



**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**

*June 6th, 2023*

I, Tim Fleury, Secretary to the Town Council of Old Orchard Beach, Maine, do hereby certify that the foregoing document consisting of 35 pages is a copy of the original minutes from the regular meeting of the Old Orchard Beach Town Council held on 6/6/2023.

Prepared By:	Tim Fleury
Approved By:	Old Orchard Beach Town Council
Approval Date:	6/20/2023

Respectfully  
Submitted,

Tim Fleury  
*Town Council*  
*Secretary*



## Town Council - Meeting Agenda

**Tuesday, June 6<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:**

Roll was called by Tim Fleury. The following individuals were present:

Shawn O'Neill, Chair  
Kenny Blow, Vice-Chair  
V. Louise Reid, Councilor  
Larry Mead, Councilor  
Mike Tousignant, Councilor

Diana Asanza, Town Manager  
Tim Fleury, Town Council Secretary

### **ACKNOWLEDGEMENTS:**

## **GOOD & WELFARE:**

**Gary McDougall** – 25 Kapok St – Homewood Park homeowners – email from Jeffrey Hinderliter – 3 years in town – 75% of homes built, town will take over streets according to Berkshire Hathaway and final area paved – money in escrow for paving, town is no longer honoring agreement – conflict between town and homeowners – Mr. McDougall read letter and presented photos to town council– 39 of 45 homeowners signed letter – invited Council for a walkthrough

**Carl Harris** – 19 Kapok – worked with Skip on letter – declining water pressure since start of development – water tested and told plumbers took shortcuts in building homes – 5 different builders in Homewood Park – not all can be taking shortcuts –

**Heidi Von Gotz** – 17 Juniper Street – thanked Council for town service – concerned for safety of resident's kids on streets – concerned about emergency services using roads.

**Shelly Yingling** – 24 Kapok Street – concerns on hillside falling –

**John Hardy** – 27 Juniper Street – underlying issue is safety, narrow streets – water pressure in hydrants – 35' drop in backyard – potholes in street – missing curbing, states of roads – no sidewalks and children on the streets –

**Debbie Bosworth** – 36 Homewood Blvd – Homewood Blvd – growing development – 12 more on Larch, 8 more on Maple, 5 more on Juniper – concerns on future buildings going in – narrow street –

**Kathy Smith** – 20 Pines Drive – work for PD – hard to know who to trust –

concern on adult marijuana vote on June 13<sup>th</sup> – Vote Yes signs – glad store not allowed in downtown district – looked into questions voting on in June – specific lot and building size – circulators of petition were on business license – only build that meets requirements on petition are controlled by circulators of petition – petition used as scare tactic – narrows possibilities of awarding license – personally voting no and voting for fairness –

**Andrew Keeley** – potential applicant on Ocean Park Rd – grew up in Maine, multiple businesses owned in Maine, High Point Beach – not resident in Town but property owners – portrayed as out of state – store itself, mega store, floorplan and blueprints are part of public record – first floor just less than 2000 sq ft. – designed not to look like mega store, contemporary modern business – traffic, propaganda videos online, proposed traffic light at corner of Smithwheel to help with traffic in area, willing to help with traffic issues in town – put signs out on Memorial Day weekend – looking to be positive contributor to community – clarified “No on 1” signs –

Chairman O’Neill asked Town Manager Asanza to draft letter to address concerns of Homewood Park residents.

**Nancy Frisco** – Graham Street – beach signs with solar lights and cross streets – swim at own risk signs – early season, walkways cleaned off – plan for winter snow blocking beach access – no paths left for winter access – had to call FD to leave beach in winter – lots of need to walk on beach in winter – clean paths in summer and clear in winter – addressed now and not at end of summer.

**Councilor Mead** – as resident – question 1 on ballot – residents were asked to sign petition to put it on ballot – told to prevent big box stores – misinformation – question is about giving unfair advantage to one property

and business in town – 1000sq feet and ½ acre, reduces number of properties from 22 to 1 property, 11 Ocean Park Rd. – presently controlled by owners of Beach Boy’s Cannabis – one of 3 applicants for license – also wrote language of petition, paid for out of state petition gatherer to collect 78% of signatures – no indication that petition limited location to single and to writers of petition – presented to discourage mega box stores –big box = 150,000sq feet – Beach Boys Cannabis run 2 businesses that don’t meet size limits proposed by their own ordinance – Saco Rd location and South Portland store – 3 applications received, all for stores 1000 sq ft or less – allowed more locations than 1 – urging voters to vote no.

