



**Town of Old Orchard Beach**  
*Office of the Town Manager*

1 Portland Ave, Old Orchard Beach, Maine

Phone: 207.937.5626

Web: [www.oobmaine.com](http://www.oobmaine.com) or

[www.oobmaine.com/town-council](http://www.oobmaine.com/town-council)

# **Regular Town Council Meeting Minutes**

## *September 19th, 2023*

I, Tim Fleury, Secretary to the Town Council of Old Orchard Beach, Maine, do hereby certify that the foregoing document consisting of 33 pages is a copy of the original minutes from the regular meeting of the Old Orchard Beach Town Council held on 9/19/2023.

Prepared By:	Tim Fleury
Approved By:	Old Orchard Beach Town Council
Approval Date:	10-3-2023

Respectfully  
Submitted,

Tim Fleury  
*Town Council*  
*Secretary*



## Town Council - Meeting Agenda

**September 19, 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: all present**

### **ACKNOWLEDGEMENTS:**

**Councilor Mead - thank you to Palace Playland - flowers donated to town after end of season to brighten up town and town hall.**

### **GOOD & WELFARE:**

Scott Taylor - 11 Woods Lane - trash barrels -

### **PRESENTATION:**

**Fire Department Appointments - Chief John Gilboy appointed 3 new staff members.**

Chairman O'Neill – thanked Chief Gilboy and the HR Director for acquiring the best staff available for OOB

**ACCEPTANCE OF MINUTES:**

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

Chair: Shawn O'Neill

**Motion to accept: Councilor Tousignant**

**Second: Councilor Reid**

**Vote: 5-0**

**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

Chairman O'Neill opened the hearing at 6:41 pm

Chairman O'Neill gave an explanation of the moratorium and areas affected/not affected.

Councilor Reid – thank the public for coming and participating in the town process

Chairman O'Neill – 3 meetings ago presented as an emergency moratorium – votes not present, following meeting moved to non-emergency moratorium, set a public hearing at that meeting – does not support moratorium – better process to take to enact ordinances – feels it should have been workshops prior to enacting any moratoriums – public hearing allows public feedback – state name and address – enact or not enact moratorium – does not allow dialog and frustrated that it doesn't allow dialog – workshops allow that dialog to happen –

Councilor Mead – initiated moratorium – supports town as tourist town and also a year round community – brought moratorium forward because of housing issues presented to town – top of priority list – brief discussion on STRs without concrete steps – surround communities in state have implemented rules and regulations around STRs – have taken steps to regulate STRs due to issues in neighborhoods around STRs – OOB left as outlier in resort communities and investors coming in – housing crisis – shortage of housing – year round rental housing or apartments disappearing in OOB – apartment residents worried about housing availability for 12 month housing – loss of housing in community in single family homes as well – cohesion in neighborhoods missing – single family homes converting to STRs and losing neighbors and neighborhoods – concern on year round community remaining – snowball effect with one home changing and the rest following – need to address housing issues in the town – implemented definition of STR in ordinance and added to rental license application – start

of data collection - 64 non seasonal rental licenses issued, 57 were STRs - 64 - 30 licenses in non-traditional rental zones, 23 were STRs - small sample size, since March - availability of housing is not there - life has changed since 1960's - not against STRs, STRs essential to resort community - wants OOB to stay competitive but doesn't want to see year round population shrink - number of workshops to move forward with limits and controls to find balance - will take months

Vice Chair Blow - not for emergency moratorium and not for this moratorium - agree on concerns and issues on STR impacts - question numbers presented to Council - hard time telling someone what they can do with their home - impact on neighbors is another issue - agree with Councilor Mead - need on affordable homes in town but should not restrict what owners can do with their home - restrictions and ordinances needed to lessen impact on neighbors - doesn't believe school numbers have shrunk since he has been in town

Councilor Tousignant - supports moving forward with moratorium - talked with residents - believes attendees have been misled - no licenses will be taken away, not on the table - want to set facts straight - does not affect existing licenses or people that live in districts that have been excluded - zoning maps can make it clear - protect areas away from waterfront and tourist areas of town

