



Town of Old Orchard Beach
Office of the Town Manager

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www.oobmaine.com/town-council

Regular Town Council Meeting Minutes

November 19, 2024

I, Tim Fleury, Secretary to the Town Council of Old Orchard Beach, Maine, do hereby certify that the foregoing document consisting of 22 pages is a copy of the original minutes from the regular meeting of the Old Orchard Beach Town Council held on 11/19/2024.

Prepared By:	Tim Fleury
Approved By:	Old Orchard Beach Town Council
Approval Date:	12/3/2024

Respectfully
Submitted,

Tim Fleury
Town Council
Secretary



Town Council - Meeting Agenda

November 19, 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

Vice Chair Kenneth Blow
Councilor Connor Rague
Councilor V. Louise Reid
Councilor Mike Tousignant

Town Manager Diana Asanza
Council Secretary Tim Fleury

Chairman O'Neill had an excused absence.

ACKNOWLEDGEMENTS:

Paul R Landry Foundation – Councilor Rague gave an acknowledgement on the charitable work the Paul R Landry Foundation provides.

GOOD & WELFARE:

Michelle Yingling - 24 Kapok Street – Ms. Yingling gave her opinions on a property dispute with her neighbor and the Town Council.

Kimberly Look – 14 Village Lane – Ms. Look gave her opinion on the recently accepted Mobile Home Rent Stabilization and asked about an update on the administrative fee.

PRESENTATION:

ACCEPTANCE OF MINUTES:

Chair: Shawn O’Neill

PUBLIC HEARING – ORDINANCE AMENDMENTS:

Public Hearing: Shall the Town Council Repeal and Replace the General Assistance Ordinance, last amended January 17th, 2017.

Chair: Shawn O’Neill

This item increases the maximum assistance available to residents in the General Assistance program, as recommended by the State of Maine Department of Health and Human Services.

Vice Chair Blow opened the hearing at: 6:41 pm

Vice Chair Blow closed the hearing at: 6:42 pm

PUBLIC HEARING – LIQUOR LICENSE & APPROVALS:

Biggah Guys Pizzah, Aaron Morrill, (206-26-4-C), 34 Saco Avenue Unit C, m-s-v in a restaurant.

Chair: Shawn O’Neill

Vice Chair Blow opened the hearing at: 6:43 pm

Motion to approve: Councilor Tousignant

Second: Councilor Reid

Vote: 4-0

Vice Chair Blow closed the hearing at: 6:44 pm

PUBLIC HEARING – BUSINESS LICENSE & APPROVALS:

Jacobus Kats, (210-1-7-55), 11 Smithwheel Road, Unit#55, one (1) year-round rental.

Amanda Hutchins DBA, (211-7-50), 13 MacArthur Avenue, one (1) year-round short-term rental.

Msuya LLC, Sarah Msuya, (311-16-15), 34 Washington Avenue, four (4) year-round rentals.

Reed Properties, Lisa McLeod, (314-8-7), 87 Seaview Avenue, three (3) year-round short-term rentals.

David Cynewshi, (105A-1-400-E2), 53 Wild Dunes Way Unit E2, one (1) year-round rental.

Beach Walk Bungalow LLC, Stephen Bean, (302-6-7-1), 165 East Grand Avenue Unit 1, one (1) seasonal short-term rental.

JCK Properties, John Dube, (305-4-1), 1 Cleaves Street, Unit 604, one (1) seasonal short-term rental.

Mary Pitre Estate, Bob Pitre, (301-5-1), 40 Wavelet Street, four (4) year-round short-term rentals.

Christopher Lessard, (211-7-47), 15 MacArthur Avenue, one (1) ADU year-round rental.

The Biggah Guys Pizzah LLC, Aaron Morrill, (206-26-4-C) 34 Saco Avenue Unit C, victualers with prep and alcohol.

Emlen Cote, (316-4-1), 1 Seacliff Avenue Unit 4B, one (1) year-round rental.

Kathleen Boisclair, (316-4-1) 1 Seacliff Avenue Unit 3A, one (1) year-round rental.

Kristine Sherman, (210-1-7-31), 11 Smithwheel Road Unit 31, one (1) year-round rental.

Globevell Capital LP Partnership, Marie Quintal, (319-8-1), 1 Tripoli Avenue, one (1) year-round short-term rental.

