



Town of Old Orchard Beach
Office of the Town Manager

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www.oobmaine.com/town-council

Regular Town Council Meeting Minutes

April 2nd, 2024

I, Tim Fleury, Secretary to the Town Council of Old Orchard Beach, Maine, do hereby certify that the foregoing document consisting of 20 pages is a copy of the original minutes from the regular meeting of the Old Orchard Beach Town Council held on 4/2/2024.

Prepared By:	Tim Fleury
Approved By:	Old Orchard Beach Town Council
Approval Date:	4/16/2024

Respectfully
Submitted,

Tim Fleury
Town Council
Secretary



Town Council - Meeting Agenda

April 2nd, 2024 @ 6:30pm
Council Chambers - 1 Portland Avenue

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.)*

PLEDGE OF ALLEGIANCE:

ROLL CALL:

Tim Fleury called roll. The following individuals were present:

Chairman Shawn O'Neill
Vice Chair Kenneth Blow
Councilor V. Louise Reid
Councilor Connor Rague
Councilor Mike Tousignant

Town Manager Diana Asanza
Council Secretary Tim Fleury

ACKNOWLEDGEMENTS:

GOOD & WELFARE:

PRESENTATION: Brent Bridges, Woodard and Curran, Upgrade to the Waste Water Treatment Facility Equipment and Systems Project

Mr. Bridges gave an overview of the system upgrades planned and the funding opportunities for the project. Original project expected to bid \$6m over, it went \$10m over.

ACCEPTANCE OF MINUTES:

Accept the minutes from the 3/19/2024 Regular Town Council Meeting.

Chair: Shawn O'Neill

Motion to accept: Vice Chair Blow

Second: Councilor Reid

Vote: 5-0

PUBLIC HEARING – BUSINESS LICENSE & APPROVALS:

F C Ice Cream OOB, LLC, Kylie Stewart and Adrian Powell, (208-2-2), 156 Saco Avenue, victualers with prep and no alcohol.

Bailey Schultz, (319-15-6-4), 12 Reggio Avenue Unit #4, one (1) seasonal short-term rental.

Anne Vanhaaren, (403-1-2), 4 Hemlock Street, one (1) year-round rental.

Jason and Michelle Lauder, (206-11-3), 7 Cottage Avenue, one (1) seasonal short-term rental.

Lenai, LLC, Whitney Ryan, (304-5-4), 8 Traynor Street, motel, 20 seasonal short-term rentals.

Paul and Miriya Puchalski, (304-4-5), 10 York Street, one (1) seasonal short-term rental.

Steven Patino, (304-7-1-15), 78 East Grand Avenue #203, one (1) year-round short-term rental.

Anika and Brian Hastings, (313-2-11-1), 3 Bay Avenue Unit 20, one (1) year round short term rental.

Pejen Realty LLC, Eric Hoban, (309-4-3), 1 Camden Avenue, one (1) year-round rental.

Eric D. and Christina R. Webb, (315-5-1-3), 42 Reggio Avenue, one (1) year round short term rental.

Chair: Shawn O'Neill

Chairman O'Neill opened the hearing at: 6:50pm

Motion to approve: Councilor Tousignant

Second: Councilor Rague

Vote: 5-0

Chairman O'Neill closed the hearing at: 6:51pm

PUBLIC HEARING – SPECIAL AMUSEMENT PERMITS & APPROVALS:

JBTS Inc, Joseph's by the Sea, (310-3-3), 55 West Grand Avenue, live music and dj's, 7 days a week, 11 am to 4 pm and 5 pm to 8 pm.

BNP INC, Elizabeth Poitras, Sunset Bar and Grill, (307-1-6), 4 Fernald Street, live music outside Monday through Sunday 2 pm to 10 pm.

Chair: Shawn O'Neill

The special amusement permit for Sunset Bar and Grill was approved at the March 19th Council meeting with live music outside from 2pm – 10 pm from its original request of 2pm – 1 am. It is back on the agenda because the applicant is appealing the amended end time and is requesting Council to reconsider.

Chairman O'Neill opened the hearing at: 6:51pm

Gary Prolman – represents the Sunset Bar and Grill, Elizabeth Poitras, - seeking equity to last year's approval through 11pm. Mr. Prolman gave a background on the facility and the operations of the establishment.