Chairman O'Neill - open to public comments - welcome wholeheartedly - restricted to moving forward with moratorium - enough ordinances on books - doesn't agree with adding more

Cathleen O'Donnell - 19 West Tioga - built by parents and in the family for 67 years - pay for taxes and business licenses, occupancy tax to State of

Maine – support town and Maine with payments, no town services for 7 months out of the year – subsidizing year-round residents with taxes – 3 things – 30-day restriction on rental length, 30-day vacation unobtainable for most – define “fabric” of OOB? – the percentage of PD calls for disruption/public harm due to STRs vs. year-round residents/hotels/bars/restaurants – remind council STRs support OOB and tourism – biting hand that feeds you

Chairman O’Neill – Council not vengeful and discriminatory with “fabric”

Vice Chair Blow – clarify that R3 is Ocean Park area – Town Manager Asanza – correct –

Scott Taylor – 11 Woods LN – thanked Council – 11 years – bought a house in a residential community, single-family house – business in residential single-family community homes – don’t agree with a business license in a residential neighborhood – supports the moratorium.

Kim Tarbox – grew up in OOB – local real estate agent – business in town – urge caution and restraint in offering more constraint – 2022 Maine off of Tourism – 20% of total visitation in the state – various sectors of the economy – \$429.1m in revenue – 100 single family homes sold in last 12 months – only handful sold as current rentals \$577k average price – 38 homes under \$500k – STRs support jobs in communities – 151k jobs supported by STRs – earnings have direct impact on the local economy – tax revenue generated substantial – public safety concerns, reasonable regulations exist already, noise regulations, etc. – adding more regulations stifle growth – enforce existing regulations to move forward – vacation community – balanced approach to community

Peter Guidi – 50 West Grand Ave – affordable housing crisis in nation and Maine – conversion of single housing to STR adds to problem – STRs are important to town and also drive up home market – loss of year-round housing negatively impacting school, businesses, and neighborhoods – loss of year-round residency lost to investors – looking for growth strategy to move forward – look at zoning requirements to allow more development for year-round housing – a moratorium could drive prices up as units become scarce – more development would lessen impact on existing housing market.

Rick Lovell – 17 Fern Park Ave – bought home to retire in for future, rent home in summer and come back in winter – rental before purchased home – 5 years – the fabric of OOB – STR behind, friends with owners and renters – 6 units behind, development relationships with renters as they come in – STRs are the fabric of town.

Holly Korda – Birch Lane – support moratorium – used STRs as a traveler and positive experience, friends rent out homes and rooms as STRs – positive and negative experiences exist – STRs in the neighborhood – 10-minute walk to the beach – quiet neighborhood – several homes sold and STRs increased in the neighborhood – few problems by most – some create challenges for the neighborhood – no owner present or nearby present most challenges, parties, renters unaware of trash collection and rules, animals get into the trash and spread trash in the neighborhood – brought to the attention of owners and issues lessened – more STRs in the area with owners unknown – safety concern with older residents and unfamiliar people in neighborhood – parking issue with multiple vehicles in single locations – reducing parking for residents and guests in neighborhood, emergency access difficult – town should explore ways to effectively manage STRs in town –

Alexander Bachman - 39 West Grand – data – renting units since 2014 – STR market increased – 1100 units in OOB according to AirDNA data – market exists due to lack of motels and hotels in OOB, rooms don't exist to accommodate all vacationers, resort town – Councilor stated STR market growing out of control – 2023 AirDNA data, demand and supply crossed for the first time – softening of rentals – STR rental market has doubled nationwide, saturation point reached, market won't support number of STRs in town – market forces will regulate the STR market, believe equilibrium has been reached – mortgage rates up and purchases down – business payback not there – existing ordinances and enforcing ordinances – hosts empowered to kick renters out and hosts still get paid by AirBNB – enforcement power exists in OOB – don't want to cause issues in any neighborhoods – laws on books that need to be enforced – resort town survives on 2 months (plus) weather dependent season – any kind of regulation is not needed, market will support themselves – less people coming in to town spend less money – no places to stay – 1100 STRs give place for vacationers to stay –