Chairman O’Neill – frustrating – town being lied to – falsely accuse Council and planner – urging Town to vote no on question 1 – over 2 years to work on ordinance – public process to present ordinance.

Councilor Reid – elderly – several calls from residents that were confused – ask Town to vote no.

**PRESENTATION:**

**ACCEPTANCE OF MINUTES:**

Acceptance of the minutes from the April 25, 2023, April 27, 2023, May 2, 2023, May 9, 2023, & May 16, 2023 Budget Workshops; the May 16, 2023 Regular Meeting; and the May 2, 2023 & May 9, 2023 Executive Sessions.

Chair: Shawn O'Neill

Motion to accept: Vice Chair Blow

Second: Councilor Tousignant

Vote: 5-0

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

Birdies Grill and Tavern, Rebecca Allen, (208-1-6), 168 Saco Ave, m-s-v in a restaurant.

Johnny Shucks Maine Lobster, OOB Maine Lobster LLC, (205-5-5), 16 Old Orchard Street, m-v in a restaurant.

Chair: Shawn O’Neill

Hearing opened @ 7:31

Councilor Mead – Birdies is former Duffy’s location – wishes both new businesses well

Motion to approve: Vice Chair Blow

Second: Councilor Reid

Vote: 5-0

Hearing closed @7:31pm

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

The Carolina Motel, Potentia LLC, (304-2-1), 1 Rousin St, 34 unit motel

BNB Real Estate, Nazrin Dixon, (305-6-5), 44 East Grand, 4 year round rentals  
– STR.

BNB Real Estate, Nazrin Dixon, (305-6-6), 46 East Grand, 8 year round rentals  
– STR.

Andrew Gould, (315-18-5), 65 Union Avenue, one year round rental – STR

Peter Beyeler, (314-15-3), 91 Union Ave, one year round rental – STR

The Beach House, David and Nancy Bonneau, (206-29-10) – 40 Summit St, one  
year round rental – STR

Jose Silva, (301-3-1-206), 189 East Grand #206, one year round rental – STR

Birdie's Grill and Tavern, Rebecca Allen, (208-1-6), 168 Saco Ave., victualers  
with prep and alcohol.

Rebecca Allen, (208-1-6), 168 Saco Ave., 3 year round rentals.

Isaac Herman, (206-7-12), 5-7 Shady Lane, one year round rental – STR

Seagrass Management LLC, Jennifer Brown, (318-8-6-32), 146 West Grand  
#32, one year round rental – STR.

Stuart Leckie, (208-1-1-4), 180 Saco Ave #4, one seasonal rental – STR.



Adamo Properties LLC, Jason Adamo, (105A-1-821), 66 Wild Dunes Way, one year round rental.

Johnny Shucks Maine Lobster, Old Orchard Beach Associates, (205-5-5), 16 Old Orchard St., victualers with prep and alcohol.

Johnna Brown and Jeff Brown, (206-27-5-10), 5 Sunset Drive #10, one seasonal rental – STR.

Chair: Shawn O’Neill

Hearing opened @ 7:34pm

Councilor Mead – lots of STR in town – not a problem with traditional STR locations – housing is becoming an issue for workers in town and potential new residents

Motion to approve: Councilor Mead

Second: Vice Chair Blow

Vote: 5-0

Hearing closed @ 7:35pm

# TOWN MANAGER REPORT

**Tabled Items:**

**AGENDA ITEM #7891**

**Discussion with Action:** Approve the proposal from Safe Stadium Facility Evaluation in the amount of \$13,897.00 for the inspection and assessment of seven (7) steel sports lighting poles at the Ballpark from account number 51002-50911 CIP Ballpark Improvements with a balance of \$143,949.38.

Item was tabled without prejudice at the May 16, 2023 meeting for further research.

