307-1-4), 29 West Grand, DJ, guitar, karaoke, outside, 11:00am to 10:00pm, (no change).

GFB Scottish Pub, Kelly and Robert Greenlaw, (205-3-1), 32 Old Orchard St., DJ and live bands, inside, 12:00 pm to 12:30 am, (change from 2022, 12:00am)

Chair: Shawn O’Neill

TOWN MANAGER REPORT

NEW BUSINESS:

AGENDA ITEM #7993

Discussion with Action: Appoint Jennifer Leeman as Deputy Code Enforcement Officer, and Licensed Plumbing Inspector term to expire 7/1/2024.

Chair: Shawn O'Neill

AGENDA ITEM #7994

Discussion with Action: Adopt the Sexual Abuse and Molestation Prevention Policy as required by Traveler's insurance.

Chair: Shawn O'Neill

AGENDA ITEM #7995

Discussion with Action: Appoint Fire Chief John Gilboy as Old Orchard Beach Forest Fire Warden, term indefinite, Deputy Chief Clifton Whitten, Captains Zachary Apgar and Corey Pelletier as Old Orchard Beach Deputy Forest Fire Wardens, terms indefinite.

Chair: Shawn O'Neill

AGENDA ITEM #7996

Discussion with Action: Accept the proposal from Witmer Public Safety Group for the purchase of five (5) ballistic vests in the amount of \$5,847.56. To be funded by grant funds from Maine Municipal Safety Grant in the amount of \$3,000 and the balance of \$2,847.56 from account number 20138-50501 Fire Department Operating Equipment with a balance of \$36,618.29.

Chair: Shawn O'Neill

AGENDA ITEM #7997

Discussion with Action: Accept the proposal from Witmer Public Safety Group for the purchase of twenty-seven (27) Glock G45 9mm Handguns and twenty-seven (27) Safariland holsters in the amount of \$26,746.65 from account 52002- 50909 CIP Police Officer Equipment with a balance of \$37,500.05.

Chair: Shawn O'Neill

AGENDA ITEM #7998

Discussion with Action: Set the Public Hearing Date for October 3, 2023, for the Town Council to consider amendments to the Code of Ordinances, Section 54, Traffic and Vehicles, Section 187 (a), Restrictions and Prohibitions. This amendment proposes changes on Colby Avenue, by changing the time allowed to park on the southwest side (right side facing the ocean) from West Grand to Seaside Avenue from Five-minute parking to Fifteen - minute parking.

Chair: Shawn O'Neill

AGENDA ITEM #7999

Discussion with Action: Set the Public Hearing Date for October 3, 2023, for the Town Council to consider amendments to the Code of Ordinances, Section 54, Traffic and Vehicles, Section 187 (a), Restrictions and Prohibitions. This amendment proposes changes on Bay Avenue, by designating no parking on the parking space closest to 1 Bay Avenue (MBL 313-2-1) on the right side of the road.

Chair: Shawn O'Neill

AGENDA ITEM #8000

Discussion with Action: Approve the quote from HACH for Inline Dissolved Oxygen Probes for the Wastewater Treatment Facility for \$5,992.00 from account # 20161-50330 Wastewater Treatment, Equipment Replacement with a balance of \$24,649.71.

Chair: Shawn O'Neill

AGENDA ITEM #8001

Discussion with Action: Approve the proposal from Vortex Services for the storm drain line work on Third St. and Cedar Ave, for an amount not to exceed \$11,760.00 from account number 50002-50931 Stormwater Maintenance and Improvement with a balance of \$884,681.88.

Chair: Shawn O'Neill

AGENDA ITEM #8002

Discussion with Action: Authorize the Town Manager to enter into an agreement between the Maine Department of Transportation (MaineDOT) and the Portland Area Comprehensive Transportation System (PACTS) for proposed improvements to Old Orchard Road, beginning at Saco Ave. (Route 5) and extending south 0.42 of a mile to the Saco town line, at the estimated cost of \$275,000.00 funded through PACTS Federal allocation funding with a projected local municipal share of \$175,000.00 from account # 50002-50506 CIP Road Maintenance Improvements, with a balance of \$737,645.10.

Chair: Shawn O'Neill

AGENDA ITEM #8003

Discussion with Action: Approve the quote from Casco Bay Ford for the purchase of a 2023 Ford F-350 Regular Cab 4X4 Truck for the Wastewater Department in the amount of \$47,525.50, to be financed through a lease purchase agreement with Gorham Leasing Group paid in five (5) annual installments in the amount of \$10,517.28 annually, with an interest rate of 5.30%, from account number 20197-50330 Debt Service Lease Purchase, with a balance of \$358,990.59.

Chair: Shawn O'Neill

AGENDA ITEM #8004

Discussion with Action: Approve the quote from Precision Collision for \$15,000.00 for additional costs associated with the refurbishment of the Public Works John Deere 624K Loader, and an amount not to exceed \$10,000 for the parts required to refurbish the cab, for a total of \$25,000.00 from account number 20151-50452 Operating Equipment Repair Expense with a balance of \$173,378.67.

Chair: Shawn O'Neill

AGENDA ITEM #8005

Discussion with Action: Approve the FY 23 Line Item Transfer of \$387,990.93 from the following accounts with credit balances:

\$102,351.21 from account 20138-50102 FD Regular employee salary with a balance of \$102,351.21

\$13,255.75 from account 20138-50105 FD Fire Inspection Wage with a balance of \$13,255.75

\$5,000 from account 20138-50121 FD Annual Stipend Expense with a balance of \$5,000

\$6,812.52 from account 20138-50251 FD Conferences and Training with a balance of \$6,812.52

\$7,824.20 from account 20138-50405 FD Heating Fuel Expense with a balance of \$7824.20

\$5,541.86 from account 20138-50452 FD Operating Equipment with a balance of \$5,541.86

\$7,477.95 from account 20138-50453 FD Vehicle Repair with a balance of \$7,477.95

\$14,654.74 from account 20138-50501 FD Operational Supplies with a balance of \$14,654.74

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\$225,072.70 from account 20197-50395 Interest Expense with a balance of \$252,937.64

Total Credit Balance to Transfer: \$387,990.93

To the following accounts with deficit balances:

\$22,069.80 to account 20138-50101 FD Department Head Salary with a balance of (\$22,069.80)

\$75,395.57 to account 20138-50106 FD Full Time Employee Expense with a balance of (\$75,395.57)

\$78,358.56 to account 20138-50107 FD Part Time Employee Expense with a balance of (\$78,358.56)

\$212,167.00 to account 20138-50111 FT Overtime Wages with a balance of (\$212,167.00)

Total Deficit: \$387,990.93

Chair: Shawn O'Neill

AGENDA ITEM #8006

Discussion with Action: Renew the liquor license for The Beachwood, John and Shannon Cloutier, (307-1-4), 29 West Grand, m-s-v in a class I-A, hotel – food optional.

Chair: Shawn O'Neill

AGENDA ITEM #8007

Discussion with Action: Renew the liquor license for the Alouette Beach Cafe, Alouette OOB Ocean Front Resort Inc., D/B/A Alouette Beach Cafe, (303-1-11), 91 East Grand, m-v in a class I restaurant.

Chair: Shawn O'Neill

AGENDA ITEM #8008

Discussion with Action: Renew the liquor license for the GFB Scottish Pub, Kelly and Robert Greenlaw, (205-3-1), 32 Old Orchard St., m-s-v in a class A restaurant/lounge.

Chair: Shawn O'Neill

ADJOURNMENT

Chair: Shawn O'Neill