John Cloutier – Beachwood – Joseph's by the Sea has beach behind it where the live entertainment is focused – Beachwood is less than 50ft from the Sunset Bar and Grill stage – noise is an issue between 10pm and 11pm, not many times during last summer – speakers are pointed from the Sunset towards the Beachwood

Chairman O'Neill – license was issued last summer through 11pm with no issues – would like to give owner the chance to be a good neighbor

Vice Chair Blow – agree that moving a license back based on a single concern is tough – if there were numerous complaints, it would be a different story

Chief Chard – no complaints to police department to track – would be ok with staying open until 11pm, not the initial ask of 1am from the last meeting – Vice Chair Blow – would not have supported until 1am – agree with keeping the time consistent with last year's approval – Councilor Tousignant – how did we get to 10pm from the last meeting? – Councilor Rague – went with similar facilities – Councilor Tousignant – making sure it wasn't a mistake that it was approved for 10pm and not 11pm – formality of it – Chairman O'Neill – usually if an item fails, it can come back to next agenda – revisit of an item – Councilor Rague – not looking to over burden police with complaints – Vice Chair Blow – it is the accepted process to confirm the complaints and document them – officers in the area during the summer season.

Gary Prolman – experience in license issues in Portland – complaints

difficult to establish locations of – other hotels have not come forward with issues towards the Sunset Grill – would like to meet with abutters to address issues as a good neighbor.

Motion to amend the second permit from 10pm to 11pm: Vice Chair Blow

Second: Councilor Reid

Vote: 5-0 roll call vote

Councilor Tousignant – would like to see businesses on best behavior and not end up back in front of the Council with issues.

Motion to approve remaining permit: Vice Chair Blow

Second: Councilor Reid

Vote: 5-0

Chairman O'Neill closed the hearing at: 7:19pm

TOWN MANAGER REPORT



4/1/2024

Town Manager's Report

Budget Presentation:

During the Special Council meeting held yesterday evening, the proposed FY 25 budget was presented and subsequently made available for public access on the Town's website.

The budget review process, which entails a detailed analysis of budget line items, begins in December when the Finance Director and I meet with each department to review all budget line items in detail.

I would like to take this opportunity to commend the department heads for their efforts in developing the FY 25 budget requests. Additionally, I want to thank Jordan Miles, the Finance Director, for his instrumental role in assisting with the budget development process and for his continued support throughout the adoption process with Council. I would like to assure everyone that we remain steadfast in our commitment to ensuring transparency and accountability as we work towards adopting the FY 25 budget.

Budget Council workshops will begin shortly, and the budget adoption is scheduled for June 4th.

Vinnie Mattia:

This Saturday April 6th Sgt Vinnie Mattia will receive a formal Police ceremony that is customary to honor his 43 years of dedicated service to Old Orchard Beach. The ceremony will be held at the Old Orchard Beach High School gymnasium. It will start promptly at 2pm with an opportunity to pay respects to Sgt Mattia and his family following the service at 4pm.

Due to the large number of people expected, the Police Department has a few items to address to ensure the customs are followed:

PARKING:

- Parking at the High School will be for Active and Retired Law Enforcement guests and those guests needing handicapped parking.
- Parking will be available at the Ballpark for non-Law Enforcement guests.

The School & Recreation Departments will have buses available to shuttle guests beginning at 1pm and will shuttle guests back after the ceremony.

E. Emerson Cummings Blvd will be closed starting at 12:00 noon on Saturday April 6th and will re-open following the closing of the ceremony.

Parking Bans:

There is a major Nor'Easter expected tomorrow, Wednesday evening, through Thursday night, and the parking ban has been declared starting Wednesday April 3rd from 12:00 noon till Friday April 5th at noon.

As a reminder, off street parking is available during the parking ban at Memorial Parking Lot, Milliken Parking Lot and Ocean Park Square.

Union Ave:

I just received notice that the Union Ave paving project will begin next week. Shaw Bros is the contractor doing the work, and they will begin

to mobilize next week, and the week of April 15 they are scheduled to begin milling the road. The work should be completed before Memorial Day.

FEMA:

On March 20th, the FEMA declaration was granted for Individual Assistance for the January 9-13 storm event. The FEMA Disaster Recovery Center is now open in Wells to help with individual assistance. The location is at the Wells Fire Station #2, 585 N. Berwick Rd., and the hours of operation are 7 days a week from 8 am – 6pm. It isn't necessary to visit the Wells location to apply for assistance. You can also apply online at Disaster Assistance . gov or you can call 800-621-3362. The phone lines are open 7 days a week from 7 am – 1am. The deadline for Applications for assistance is May 20, 2024. This information is posted on the Town's website, FEMA's website as well as Maine's EMA website.

We are working with FEMA to set up an informational meeting in OOB for residents. This is still in the planning stages and next week FEMA will be meeting with Chief Gilboy to see if the proposed location is suitable. The meeting will be in the evening to make sure residents are home from work, and it will be to provide an overview of the process for individual assistance, like a Q&A. Small Business Administration will also be present. As soon as we get confirmation from FEMA that this will take place we will post the information on electric signs, website, and social media.