Chair: Shawn O'Neill

In FY 23 the Council approved capital funds for ballfield lighting improvements which includes energy efficient LED lights. Recently it was discovered that one pole had to be removed because of damage at the base. To ensure all stadium light poles are structurally sound since they were originally installed in 1983, it is recommended that an evaluation or assessment of all poles be completed. Staff had the Town's engineer review the proposal and the engineer determined that when it comes to inspecting welds and lighting infrastructure it is a very specialized process and recommends the poles and lighting should be inspected by SAFE and they would be happy to review their report.

Motion to approve: Councilor Mead

Second: Vice Chair Blow

Vote: 5-0

**NEW BUSINESS:**

**AGENDA ITEM # 7892**

**Discussion with Action:** Set the Public Hearing Date for June 20, 2023, for the Town Council to consider 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

This item proposes zoning ordinance amendments associated with the NC3 District. The amendments propose the following: 1. Allow multifamily building to have units on the sidewalk level; 2. Reduce principal and accessory building setbacks; and 3. Exempt on-site, off-street parking for residential and nonresidential uses. The amendments are proposed by the owners of 20 and 23 Washington Ave.

The NC3 District is one of the smallest zoning districts in OOB, consisting of nine properties in the Washington Ave./Atlantic Ave. intersection area. Uses are a mix of multifamily residential and nonresidential.

Motion to set date: Vice Chair Blow

Second: Councilor Reid

Vote: 5-0

## AGENDA ITEM # 7893

**Discussion with Action:** Shall the Town consider amendments to the Code of Ordinances, Chapter 54, Traffic and Vehicles, Section 187, Restrictions and Prohibitions, Old Orchard Street, by adding one ten-minute parking spot in front of 33 Old Orchard Street (MBLU 206-31-6) and one ten-minute parking spot in front of 28-30 Old Orchard Street (MBLU 205-4-4).

(Council recommended changing to five (5) 15-minute parking spaces.)

Chair: Shawn O'Neill

The option of two 10-minute parking spaces at the last Council meeting began with Councilor Blow's initiative to assist local establishments on Old Orchard St, and to allow short term parking for quick pickup of goods from local businesses. Currently, only two-hour parking is available on Old Orchard Street whereby patrons are required to pay for parking. This is cost prohibitive for someone simply picking up items from one of the many businesses on the street.

At the public hearing Councilors recommended more than (2) two parking spaces and to allow 15 minutes instead of 10 minutes. After reviewing options, a proposal for (5) five 15-minute parking spaces is recommended that will allow easy entry and exit, and help more businesses on Old Orchard Street:

1. New 42-46 Old Orchard Street (MBLU 205-3-5)
2. 38 Old Orchard Street (MBLU 205-3-7)
3. 33 Old Orchard Street (MBLU 206-31-6)
4. 20-22 Old Orchard Street (MBLU 205-4-1)
5. 17-21 Old Orchard Street (MBLU 206-31-1).

Motion to amend to 5 spots: Councilor Mead

Second: Vice Chair Blow

Vote: 5-0

Motion to approve: Councilor Mead

Second: Vice Chair Blow

Vote: 5-0

Councilor Mead – thanked Town Manager Asanza and PD to push for spots –  
Vice Chair Blow as well to push for spots

**AGENDA ITEM # 7894**

**Discussion with Action:** Cancel the regular meeting of the Old Orchard Beach  
Town Council on Tuesday, July 4th, 2023 in recognition of the July 4th holiday.

Chair: Shawn O’Neill

Motion to cancel: Councilor Tousignant

Second: Councilor Reid

Vote: 5-0

## AGENDA ITEM # 7895

**Discussion:** Introduce ordinance amendments associated with the Housing Opportunity Program. This program is associated with state law LD2003 which seeks to increase housing opportunities by encouraging the production of housing.

Chair: Shawn O'Neill

Town Manager Asanza introduced Mike Foster, Associate Planner

Town Manager Asanza - This is an introduction to the proposed Housing Opportunity Program Conditional Use draft ordinance. The purpose of this Chapter 78 zoning ordinance amendment is to comply with the requirements of the state law that came out of the legislation that was referred to as LD 2003. Municipalities are required to meet the minimum requirements in the rule. This proposed ordinance was drafted to meet these requirements using the adopted rule and LD 2003 Guidance document.