Allison Bailey – 2 Cascade Rd – 20% of tourism revenues generated \$2B in revenue, 4 property management companies supported 12k renters in OOB – address current ordinances in place – economic opportunities lessen for youth – decrease in vacation rentals = fewer jobs for youth – the tradition of community involvement and engagement in OOB – rentals allows owners to own home and take pride in town – a balance between permanent residents and vacationers – unity in the community – reasonable governance but consider balance – effective regulation currently in place – list of jobs effected by STRs in town – Ms. Bailey listed many jobs – How will town make up loss of revenue? What are long-term effects? What is \$500 fee being distributed to? Why isn't current regulation not enough?



Nancy Gray - 50 Free Street - rented through realtor for 30 years, rent now with AirBNB - more control afforded owners - can check reviews of potential renters of home before renting home - can kick out rowdy guests - does not support moratorium - hurt income and detract from people supporting homes through rentals and retiring to those homes

Ryan Hayes - 11 Wavelet - last meeting followed - Councilor Mead proposed emergency moratorium - votes not going to happen so edited to on-emergency - got people riled up and grew crowds today - workshops and back and forth would have been more effective - work together to solve issues - does not support moratorium -

Sandra Murray - 11 Cherry Hills - 22 years in Maine - STRs before moving to Maine - real estate broker - doesn't do rentals, but and sells properties - many in OOB and around Saco Bay - STRs used as a means to acquire homes - profits aren't out there with current mortgage rates - STRs cover expenses to allow people to afford homes - opposed - moratorium is not needed, regulation is needed - 66 sellers on the market or under contract in town right now - opens issues liability wise if it changes during buying process - STRs allow people to keep their homes in OOB - HOA's have covenants that allow or not allow STRs, will town pay to inspect deeds? - moratorium wrong tool, ordinances exist to regulate already -

Robert Bertrand - 44 Foote St - own home in town and rental properties - in business with people in the room - retired and renting units, an important part of retirement income - significant percentage - built over 52 years in town to set up for retirement - issue with government encroachment - taxes and license fee increases have eaten into retirement income

Roger Nielson - 18 New Salt - opposed to the moratorium - propose task force of experts to do research to gather information to make informed decision - quick decision not the right way - visiting Ocean Park since infant - parents purchased house, could only afford with summer rentals in town - existing ways to regulate renters - neighborhood is truly neighborhood - community exists already - homes close together and force community

Ron Houle - 29 Summit Street - 4 years - out of state owner, no business license yet, buying another property to rent to afford to live in OOB - buying property to fix it up and give opportunity for others to enjoy area - STRs allow people to fall in love with the town - against moratorium - worked hard to build a home in town

Mike Leclare - 73 Ocean Ave - STRs are the blame point for lack of housing - STRs afforded him to buy and live in the town they love - 2020 looked for home - multi-unit home purchased to allow rentals to afford to live in town - fixed up home themselves - AirBnB target to blame in changing industry - an international platform that younger renters use to find opportunities - homes near ocean are not affordable to new homeowners and most renters - employ local residents to assist with changeovers and local landscaper to maintain the property - affordable housing is nationwide issue - zoning issues cause lack of available housing - tourism is main economic driver in town - restrictions on new and future developments in town

George Kerr - community is close - concern with agenda, end date on moratorium? - Chairman O'Neill - end date unknown - George Kerr - current ordinances exist on licenses and other businesses in town - town developed ordinances in past to handle issues that present themselves = tattoos, body piercing, campgrounds, marijuana - impact on town services -

town is only 7 square miles – space is limited, zoning needs to be looked at to grow town – existing ordinances cover issues presented by STRs in town with similar ordinances = motels, parking, etc – share concerns between ordinances – not complicated – rentals are going to happen in town – regulations needed to address issues, through community work to reach an understanding

