



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 1st, 2025

I, Tim Fleury, Secretary to the Town Council of Old Orchard Beach, Maine, do hereby certify that the foregoing document consisting of 15 pages is a copy of the original minutes from the regular meeting of the Old Orchard Beach Town Council held on 4/1/2025.

Prepared By:	Tim Fleury
Approved By:	Old Orchard Beach Town Council
Approval Date:	4/15/2025

Respectfully
Submitted,

Tim Fleury
Town Council
Secretary



Town Council - Meeting Agenda

April 1st, 2025 @ 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 were present:

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

Diana Asanza, Town Manager
Tim Fleury, Town Council Secretary

ACKNOWLEDGEMENTS:

GOOD & WELFARE:

Sherri Stockwell – 189 Temple Avenue – concern on neighbor's short term rental – concerns on quiet time with VACASA 10pm – 24 hour check-in – Chairman O'Neill reiterated that Council needs residents to contact the police department for official complaints so they are documented.

ACCEPTANCE OF MINUTES:

Accept the minutes form the 3/18/2025 Regular Town Council Meeting.

Chair: Shawn O'Neill

Motion to accept: Councilor Reid

Second: Councilor Tousignant

Vote: 5-0

PUBLIC HEARING – BUSINESS LICENSE & APPROVALS:

Japhet Murenzi, (102-3-11), 17 Ross Road, one (1) year-round short-term rental.

Mischelle McCormick, (210-2-6-62), 18 Smithwheel Road Unit 62, one (1) year-round rental.

Charles Berg, (311-8-1), 11 Sixteenth Street, three (3) year-round rentals.

Paul Vose LLC, Paul Vose, (105A-1-C18) 12 Magnolia Drive, one (1) year-round rental.

Paul Vose LLC, Paul Vose, (105A-1-C15) 13 Magnolia Drive, one (1) year-round rental.

Chair: Shawn O'Neill

Chairman O'Neill opened the hearing at: 6:37 pm and suggested splitting the items into two groups

Motion to approve the first three (3) items: Councilor Tousignant

Second: Councilor Reid

Vote: 5-0

Tim Bryant – attorney representing Country Club Estates – recommending Council deny license – state and local permits have not been obtained – 12 and 13 Magnolia Drive operating as business Bridge Support Services – 3 residences licensed in Maine – 31 Juniper Lane OOB is one in state, no other license in Town – HOA covenants – single family homes, rentals allowed under certain circumstances, leases approved by HOA association – manager moving office supplies in to support business in home – filed lawsuit with York County Superior Court for cease and desist – planning board proposed use “20

residential units”, not approved as business location

Rick Haskell – code enforcement office – Vice Chair Blow – refused inspection? – Rick Haskell – initial inspection before occupancy, told that they were not required to supply anything to codes – Vice Chair Blow – business use with computers and office supplies? – Rick Haskell – needs to seek guidance from state – Councilor Tousignant – does State supersede local ordinances? – Rick Haskell – blanket statement – must treat as a single family home and not require more than a single family home – Vice Chair Blow – other unit in Town is licensed by state, these are not – Rick Haskell – was told by Bridge Support Services that they are not required to provide license – Chairman O’Neill – asked is a representative from Vose LLC is present – will present motion

Motion to deny two licenses - Vice Chair Blow

Second - Councilor Rague

Vote: Council Secretary Fleury called role, 5-0 yes to deny

Councilor Tousignant – asked when it started – resident stated 12/2024

Hans Radel - 19 Magnolia Drive – 2 houses were built differently than the rest of the development – businesses started prior to licenses issued

Vice Chair Blow – understand frustrations of residents, can’t address them until brought to Council

Harold Dyer – 16 Magnolia – appreciate Council turning down license – What are repercussions for operating without license? – Chairman O’Neill – fines issued by Town

Chairman O’Neill closed the hearing at: 6:58 pm

TOWN MANAGER REPORT

NEW BUSINESS:

AGENDA ITEM #8734

Discussion with Action: Amend the Code of Ordinances, Chapter 34, Housing, Section 34-91 Occupancy Requirements to amend the ordinance to allow greater density for temporary seasonal housing in a cabin or similar facility, and Chapter 34, Housing, Section 34-26 to add definitions for floor area, habitable space, dwelling, and complete bathroom.

Chair: Shawn O'Neill

The proposed amendments under Section 34-91 for Occupancy Requirements are as follows:

For Temporary Seasonal Housing (which is April 1 – October 31), it categorizes three types of housing:

1. Housing furnished within an existing single family, two family or multi family dwelling.
2. Housing furnished in a hotel or motel room.
3. Housing furnished in a cabin or similar facility.

The minimum square footage remains the same at 70 sq ft per occupant, however what is being added is for those facilities that provide separate living and cooking space accessible 24 hours a day, the minimum floor space may be reduced with approval from Code Enforcement.