Mike Foster, Associate Planner, presented an overview of LD2003 and amendments. He explained current legislation to change date of implementation.

Vice Chair Blow inquired about new rules being proposed.

Councilor Mead - new developers would have to indicate they want to build under new rules or go to traditional process.

Councilor Tousignant - residential neighborhoods accessory dwellings - what does this do to setbacks on accessory dwellings? - Mike Foster - will have to double check on specific example - accessory dwelling in accessory structure

will follow structure setback – no density requirements – Councilor  
Tousignant – will not support moving this forward – doesn't feel state can  
come in and wipe out rules set by town – too easy to add accessory dwelling  
to properties – don't throw away local rule.

Vice Chair Blow – can we tell the State no? – Mike Foster – added non  
adoption consequences – Councilor Mead – state law trumps local control –  
Mike Foster – planning board saw once, second meeting planned, and July  
public hearing.



## AGENDA ITEM # 7896

**Discussion With Action:** Accept the Quote from Quirk Chevrolet for a 2023 Chevrolet Silverado 1500 4x4 Crew Cab for the price of \$47,998 and the quote of \$14,500 from New England Vehicle Outfitters for the emergency light installation. This vehicle will serve as the Deputy Chiefs Vehicle, car-2. This purchase was approved as part of the FY 2023 Debt Service Budget. The total purchase price of \$62,498 will be financed through a lease purchase agreement with Androscoggin Bank at 5.63% (tax exempt) with five annual payments in the amount of \$13,905.37 from account 20197-50330 Debt Service Equipment Replacement with a balance of \$94,409.21.

Chair: Shawn O'Neill

The Fire Chief would like to move forward with the purchase of a 2023 Chevrolet Silverado 1500 4x4 crew cab to serve as the Deputy Chiefs vehicle Car-2. We were very lucky to be able to locate this public safety equipped vehicle due to low inventory and excessive wait times. It will be purchased from Quirk Auto Group for the purchase price of \$47,998.00. Emergency Lighting and trim will be installed by New England Outfitters for \$14,500.00. Total purchase price including emergency lighting and trim will be \$62,498.00.

Motion to accept: Councilor Reid

Second: Councilor Tousignant

Vote: 5-0

## AGENDA ITEM # 7897

**Discussion with Action:** Approve the line item Transfer for the Public Works department in the amount of \$40,000.00 from account 20151-50106 Public Works Full Time employee wages with a balance of \$258,863.29 and \$25,453.08 from account 20197-50395 Debt Service Interest Expense with a balance of \$278,390.72 to account 20151-50501 Public Works Operating Equipment with a balance of (29,686.66).

This line-item transfer will bring the account balance for 20151-50501 to \$35,766.42.

Chair: Shawn O'Neill

Motion to approve transfer: Councilor Mead

Second: Councilor Reid

Vote: 5-0

## AGENDA ITEM # 7898

**Discussion with Action:** Approve the quote from United Ag & Turf for the purchase of a John Deere Z930M ZTrak mower in the amount of \$11,553.08 from account 20151-50501 Public Works Operating Equipment with a balance of \$35,766.42.

Chair: Shawn O'Neill

The department has one zero turn mower, and this request came to Council as part of the FY 24 department requests. With the surplus in the current budget year, it was recommended to purchase the mower in this fiscal year. This is the same model the department has in its fleet and by purchasing the same model it will simplify maintenance and replacement parts.

Motion to approve: Councilor Tousignant

Second: Councilor Reid

Vote: 5-0

## AGENDA ITEM # 7899

**Discussion with Action:** Approve the quote from Kompan Inc. in the amount of \$5,522.40 for a Motorcycle themed in-ground Seesaw for the Memorial Park playground from account 20152 50501 Memorial Park Operating Supplies and Equipment with a balance of \$7,546.85.

Chair: Shawn O'Neill

The current seesaw in the Memorial Park playground was damaged and needed to be replaced. The Memorial Park Committee worked with Public Works to procure the equipment and recommends the purchase.