Debbie Bosworth – 36 Homewood Blvd – York County Council of Maine brokers – real estate broker – “emergency” – language concerning to public – if behind the proposal of the ordinance is public safety, fabric, community = covered by existing ordinances in town – robust public safety and town services to cover problems in town – broker took an oath to maintain the integrity of home ownership – a responsibility of the owner for use of own property – moratorium impact felt beyond the 180 days = damage to owners, town, own offices, – investors pull out with the term of “moratorium” – felt beyond the 180 days – will move to other areas – investment needed in towns, will stop for 6 months if “moratorium” is issued in town – far-reaching impacts – respect each other and respect ideal of home ownership – use existing ordinances – more prudent using “moratoriums” big step – still looking for reasoning behind the moratorium –

Andrea Peach – broker with business in OOB – government should not infringe on homeowner’s rights – STRs allow families to afford inherited properties that they would otherwise lose – owners/hosts make guests feel welcome and keep neighborhoods in check – opens doors for transient workers – hosts more willing to help individuals than hotels/motels – vacation rentals allowed social distancing during COVID pandemic – government should not infringe on rights of individuals to own and sell properties –

165 East Grand – rented cottage since 1985 – used property management company – did not allow control over guests – do all maintenance and operation now – guests are returners, only rent by the week, guests contribute to the community – not all owners are not absentee owners – support regulation but not necessarily moratorium – issues like trash, parking, etc. –

Jim Butler – 13 Memory – former director of code – AirBnb superhost for 6 years – increase in licensing fee was to cover enforcement efforts, more regulations will require more staffing – different town form when he started to when he returned – dilapidated properties morphed into rented properties – code enforcement underutilized – bolster staffing and enforcement abilities – license is a privilege, can be revoked – enforcement, 18 openings for code enforcement on MMA website – the concern that more people will not get inspected as employees will not be available – DD1, DD2 zoning have issues as well – numbers hard to gauge – concerns on enforcement and property values – different from other towns compared to earlier – other towns called OOB to get information on managing business licensing – concerns in town, file complaints with code office and licenses can be revoked.

Ed Bones – 32 West Old Orchard – opposes moratorium – concerned Council isn't listening – STR rental workshop held and moratorium held – doesn't trust council to not move forward without public input

Kathleen Shannon – School St – year-round resident, never rented – on their road, 10 sales have gone to STR – lost 9 out of 12 year-round residences in the neighborhood – support moratorium but not wording – would like workshops – half of the residents on road are not Maine residents, money does not stay in town – need tourism for the town

Out of state – name? – lives in Manchester NH – bought a home in OOB and feels like home – understands the need for a moratorium but hurts town for future business.

6 Tioga Ave – moratorium takes away freedom – put to vote for the town – ask citizens to make decisions – allow vote and not allow 4 official to decide future of town –

Aaron Abington 18 Wesley Ave – Maine resident and turn dilapidated buildings into STRs – the average price of homes in OOB does not allow new homeowners without STR subsidiary – moratorium will hurt OOB in long run –

Brian Ciccariello – Goodwin Ave – only found out 1 hour before the meeting started – better communication in town – town needs to send mailers or communicate better with town residents – the idea of moratorium born out of fear and reaction out of events – issues with stays compared to successful stays? – rented since 2004, no issues from renters – focusing more on punitive mentality, reward good behavior, license fee reduces for no issues, increase fees on licenses for issued properties – STRs support the community with vacationers coming into town and supporting local businesses more than year-round residents

Jen Roberts - 4 Roanoke – mother's home – OOB is a vacation location – summer community – retirement opportunities lessened – license currently but unsure if it will continue – rent property, controlled by owners – onus of owners to do their job – neighbors respect neighbors – regulations exist to control issues –

Steve Trask – Little River Road – housing complaints – tough town to develop in – pushing emergency act out of nowhere comes as a surprise to residents – what was the emergency act based on? Was ego involved? – figure out why time is being spent on this issue –

Melissa Reali – realtor – family operates inn and hotel, use AirBnb to fill empty rooms – 20 homes sold in OOB – ½ are used as investment properties, half are people relocating into OOB – investment properties allow resource for people to live in the town that they grow in love with – STRs allow people to live in OOB – STR licenses have allowed community to clean up unused properties – investors bringing homes up to code and cleaning up community and making communities safer and driving local businesses – tourist town