Fish Holdings LLC, Lindsay Fish, (206-28-20), 34 School Street, one (1) year-round short-term rental.

Chair: Shawn O'Neill

Vice Chair Blow opened the hearing at: 6:45 pm

Motion to approve: Councilor Tousignant

Second: Councilor Reid

Vote: 4-0

Vice Chair Blow closed the hearing at: 6:46 pm

PUBLIC HEARING – SPECIAL AMUSEMENT PERMITS & APPROVALS:

Patio Pub Inc. d/b/a Hooligan's Landing, Paul Golzbein (306-6-1), 2 Old Orchard Street, DJ, solo, duet, inside 12:00 pm to 1:00 am, Sunday through Saturday (no change).

Patio Pub Inc., Pier Patio Pub, Paul Golzbein, (306-6-1), 2 Old Orchard Street, DJ, solo, duet, band, comedy, inside and outside, 11:00 am to 1:00 am, inside and outside, Sunday through Saturday (no change).

TPR Inc. d/b/a Bull & Brew Winghouse, Paul Golzbein, (306-5-2), 6 East Grand Avenue, DJ, solo, duet, band, inside 12:00 pm to 1:00 am, Sunday through Saturday (no change).

TPR Inc. d/b/a Tequila Frogs Local Cantina (306-5-3), 8 East Grand Avenue, DJ, solo, duet, inside and outside, 12:00 pm to 12:30 am, Sunday through Saturday (no change).

Chair: Shawn O'Neill

Vice Chair Blow opened the hearing at: 6:47 pm

Motion to approve: Councilor Reid

Second: Councilor Rague

Vote: 4-0

Vice Chair Blow closed the hearing at: 6:48 pm

PUBLIC HEARING:

Public Hearing: Shall the Town consider a request from Homewood Park Road Association to accept title and to accept and establish as town ways those developed portions of Homewood Blvd, Kapok St, and Juniper St together with all rights appurtenant thereto and all improvements situated therein or thereon, including, without limitation, any and all stormwater runoff systems, electrical, water, sewer, gas, or other utility infrastructure, bollards, lamp posts, lights and lighting facilities; expressly including any and all stormwater infrastructure shown on a plan entitled "Plan of Street Rights of Way Homewood Park, Portions of Homewood Boulevard, Juniper Street, and Kapok Street, Old Orchard Beach, Maine" prepared by Jones and Associates, last revised February 21, 2018, except the ponds shown on "Pond #1 Easement Area" located on Lots 14, 15, 17 and 18 and "Pond #2 Easement Area" located on Lots 7, 8 and 9. As described in the Quitclaim Deed Without Covenant from Homewood Park Road Association to the Town of Old Orchard Beach, Maine, dated, _____.

Chair: Shawn O'Neill

Over the past year, Councilor Blow and Town staff have worked with the developer to complete the pending work in this subdivision. All work has been completed except for the paving of a small area that required regrading to address puddling. The Town withheld funds from the escrow for this work and it is scheduled to get done over the next two weeks. The Town Planner has been working with the homeowner's association on the street acceptance process.

Vice Chair Blow opened the hearing at: 6:49 pm

Vice Chair Blow closed the hearing at: 6:49 pm

TOWN MANAGER REPORT

NEW BUSINESS:

AGENDA ITEM #8636

Discussion with Action: Approve the estimate from TB Earthworks for the replacement of the Town Hall retaining wall including proper drainage and security fencing in the amount of \$63,500 from account # 51002-50901 CIP Town Building Reserve with a balance of \$337,054.11.

Chair: Shawn O'Neill

This item is part of the FY 25 capital budget. It was determined that the retaining wall on the lower parking lot at the Town Hall was due to be replaced because of deterioration and leaning into the building next door. An RFP was issued on September 18th and one bid was received. The proposed scope of work was reviewed and meets the requirements of the project.

Motion to approve: Councilor Reid

Second: Councilor Rague

Vote: 4-0

AGENDA ITEM #8637

Discussion with Action: Approve the estimate from Fire Tech & Safety for the purchase of one (1) Circul-Air PPE Express 6 Gear Drying Cabinet for the Fire Department in the amount of \$9,775.00 from account #52002-50895 CIP Fire Equipment and gear with a balance of \$53,856.38.