Motion to approve: Councilor Mead

Second: Councilor Reid

Vote: 5-0

## AGENDA ITEM # 7900

**Discussion with Action:** Approve the quote from Hayes Pump for a replacement mechanical seal on RAS pump for \$9,060.00 from account 20161-50452 Wastewater Operating Equipment with a balance of \$12,834.54.

Chair: Shawn O'Neill

The current mechanical seal is leaking and needs to be replaced.

Motion to approve: Councilor Tousignant

Second: Vice Chair Blow

Vote: 5-0

## AGENDA ITEM # 7901

**Discussion with Action:** Per Section 50-111 of the Code of Ordinances, the Town Council, for E-911 services, are naming the private ways in the 7 Mile Beach Condominiums' project: Overlook Drive and Salt Point Drive.

Chair: Shawn O'Neill

7-Mile Beach Condominiums is a proposed 26-unit condominium project located off Little River Rd. The project was approved by the Planning Board last year. The developer is preparing the final plan which includes two streets to be named.

Motion to accept names: Vice Chair Blow

Second: Councilor Reid

Vote: 5-0

Councilor Tousignant asked for clarification of location

## AGENDA ITEM # 7902

**Discussion with Action:** Approve the Special Event Permit applications for the 2023 annual Ocean Park Association events, as follows: 1) a sand sculpture contest on the beach between Randall and Winona Avenues on Monday, July 3rd, set up from 1-2 p.m., event and takedown 2-5 p.m.; 2) an Independence Day Parade , starting on Temple Avenue, on Tuesday, July 4th, set up from 9-10 a.m., event and take down 10- noon; 3) the Ocean Park 5k Race on Friday, July 28th, set up from 3-5 p.m., event and take down from 5-8 p.m. in Ocean Park; 4) Illumination Night, Saturday, August 5th, event set-up 2-5 p.m., event and takedown, 5-10:30 p.m., candles removed from beach early morning of August 6th; 5) Bonfire on the beach at the end of Randall Avenue, Thursday, August 3rd, set-up 7-7:30 p.m., event 7:30-9:30 p.m., takedown 9:30-10 p.m.; 6) Kids Fun Run, back streets of Ocean Park, Saturday, July 29th, set-up from 9-10 a.m., event and takedown from 10-11 a.m. 7) Square Dance between West Grand and Seaside Avenues, Tuesday July 4<sup>th</sup>, request to close that section of Temple Avenue, set-up from 5-7 p.m., event 7-9 p.m. and takedown from 9-10 p.m.; 8) Request to close Colby Avenue in front of their Recreational Hall, for a dance being held inside their Hall, Saturday, July 1st, 2023, set-up from 5-6 p.m., event from 6-9 p.m., and takedown by 9-10 p.m.—event also includes a bonfire on the beach, to end by 11 p.m.

Chair: Shawn O'Neill

Motion to approve events: Vice Chair Blow

Second: Councilor Mead

Vote: 5-0

## AGENDA ITEM # 7903

**Discussion with Action:** Approve the Special Event Permit Application for MAPS to hold their annual Breakaway 5K Road Race on Saturday, August 19<sup>th</sup>, 2023, 6:00a.m. to 10a.m. starting in the Square. Also, to set up a tent on the grass area by the restrooms at the Milliken Street Municipal Parking Lot for pre-registered runners to pick up their race packets on Friday, August 18<sup>th</sup>, 2023 from 5 p.m. to 7 p.m. Insurance, listing the Town of Old Orchard Beach as additionally insured, to be provided to the Town Clerk's Office at least two weeks prior to the event.

Chair: Shawn O'Neill

Motion to approve: Councilor Reid

Second: Councilor Mead

Vote: 5-0



## AGENDA ITEM # 7904

**Discussion with Action:** Approve the proposal from Stantec Consulting Services to be scheduled after July 1, 2023, in the amount of \$6,910.00 from account 20173-50300 Conservation Commission Professional Engineering with a projected FY24 budget of \$9,000 for invasive plant control services.

Chair: Shawn O'Neill

A major effort has been underway to remove invasive vegetation called phragmites and to plant native saltwater marsh vegetation to replace the invasive phragmites. The Conservation Commission has led this effort and every other year a firm is hired to eradicate the invasive vegetation in 3 Marshes: The Randall Park Marsh, The Ancona Park Marsh, and The Jordan Park Marsh. This ongoing maintenance needs to be done each year to maintain the clearing that has been accomplished by treating individual plants. The work is done in the dry summer months (August), and this was part of the FY 24 budget recommendations.