Chairman O’Neill – Council thanks all residents for coming in to speak – appreciate the professionalism and allowing people to speak – moratorium will go to vote on October 3<sup>rd</sup> meeting

Ernest Bencivenga – own properties in OOB, live in Hooksett NH – no difference in long and short-term renters that they have rented to – ordinances exist that allow control of both long and short-term rentals – feeling to restrict short-term rentals presented, facts presented to not restrict STRs – no valid points, feelings and fear present

Ken McPhillips – Atlantic Ave– from out of state – live in the area to watch granddaughter – more support for STRs presented than against STRs – beach town – restrictions in place

Richard Heath – Tioga and other rentals in Ocean Park – historical pictures behind Council are not full-time residents – vacation spot

Chairman O'Neill closed the public hearing at 8:56pm

## **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

Chairman O'Neill opened the hearing at 9:08 pm

Greg Braum - attorney representing applicant, Land Matters LLC - property at old Post Office - 8-unit planning board project approved, Council felt it was too large, applicant reduced it to 6 unit condo project - sat vacant for a long time - prohibition on STR in Contract Zone Agreement -

Celeste Gover - 17 Fern Park - lives behind the building - spoke at planning

board – approval for 8 units had concern on traffic and parking – parking not adequate – 20 bedrooms in proposal – existing lot can hold 14 cars – dangerous intersection at Saco and Fern Park – traffic study asked for at last planning board meeting – units reduced but bedrooms increased – lots of people coming and going – less units but more bedrooms – Greg Braum – addressing concerns – final plan still requires planning board approval – layouts require final planning board approval with public input – contract zone is for the 6 unit condos, layouts are for demonstrations only – entry and exit would be on Fern Park –

Pierre Boutier – Represent ownership of 60 Saco Ave – units is not a financially viable number of units at that location – issues with traffic have simple fixes – urging 8 units to be approved – 7 entrances and exits from the area – left turn only from parking lot will fix issues – Greb Baum – unfamiliar with Pierre and who he represents – closing date set for final closing date based on OOB approval – applicant looking for approval for 6 unit project –

Vice Chair Blow – Jeffrey Hinderliter – town planner – parking an issue when presented before? – snow removal, trash collection – applicant asked for a finalized plan from planning board – voting on a concept and not the final plan, was applicant asked to approach Council to bring final plan? – Jeffrey Hinderliter – yes, sent back to planning board for approval for site plan and other issues – recommendation to reduce unit count to 6 – issues approving a concept and not final plan – agree it needs to be approved but can't vote on concept – Greg Baum – asked to approve 6-unit project – bedrooms, layout etc. may change – ordinances allow Council to consider Contract Zone and send back to approval – allows Council to make amendments and changes before planning board approval – gives Council input before applicant spend money without approval – Chairman O'Neill – intent of Council to reduce to 6 units for density requirements – Greg Baum – correct – reduced to 6 units –



Chairman O'Neill - but upped density - Greg Baum - desire to bring family housing to OOB, not rental properties - Councilor Mead - Council asked year ago to have applicant to have site plan approval before returning to Council - Greg Baum - process allowances give Council abilities to add restrictions before planning board has given approvals - Chairman O'Neill - haven't had availability to change contract zone after approval - Greg Baum - ordinance allows Council that ability - Chairman O'Neill - could Council limit number of bedrooms? - Greg Baum - can't give legal advice, but his understanding - can give approval with restrictions - Vice Chair Blow - if the town legal team gives that approval comfortable moving forward

Councilor Tousignant - question to Pierre? - Aware of another buyer - Greg Baum - unaware of another buyer - Vice Chair Blow - if the contract is approved contract zone with Greg Baum and the client, approval go with client or land? - Greg Baum - approval goes with land, not client - Councilor Tousignant - may have to abstain moving forward based on private information - Vice Chair Blow - doesn't know if that is involved with the applicant in front of Council - Jeffrey Hinderliter - avoid conversation further until it is an agenda item -