Chair: Shawn O'Neill

This is part of the FY 25 capital Budget. The Fire Department met with four (4) different vendors regarding the purchase of a PPE gear drier. Four cabinets were evaluated with one immediately disqualified due to cost and size of unit. The remaining three were assessed and the Circul-Air PPE Express 6 was the clear favorite. Fire Tech and Safety has the best price on that unit. The current gear drier was purchased 15 years ago and does not meet the recommendations of NFPA 1851, Advanced Cleaning Verification for Personal Protective Equipment

Motion to approve: Councilor Tousignant

Second: Councilor Reid

Vote: 4-0

AGENDA ITEM #8638

Discussion with Action: Approve the estimate from Shaw Brothers Construction for the MPI Paving Project of Old Orchard Road at Saco Avenue and extending to the Saco town line in the amount of \$332,400.00, with a local share in the amount of \$157,400 from account #50002-50506 Public Works Road Maintenance and Improvement CIP with a balance of \$912,186.22, and the balance of \$175,000 paid by PACTS.

Chair: Shawn O'Neill

This is a PACTS project in partnership with ME DOT and the Town. The work consists of a mill and fill on Old Orchard Road which was identified by ME DOT and PACTS in need of repairs before it deteriorated further as part of the pavement preservation program. This past summer, Saco paved Old Orchard Road from the Old Orchard town line to the end. This work will complete Old Orchard Rd improvements.

Motion to approve: Councilor Rague

Second: Councilor Reid

Vote: 4-0

AGENDA ITEM #8639

Discussion with Action: Approve addendum #1 to the contract between Grant Rite Management Corp. and the Town of Old Orchard Beach to increase the amount to \$225,000 and extend the term to 6/30/2026 for FEMA grant management assistance from account #31131-50563 FEMA Storm Damages Expense. Their services are eligible for FEMA reimbursement under the administrative eligibility of 5% of the Town's obligated reward.

Chair: Shawn O'Neill

Grant Rite Management is assisting the Town with the January 2024 FEMA disaster claim. Based on the balance left in the current contract and the remaining work left to do before submission of FEMA public assistance, the additional amount requested is to complete the full scope of this work. The costs associated with this contract are fully reimbursable through FEMA public assistance as administrative costs.

Motion to approve: Councilor Reid

Second: Councilor Rague

Vote: 4-0

AGENDA ITEM #8640

Discussion with Action: Approve the estimate from Wright Pierce for assistance with the Sandpiper Road Drainage project in the amount of \$11,600.00 from account #50002-50831 Public Works Stormwater Maintenance and Improvement CIP with a balance of \$951,322.78.

Chair: Shawn O'Neill

The Town has been working on improving the drainage in the Sandpiper Road vicinity. Wright-Pierce met with the Town to assess the issues, and Wright-Pierce will be assisting the Town with the design, engineering, and permit applications needed to complete the project.

Motion to approve: Councilor Tousignant

Second: Councilor Rague

Vote: 4-0

AGENDA ITEM #8641

Discussion with Action: Set the Public Hearing date of December 3, 2024, to consider a request from Mezoian Development, LLC, to accept title and to accept and establish as town ways those developed portions of Summer Long Drive and Winter Berry Lane together with any storm water runoff systems located within the right of way of said Summer Long Drive and Winter Berry Lane, fire hydrants, street signs, drainage easement areas and sewer pipes located therein or appurtenant thereto, sidewalks, trees, street lights, lighting facilities, lampposts, and all of the rights appurtenant to the foregoing, as shown on a plan entitled “Final Plan, Sumter Landing, Ross Road, Old Orchard Beach, Maine”, for Mezoian Development, LLC, dated January 2020 as revised through 9/18/20, by BH2M, Inc. As described in the Warranty Deed from Mezoian Development, LLC to the Town of Old Orchard Beach, Maine, dated, _____.

Chair: Shawn O’Neill

This agenda item sets the date of the public hearing for further discussion.

This is to begin consideration of a request from Mezoian Development LLC to accept the Summer Long Dr and Winter Berry Ln, located in the Sumter Landing residential development.

Motion to approve: Councilor Tousignant

Second: Councilor Reid

Vote: 4-0

AGENDA ITEM #8642

Discussion with Action: Approve the Special Event Permit application for the Chamber of Commerce to hold their Celebration-by-the-Sea winter event. Set-up and takedown from 3:00 pm to 6:00 pm and the event from 3:00 pm-5:30 pm in Memorial Park on Saturday, December 7th, 2024, to include a tree lighting in Memorial Park. Request to close First Street from the Memorial Park parking lot to Staples Street.