Motion to approve: Councilor Mead

Second: Councilor Reid

Vote: 5-0

## AGENDA ITEM # 7905

**Discussion with Action:** Approve a budget carry forward from FY 23 Operating Budget, account number 20110-50310 Town Planner Service Contracts in the amount \$29,500, with a balance of \$29,500 to the FY 24 Operating Budget, account number 20110-50310 Town Planner Service Contracts to contract with SMPDC for professional services to assist with updating the Old Orchard Beach Comprehensive Plan.

Chair: Shawn O'Neill

During the FY 24 budget workshops the Council recommended using the available funds that remain in the FY 23 budget for completion of the Comprehensive Plan to be used in FY 24 for the same purpose.

Motion to approve: Vice Chair Blow

Second: Councilor Reid

Vote: 5-0

Councilor Tousignant – can we check on remainder of committee?

## AGENDA ITEM # 7906

**Discussion with Action:** Approve a budget carry forward from FY 23 Operating Budget, account number 20151-50106 Public Works Full Time Wages in the amount of \$40,000 with a balance of \$218,863.29 to the FY 24 Operating Budget, account number 20151-50106 Public Works Full Time Wages to fund the Transfer Station Attendant Position in the FY 2024 Budget.

Chair: Shawn O'Neill

During the FY 24 budget workshops the Council recommended using the available funds that remain in the FY 23 budget for the approved Transfer Station Attendant position that remains vacant, instead of appropriating funds in FY 24. Therefore, this will carry forward the funds available in the FY 23 budget to the FY 24 budget for this position that was approved in FY 23.

Motion to approve: Vice Chair Blow

Second: Councilor Reid

Vote: 5-0

Councilor Tousignant – dates? – Town Manager Asanza need to create policy

## AGENDA ITEM # 7907

**Discussion with Action:** Approve a budget carry forward from FY 23 Operating Budget, account number 20197-50330 Debt Service Equipment Replacement in the amount of \$11,500 with a balance of \$94,409.21 to the FY 24 Operating Budget, account number 20197-50330 Debt Service Equipment Lease to fund a new Van for the Fire Police. This was an FY 23 budgeted item but due to lack of inventory the vehicle has not yet been purchased.

Chair: Shawn O'Neill

This request is to carry over funds from the FY 23 budget appropriated for the Fire Police Van as a lease purchase, however because of the lack of inventory on this type of vehicle the Fire Chief has had a difficult time locating one. The last update was possible shipment of Ford Vans in September. This item was approved as a lease purchase in FY 23 to replace the 2002 Chevrolet Van used by the Call Force. The recommendation is to approve the carry forward budget to be used in FY 24 for this purpose.

Motion to approve: Councilor Mead

Second: Councilor Reid

Vote: 5-0

## AGENDA ITEM #7908

**Discussion with Action:** Appoint Kevin Hedberg as a regular member of the Board of Assessment Review, term to expire 12/31/2024; appoint George Plaumann as a regular member of the Board of Assessment Review, term to expire 12/31/2025.

Chair: Shawn O'Neill

Motion to appoint: Councilor Reid

Second: Vice Chair Blow

Vote: 5-0

**AGENDA ITEM # 7909**

**Discussion with Action:** Renew the liquor license for The Local Eatery and Tap, (309-1-5), 23 Washington Ave, m-s-v Class A Restaurant/Lounge.

Chair: Shawn O'Neill

Motion to renew: Vice Chair Blow

Second: Councilor Reid

Vote: 5-0

**AGENDA ITEM # 7910**

**Discussion with Action:** Renew the liquor license for the Bell Buoy Restaurant, KTD, Inc, (205-4-5-B), 24 Old Orchard St, m-s-v in a restaurant.

Chair: Shawn O'Neill

Motion to renew: Councilor Reid

Second: Councilor Tousignant

Vote: 5-0

**AGENDA ITEM # 7911**

**Discussion with Action:** Renew the liquor license for the Old Orchard Beach Inn, OOB Inn LLC, (205-1-3), 6 Portland Ave, m-s-v in a bed and breakfast.