Closed public hearing at 9:35 pm

### **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

Chairman O'Neill – opened the public hearing at 9:35pm

Chairman O'Neill closed the hearing at 9:35pm

**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

**Opened hearing at 9:36pm**

**Motion to approve: Vice Chair Blow**

**Second: Councilor Mead**

**Vote: 5-0**

**Closed at 9:36pm**

**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, 12:00 am).

Chair: Shawn O’Neill

**Opened at 9:37pm**

Bob Guerney 17 Imperial St – 16 Imperial resident – thank Bob and Kelley for their work over the past year as neighbors. Music stops at 12:00am with no issues, moving to 12:30am carries noise longer into night. Asked to keep at 12:00am

Councilor Mead – change in time caused pause with issues at location – would like to see time kept to midnight

Closed at 9:40pm

**Beachwood:**

**Motion to approve: Councilor Mead**

**Second: Vice Chair Blow**

**Vote: 5-0**

**GFB:**

**Councilor Mead made a motion to approve license with move to 12:00am for ending time**

**Vice Chair Blow – second for discussion – commend owners for controlling issues.**

**Vote: 5-0**

## **TOWN MANAGER REPORT**

**Forgo for time constraints – gave brief overview of trash collection – AD  
REPORT FOR MINUTES**

**Vice Chair Blow** – Casella has agreed to leave can another week to dispose of old barrels – if barrels tagged, contact DPW for a new barrel, blue bags will not be picked up outside of containers – can be taken to transfer station – all trash must be in cans

**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

**Motion to appoint: Vice Chair Blow**

**Second: Councilor Reid**

**Vote: 5-0**

Town Manager Asanza – Jennifer could not make it tonight

**AGENDA ITEM #7994**

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

Chair: Shawn O'Neill

**Motion to adopt: Councilor Tousignant**

**Second: Councilor Reid**

**Vote: 5-0**

**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

**Motion to appoint: Vice Chair Blow**

**Second: Councilor Reid**

**Vote: 5-0**



### **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

**Motion to accept: Councilor Mead**

**Second: Vice Chair Blow**

**Vote: 5-0**

### **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

**Motion to accept: Councilor Reid**

**Second: Vice Chair Blow**

**Vote: 5-0**

### **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

**Motion to set the date: Vice Chair Blow**

**Second: Councilor Reid**

**Vote: 5-0**

### **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

**Motion to set the date: Councilor Mead**

**Second: Vice Chair Blow**

**Vote: 5-0**

### **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

**Motion to approve: Vice Chair Blow**

**Second: Councilor Reid**

**Vote: 5-0**

### **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

**Motion to approve: Vice Chair Blow**

**Second: Councilor Reid**

**Vote: 5-0**

## **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

**Motion to authorize: Councilor Mead**

**Second: Vice Chair Blow**

**Vote: 5-0**

### **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

**Motion to approve: Vice Chair Blow – approved in budget**

**Second: Councilor Mead**

**Vote: 5-0**

### **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

**Motion to approve: Vice Chair Blow**

**Second: Councilor Reid**

**Vote: 5-0**

## 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

**Motion to approve: Vice Chair Blow**

**Second: Councilor Reid**

**Vote: 5-0**

**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

**Motion to renew: Vice Chair Blow**

**Second: Councilor Reid**

**Vote: 5-0**

**AGENDA ITEM #8007**

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

Chair: Shawn O’Neill

**Motion to renew: Vice Chair Blow**

**Second: Councilor Reid**

**Vote: 5-0**



## **AGENDAITEM #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

**Motion to renew: Vice Chair Blow**

**Second: Councilor Reid**

**Vote: 5-0**

Vice Chair Blow – for Council consideration – budgeted \$ for parking fees, came in much higher – roll back season to just after Labor Day – consider more 15-minute parking along Old Orchard St – Chairman O'Neill – simultaneous consideration for reduced season – would like to add it for public hearing at next meeting – Chairman O'Neill would like to add more handicap parking on Old Orchard St as well around middle of street – Councilor Tousignant – would not like to make decision tonight and eliminate a full season for them –

## **ADJOURNMENT**

**Vice Chair Blow made a motion to adjourn at 10:09pm**

**Second: Councilor Reid**

**Vote: 5-0**

Chair: Shawn O'Neill