Chair: Shawn O'Neill

Motion to approve: Councilor Reid

Second: Councilor Rague

Vote: 4-0

AGENDA ITEM #8643

Discussion with Action: Approve the Special Event Permit application for Special Olympics to hold their annual Lobster Dip on Monday, January 1st, 2025 from 7am to when the “Dip” takes place at noon; clean up by 1pm. Parking allowed on one side of West Grand Avenue; two police officers required. Applicant must confirm and coordinate with the OOB Fire Department the following: that the Major Medical Emergency Response Team and the Maine State Police Dive Team will be available; and availability of on duty crews transport-incident dependent. Insurance, listing the Town of Old Orchard Beach as additionally insured, to be provided one month prior to the event.

Chair: Shawn O’Neill

Motion to approve: Councilor Reid

Second: Councilor Tousignant

Vote: 4-0

AGENDA ITEM #8644

Discussion with Action: Approve the Special Event Permit application for OOB365 to hold Last Blast on December 31st, 2024, 2025 and 2026 from 3:00 p.m. to 9 p.m. in the Square and on the beach, including vendors, amplified music, a bonfire and fireworks on the beach. Fireworks permit issued by Maine State Fire Marshal's Office is forwarded to the OOB Fire Department at least one week prior to each event; bonfire permit will be obtained on the day of the fire after inspection of materials to be burned are inspected by Fire Department Officer in charge; fire is completely extinguished prior to leaving the bonfire site; a safety barricade must be placed around the fire to keep people 15 feet away. Insurance, listing the Town of Old Orchard Beach as additionally insured, to be provided to the Town Clerk's Office at least one month prior to the 2025 and 2026 events.

Chair: Shawn O'Neill

Motion to approve: Councilor Reid

Second: Councilor Rague

Vote: 4-0

Councilor Reid acknowledged the hard work OOB 365 puts into events.

AGENDA ITEM #8645

Discussion with Action: Authorize the Town Manager to sign an MOU between the Town of Old Orchard Beach and the York County EMA. The purpose of this MOU is to establish a cooperative framework between the Town and the County. This includes sharing resources, personnel, and technical expertise necessary to complete the goals and objectives related to coastal resilience. Under this MOU, the County will serve as the designated fiscal, administrative, and operational entity.

Chair: Shawn O'Neill

This MOU will allow the Town to partner with York County EMA personnel and resources when applying for grant funds associated with coastal resiliency including dune and beach restoration for Old Orchard Beach.

Motion to approve: Councilor Tousignant

Second: Councilor Reid

Vote: 4-0

AGENDA ITEM #8646

Discussion with Action: Renew the liquor license for TPR Inc. d/b/a Tequila Frogs Local Cantina (306-5-3), 8 East Grand Avenue, m-s-v in a restaurant.

Chair: Shawn O'Neill

Motion to approve: Councilor Tousignant

Second: Councilor Rague

Vote: 4-0

AGENDA ITEM #8647

Discussion with Action: Renew the liquor license for Patio Pub Inc. d/b/a Hooligan's Landing, Paul Golzbein (306-6-1), 2 Old Orchard Street, m-s-v in a restaurant.

Chair: Shawn O'Neill

Motion to approve: Councilor Rague

Second: Councilor Reid

Vote: 4-0

AGENDA ITEM #8648

Discussion with Action: Renew the liquor license for Patio Pub Inc., Pier Patio Pub, Paul Golzbein, (306-6-1), 2 Old Orchard Street, , m-s-v in a restaurant.

Chair: Shawn O'Neill

Motion to approve: Councilor Reid

Second: Councilor Rague

Vote: 4-0

AGENDA ITEM #8649

Discussion with Action: Renew the liquor license for TPR Inc. d/b/a Bull & Brew Winthouse, Paul Golzbein, (306-5-2), 6 East Grand Avenue

Chair: Shawn O'Neill

Motion to approve: Councilor Reid

Second: Councilor Tousignant

Vote: 4-0

ADJOURNMENT

Chair: Shawn O'Neill

Motion to adjourn @7:01 pm: Councilor Tousignant

Second: Councilor Reid

Vote: 4-0