



## Town Council - Meeting Agenda

**October 17<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:**

### **ACCEPTANCE OF MINUTES:**

**Accept the minutes from the 10/3/2023 Regular Town Council Meeting and the 10/5/2023 Town Council Workshop.**

Chair: Shawn O'Neill

**PUBLIC HEARING – ORDINANCE AMENDMENTS:**

Shall the Council consider amendments to the Code of Ordinances, Section 54 Traffic, sub-section 187, Old Orchard Street, by changing all of the two-hour parking spaces and free 15-minute spaces to free 30-minute parking spaces, and adding nine free one-hour handicap spaces.

Chair: Shawn O’Neill

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

Paul Leite, (301-7-2), 182 East Grand Ave, two (2) year-round rentals.

1031 Portland Rd, LLC, Steven Hanscom, (316-13-11), 14 Union Ave, two (2) seasonal, short-term rentals.

Spencer Graham, (305-4-1-503), 1 Cleaves St. #503, one (1) year-round, short-term rental.

OMR School LLC, Alex Bakman, (206-28-19), 36 School St, three (3) year-round, short-term rentals.

93 Union LLC, Alex Bakman, (314-15-4), 93 Union Ave, three (3) year-round, short-term rentals.

Bradford & Kathleen Sheldon, (319-15-3), 125 West Grand Ave, two (2) year-round, short-term rentals.

Forever Real Estate LLC, Aaron Addition, (311-12-6), 18 Wesley Ave, one (1) seasonal short-term rental.

Dino Kisamitanis, (313-2-4-3), 15 Bay Ave unit #3, one (1) year-round, short-term rental.

Valdemar Marquez, (315-13-7), 39 Ocean Ave, one (1) year-round, short-term rental.

William Lee, (321-19-4), 20 Oceana Ave, two (2) seasonal short-term rentals.

Faith Roche, (316-5-2-3), 15 Seacliff Ave #3, one (1) seasonal short-term rental.

Jereld Sweet, (310-6-1-57), 39 West Grand Ave #57, one (1) seasonal short-term rental.

Valentyna Koval, (206-2-2), 10 Laurene Dr, one (1) year-round, short-term rental.

David & Judith Miller, (314-11-9), 111 Ocean Ave, one (1) year-round, short-term rental.

Amanda Fournier, (208-1-9-16), 7 Trinity Way, one (1) year-round, short-term rental.

Chair: Shawn O'Neill

**PUBLIC HEARING – SPECIAL AMUSEMENT PERMITS & APPROVALS:**

Portland Ave Associates d/b/a Grand Beach Inn (Rumorz), King Weinstein, (202-3-5), 198 East Grand Ave, Acoustic 1-3 person bands, Mon-Sunday 1:00 pm to 9:00 pm outside and inside.

Patio Pub Inc. d/b/a Pier Patio Pub, Thomas R. Redmond, (306-6-1), 2 Old Orchard St, DJ, solo, duet, band, comedy, Mon-Sunday 11:00 am to 1:00 am outside and inside.

TPR Inc. d/b/a Bull & Brew Wing House, Thomas R. Redmond, (306-5-2), 6 East Grand Ave, DJ, solo, duet, band, Mon-Sunday 11:00 am to 1:00 am outside and inside.

TPR Inc. d/b/a Tequila Frogs, Thomas R. Redmond, (306-5-3), 8 East Grand Ave, solo, duet, DJ, Mon-Sunday 12:00 pm to 12:30 am outside and inside.

Patio Pub Inc. d/b/a Hooligans Landing, Thomas R. Redmond, (306-6-1), 2 Old Orchard St, DJ, solo, duet, Mon-Sunday 12:00 pm to 1:00 am outside and inside.

Chair: Shawn O'Neill

## **TOWN MANAGER REPORT**

### **TABLED ITEMS:**

#### **AGENDA ITEM #8010**

**Discussion with Action:** 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

**Item to be tabled to the next meeting, 11/21/2023**

**NEW BUSINESS:**

**AGENDA ITEM #8021**

**Discussion with Action:** Approve the quote from Beauregard Equipment for the purchase of a 2024 Case 621G front-end loader for \$199,008.00 from general liability insurance proceeds and the balance from CIP Public Works account #50002-50531 Operating Equipment Capital with a balance of \$73,153.09.