Chair: Shawn O'Neill

Motion to renew: Councilor Reid

Second: Councilor Tousignant

Vote: 5-0

## AGENDA ITEM # 7912

**Discussion with Action:** Approve the Special Event Permit Application for Palace Playland and the Pier to hold Fireworks displays every Thursday at 9:45 p.m. on the beach in front of Palace Playland, June 22<sup>nd</sup> to August 24<sup>th</sup>, 2023, to also include July 3<sup>rd</sup> and July 4<sup>th</sup>, 2023. Approval by the State Fire Marshall's Office to be provided to the Town Clerk's Office at least one week prior to the first display. No fee as this event is co-sponsored by the Town. Insurance, listing the Town of Old Orchard Beach as additionally insured to be provided at least two weeks prior to the events.

Chair: Shawn O'Neill

Motion to approve: Councilor Reid

Second: Councilor Tousignant

Vote: 5-0

Chairman O'Neill – support but Town is only co-sponsoring the July 3<sup>rd</sup> and 4<sup>th</sup> date.

## **AGENDA ITEM #7913**

### **Discussion With Action: Consider the Following:**

**FY 2024 Municipal Operating Budget Appropriation** in the amount of \$22,334,967

**FY 2024 Capital Improvement Budget Appropriation** in the amount of \$3,223,046

**FY 2024 Non-Property Tax Revenue Appropriation** in the amount of \$6,043,800

**FY 2024 Appropriation of \$500,000** from the Unassigned Fund Balance and **\$500,000.00** from the Rescue Fees Billing Fund; for the purpose of reducing the FY2024 Property Tax Commitment.

Authorizing the Finance Director to set the Percentage Rate for the FY 2024 tax bill to be used for operation and maintenance of the Wastewater Treatment Plant and sewer infrastructure, after approval of the FY 2024 Budget.

Authorizing and directing the Assessor to prepare a perfect list of all taxes of the municipality and to commit the same to the Tax Collector.

Authorizing and directing the Tax Collector and Treasurer, pursuant to 36 M.R.S.A., Section 906, to apply any tax payment received from an individual as payment for any property tax against outstanding or delinquent taxes due on said property in chronological order beginning with the oldest unpaid tax bill provided. However, that no such payment may be applied to any tax for which



an abatement application or appeal is pending unless approved in writing by the taxpayer.

Setting Property Tax due dates of **September 21<sup>st</sup>, 2023** and **March 21<sup>st</sup>, 2024** for the FY 2024 property taxes.

Setting interest rate of **8%** for delinquent property taxes.

Authorizing the Tax Collector and Treasurer to accept prepayments of taxes before commitment at an interest rate of 0%, pursuant to 36 M.R.S.A, Section 506.

Chair: Shawn O'Neill

Motion to approve the FY '24 budget: Councilor Mead

Second: Councilor Reid

Vote: 5-0

Chairman O'Neill – applaud all staff for their work on the process of developing the budget –

Councilor Mead – challenging year with inflationary pressures – municipal budgets affected as well to obtain and maintain employees – conservative increased based on other municipalities –

## **AGENDA ITEM # 7914**

**Discussion with Action:** To approve the use of up to \$1,000,000 from the Unassigned Fund Balance to be used specifically for Capital Infrastructure Improvements for roads and sidewalk Infrastructure projects. In the event funding is not used, the funds will remain in the town's Unassigned Fund Balance.

Chair: Shawn O'Neill

This was a recommendation of the Council for capital infrastructure improvements in FY 24.

Council and TM discussed use of funds – Vice Chair Blow, want to continue to look at bond referendum for November election –

Chairman O'Neill – August workshop date for spending funds, Councilor Mead – staff provide Council with lists of roads – Chairman O'Neill – healthy fund balance with diligent budgeting ~ \$12m

Motion to approve: Councilor Mead

Second: Councilor Reid

Vote: 5-0

## **ADJOURNMENT**

Chair: Shawn O'Neill

Motion to adjourn @8:31: Councilor Mead

Second: Councilor Reid

Vote: 5-0