Again, all the FEMA information we have received is posted on the front page of the Town's website. This includes instructions on how to apply for assistance, and an FAQ from their website.

Thank you,
Diana H. Asanza, Town Manager

NEW BUSINESS:

AGENDA ITEM #8129

Discussion with Action: Approve Order #2024-2, Entitled “Order to Authorize the Town of Old Orchard Beach to issue General Obligation Bonds in the Principal Amount Not to Exceed \$9,800,000.00 to Pay Increased Costs to Complete Upgrade to the Waste Water Treatment Facility Equipment and Systems Project”.

Chair: Shawn O’Neill

This Council Order is to support a legal bond opinion which is a requirement of lending programs when issuing general obligation bonds.

Motion to approve: Councilor Tousignant

Second: Councilor Rague

Vote: 5-0

AGENDA ITEM #8130

Discussion with Action: Approve Order #2024-2A, Entitled, “Order to Submit Order #2024-2 to the Voters and to Call a Public Hearing on May 21st, 2024”.

Chair: Shawn O’Neill

According to the Charter provision Section 303 Referendum on Certain Expenditures, Town Council shall submit to the voters at a regular or special election any expenditure authorizing general obligation bond issues of \$1,000,000 or more. This Council Order will order the Town Clerk to place the question on the ballot. There will be a public hearing scheduled for May 21st.

Motion to approve: Vice Chair Blow

Second: Councilor Reid

Vote: 5-0

AGENDA ITEM #8131

Discussion with Action: Approve the Special Event Permit application for 5k Sports Race Management to hold a road race on Saturday, April 14th, 2024, from 8 a.m. to Noon. 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. Insurance, listing the Town of Old Orchard Beach as additionally insured, must be provided to the Town Clerk's Office at least two weeks in advance of the event.

Chair: Shawn O'Neill

This item is a date change due to weather. The original race was planned on March 23 but was cancelled due to weather conditions.

Motion to approve: Councilor Rague

Second: Councilor Reid

Vote: 5-0

AGENDA ITEM #8132

Discussion with Action: Approve the Special Event Permit application for the Veterans Memorial Park Sub-Committee to hold “Luminary Night” in Memorial Park on Sunday, May 26th, 2024, from 5 p.m. to 9 p.m.

Chair: Shawn O’Neill

Motion to approve: Vice Chair Blow

Second: Councilor Reid

Vote: 5-0

AGENDA ITEM #8133

Discussion with Action: Approve the Special Event Permit application for the Chamber of Commerce to hold a Lobsterbake event in Veteran's Memorial Park with live music and a beer tent, on Saturday, June 8th, 2024. Set-up is the same day at 8 a.m. Event is from 5:30 p.m. to 8:30 p.m. The beer tent must be on the Libby Library property, with permission from the Library—Liquor Liability insurance, listing the Town of Old Orchard Beach as additionally insured, to be provided by the liquor provider, as well as the liquor provider proving private door security.

Chair: Shawn O'Neill

Motion to approve: Councilor Tousignant

Second: Councilor Rague

Vote: 5-0

AGENDA ITEM #8134

Discussion with Action: Approve the Special Event Permit application for the Salvation Army to hold their annual parade from Saco and Biddeford Savings Bank to the Square on Sunday, July 28th, 2024, from 4:30 p.m. to 5:30 p.m.

Chair: Shawn O'Neill

Motion to approve: Vice Chair Blow
Second: Councilor Tousignant
Vote: 5-0

AGENDA ITEM #8135

Discussion with Action: Request from Maine Ultimate to amend their Special Event Permit that was approved on February 20th, 2024, to hold their Beach Ultimate Frisbee Tournament on Friday, September 13th, 2024 from 2 p.m. to 6 p.m. on the beach in front of the Brunswick. The new dates will be Friday, September 13th, 2024 set-up 2-6 p.m. and Saturday, September 14th, 2024, will be the event from 9 a.m. to 6 p.m. Insurance, listing the Town of Old Orchard Beach as additionally insured, to be provided at least one month prior to the event.

Chair: Shawn O'Neill

The original application only listed Friday, September 13th for the event. Set up is Friday, September 13th and the event is on Saturday, September 14th.

Motion to approve: Vice Chair Blow

Second: Councilor Reid

Vote: 5-0

AGENDA ITEM #8136

Discussion with Action: Renew the Liquor license for JBTS Inc, Joseph's by the Sea, (310-3-3), 55 West Grand Avenue, m-s-v in a Class I restaurant.

Chair: Shawn O'Neill

Motion to approve: Vice Chair Blow

Second: Councilor Rague

Vote: 5-0

ADJOURNMENT

Chair: Shawn O'Neill

Motion to adjourn: Vice Chair Blow

Second: Councilor Rague

Vote: 5-0