Chair: Shawn O'Neill

**AGENDA ITEM #8022**

**Discussion with Action:** Approve the quote from Allegiance Trucks for the repair of the 2013 International plow truck for \$7,009.58 from account #20151-50452 Operating Equipment Repair with a balance of \$136,626.03.

Chair: Shawn O'Neill

**AGENDA ITEM #8023**

**Discussion with Action:** Approve the quote from Vortex Services for wet well and pump station cleaning at the Wastewater Treatment Facility for \$17,300 from account #20161-50342 Waste Pumping Expense with a balance of \$40,000.

Chair: Shawn O'Neill

### **AGENDA ITEM #8024**

**Discussion with Action:** Accept the grant funds from the Community Resilience Partnership Community Action Grant in the amount of \$33,500 to be used towards conducting energy audits of six (6) municipal buildings including Town Hall, Public Works, Wastewater Treatment Administration Building, Police Department, Fire Department, and the Recreation Building, and enacting an implementation plan for energy efficiency upgrades and weatherization.

Chair: Shawn O'Neill

### **AGENDA ITEM #8025**

**Discussion with Action:** Appoint Patrick Surette as Election Warden, Warren "Todd" Bassett, Sandra Jones, and Martha Conlan as Deputy Election Wardens, terms to expire 10/17/2024.

Chair: Shawn O'Neill

### **AGENDA ITEM #8026**

**Discussion with Action:** Appoint Sarah Petrin as a regular member of the Comprehensive Planning Committee, term to expire 12/31/2025.

Chair: Shawn O'Neill

## **AGENDA ITEM #8027**

**Discussion with Action:** Set the date of November 21, 2023 to hold a public hearing to consider whether to approve a Contract Zone Agreement between Seacoast Land Acquisitions, LLC and the Town of Old Orchard Beach, for the property located at 63-91 E. Emerson Cummings Blvd, MBL: 207-1-2, in the PMUD 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 61-unit single-family condominium project. Council will schedule a workshop at a to-be-determined and posted date.

Chair: Shawn O'Neill



## AGENDA ITEM #8028

**Discussion with Action:** Set the Public Hearing date of November 21, 2023, to consider a request from Atlantic Developers to accept title in fee simple and to accept and establish town ways those portions of Mary's Way and Kylie Lane, together with any storm water drainage systems located within the right of way of said Mary's Way and Kylie Lane; two 50' x 50' turnaround and snow storage easements located on subdivision plan lots 4 and 5; 12' wide easement off Ross Road, as shown on the \_\_\_\_\_ plan dated \_\_\_\_\_, for the purposes of accessing storm water drainage systems within the open space area; 50' wide water, gas, and public access easement across the remaining land of Beaulieu from the terminus of Mary's Way to the Eastern Trail; 5' wide public access easement from Ross Road to Kylie Lane, as shown on the \_\_\_\_\_ plan dated \_\_\_\_\_, through the open space area; fire hydrants; street signs; together with the responsibility for trash removal, plowing of roads within the travelled way and all responsibilities of maintaining public road or way, except and specifically excluding a 15' wide utility easement located on subdivision lot 18; 10' wide utility easements located along subdivision lots 5 – 18 and open space area; open space areas; lawn care and maintenance of 12' wide Ross Road access easement, 5' wide public access easement, and 50' wide water, gas and public access easement; mailboxes and snow removal of the mailbox area; sidewalks and sidewalk maintenance including plowing and repairs; landscaping and maintenance of the cul-de-sac on Kylie Lane; street lights; lighting facilities; lampposts; lighting electricity costs; street trees; lawn and yard maintenance within the right of way; lawn irrigation systems within the right of way; storm water drainage systems outside of the right of way; non-traffic control signage such as the development sign. As described in the Warranty Deed from Atlantic Developers to the Town of Old Orchard Beach, Maine, dated, \_\_\_\_\_.

Chair: Shawn O'Neill

## AGENDA ITEM #8029

**Discussion with Action:** Approve the FY 23 Line Item Transfer of \$114,831.15 from the following accounts with credit balances:

- \$114,831.15 from account 20151-50106 Public Works Full Time Employee Wages with a balance of \$148,978.07

Total Credit to be Transferred: \$114, 831.15

To the Following accounts with deficit balances:

- \$37,921.50 to account 20151-50318 Beach Cleaners Expense with a balance of (\$37,921.50)
- \$8,948.55 to account 20151-50336 Equipment Rental Expense with a balance of (\$8,948.55)
- \$48,726.53 to account 20151-50452 Operating Equipment Repair with a balance of (\$48,726.53)
- \$19,234.57 to account 20151-50515 Road Salt- Winter Expense with a balance of (\$19,234.57)
- Total Deficit to be covered: \$114, 831.15

Chair: Shawn O'Neill

### **AGENDA ITEM #8030**

**Discussion with Action:** Approve the FY 23 Line Item Transfer of \$28,254.43 from the following accounts with credit balances:

- \$28,254.43 from account 20163-50340 Waste Tipping/Disposal with a balance of \$32,799.66

Total Credit to be transferred: \$28,254.43

To the following account with a deficit balance:

- 28,254.43 to account 20163-50341 Waste Collection Expense with a balance of (\$28,254.43)

Total deficit: \$28,254.43

Chair: Shawn O'Neill

### **AGENDA ITEM #8031**

**Discussion with Action:** Renew the Liquor License for Portland Avenue Associates d/b/a Grand Beach Inn (Rumorz), Portland Ave Associates, King Weinstein, (202-3-5), 198 East Grand Ave, m-s-v in a Class I restaurant.

Chair: Shawn O'Neill

### **AGENDA ITEM #8032**

**Discussion with Action:** Renew the Liquor License for Taqueria 207, Jesus Ayala Puentes, (210-2-51), 2 Ocean Park Rd, m-s-v in a Class I restaurant.

Chair: Shawn O'Neill

**AGENDA ITEM #8033**

**Discussion with Action:** Renew the Liquor License for Patio Pub Inc. d/b/a Pier Patio Pub, Thomas R. Redmond, (306-6-1), 2 Old Orchard St, m-s-v in a Class I restaurant.

Chair: Shawn O'Neill

**AGENDA ITEM #8034**

**Discussion with Action:** Renew the Liquor License for TPR Inc. d/b/a Bull & Brew Wing House, Thomas R. Redmond, (306-5-2), 6 East Grand Ave, m-s-v in a Class I restaurant.

Chair: Shawn O'Neill

**AGENDA ITEM #8035**

**Discussion with Action:** Renew the Liquor License for TPR Inc. d/b/a Tequila Frogs, Thomas R. Redmond, (306-5-3), 8 East Grand Ave, m-s-v in a Class I restaurant.

Chair: Shawn O'Neill

**AGENDA ITEM #8036**

**Discussion with Action:** Renew the Liquor License for Patio Pub Inc. d/b/a Hooligans Landing, Thomas R. Redmond, (306-6-1), 2 Old Orchard Street, m-s-v in a Class I restaurant.

Chair: Shawn O'Neill

**AGENDA ITEM #8037**

**Discussion with Action:** To cancel the regularly scheduled Town Council meeting on Tuesday, November 7<sup>th</sup>, due to State and Local Election Day, and to approve the closure of Town Hall for the Christmas Holidays according to the Personnel Policy, on Monday, December 25<sup>th</sup>, and Tuesday, December 26<sup>th</sup>, 2023 with personnel using half personal/vacation time for Tuesday.

Chair: Shawn O'Neill

## **AGENDA ITEM #8038**

**Discussion with Action:** Set the public hearing date of 11/21/2023 to amend the Code of Ordinances, Chapter 54, Section 114, Milliken Street Parking Lot; Section 115, Memorial Park Parking Lot; Section 142, Parking at expired meters and overtime parking; Section 160, Motorcycles; Section 187, Restrictions and prohibitions, Town Hall, amending the effective date for parking permits and parking meters/kiosks from May 1st through September 30th to May 1st through Labor Day, and amending the \$300 overnight parking permit for the Milliken Street Parking Lot from May 1st through September 30th, to May 1st through October 31st.

Chair: Shawn O'Neill

## **ADJOURNMENT**

Chair: Shawn O'Neill