It also adds language that will not allow a person to occupy as owner occupant or allow another person to occupy any dwelling unit, or rooming unit that does not comply with the minimum standards for space and occupancy.

For housing furnished in a hotel or motel language is added to state the

occupancy limit is the same as a paying guest at the hotel or motel.

One thing to note is that the current ordinance Section 34-91 requires 1 complete bathroom per 5 occupants – that remains the same.

Under Section 34-26 there are two amendments:

- Add a new definition for a “complete bathroom” to be defined as 1 shower, 1 toilet and 1 sink.
- And delete the definition of a toilet room which is the same as a complete bathroom.

Motion to accept: Vice Chair Blow

Second: Councilor Tousignant

Vote: 5-0

AGENDA ITEM #8735

Discussion with Action: Amend the Code of Ordinances, Chapter 54, Traffic and Vehicles, Section 54-37, Penalty, changing the fine amount for expired parking; and Section 54-187, Town Hall parking and Veteran's Square parking.

Additionally, amend Section 54-37 (b) by removing (23) and (24). This was discussed at the Public Hearing.

Chair: Shawn O'Neill

The amendments include the following changes:

- Increasing the fee for expired meter from \$30 to \$50.
- Adding a new fine for parking in the Employee Parking lot behind Town Hall during business hours of \$100.
- Identifying Town Hall business parking as the Upper Lot and the lower Veterans Square parking lot.
- Identify employee parking at 19 Imperial St. MBL 205-3-3 which is the large lower lot immediately adjacent to Town Hall.
- Signage will be installed to identify the parking areas.

One thing that is recommended as a housekeeping item under Section 54-37 (b) is to delete (23) and (24) for the fine for expired parking at the Milliken St. Lot and Memorial Park Lot, since it is included in the proposed amendment for expired meter parking from \$30 to \$50 under (14).

Motion to accept: Vice Chair Blow

Second: Councilor Rague

Vote: 5-0

AGENDA ITEM #8736

Discussion with Action: Approve the quote from Thyng Paving in the amount of \$28,875 for Cortland Avenue paving from account #50002-50506 CIP Road Maintenance and Improvement with a balance of \$386,053.31 .

Chair: Shawn O'Neill

Cortland Avenue is a road identified as needing paving by the Town. Thyng Paving is paving a parking lot off Cortland Avenue and the Town will save on mobilization and other costs by performing the work at the same time.

Motion to approve: Councilor Tousignant

Second: Councilor Reid

Vote: 5-0

AGENDA ITEM #8737

Discussion with Action: Approve the MOU between the Town of Old Orchard Beach and the York County Emergency Management Agency (YCEMA) to ensure adequate staffing as available and sustainable for response to HAZMAT incidents in York County.

Chair: Shawn O'Neill

The requested memorandum creates an agreement between the two parties for the sponsorship and support of members of the York County Hazardous Materials Response Team.

This MOU is to ensure adequate staffing is available and sustainable for response to HAZMAT incidents in York County. The committed support of local fire departments has become necessary. While membership of the HAZMAT Response team will remain voluntary, it is required for each member to be sponsored by a local fire department.

While OOB staff is participating in HAZMAT training and on HAZMAT calls, their pay will be covered by York County, including overtime.

Motion to approve: Vice Chair Blow

Second: Councilor Reid

Vote: 5-0

AGENDA ITEM #8738

Discussion with Action: Accept, with regret, the resignation of Irvin Paradis as a member of the Conservation Commission.

Chair: Shawn O'Neill

Motion to approve: Councilor Tousignant

Second: Councilor Reid – thanks for service

Vote: 5-0

AGENDA ITEM #8739

Discussion with Action: Approve the quote from Vortex Services in the amount of \$13,050 for biannual pump station wet well cleaning from account #20161-50342 Waste Pumping Expense with a balance of \$21,086.31.

Chair: Shawn O'Neill

The Wastewater department budgets for Vortex to come in and clean out pump station wet wells and tanks at the facility two times a year. Price includes labor, truck and confines space team.

Motion to approve: Councilor Tousignant

Second: Vice Chair Blow

Vice Chair Blow – includes confined space team? – Town Manager Asanza – yes

Vote: 5-0

AGENDA ITEM #8740

Discussion with Action: Convey foreclosed property identified as 10 BAY AVE, parcel number 00313-00003-00009 to owners of record DURP LLC, for the total amount of \$4343.90 in outstanding taxes and accumulated interest, due on the effective date of conveyance, including FY23, FY24, FY25 AND estimated FY26 taxes, plus any legal costs incurred by the Town of Old Orchard Beach.

Chair: Shawn O'Neill

Motion to approve: Vice Chair Blow

Second: Councilor Rague

Vote: 5-0

AGENDA ITEM #8741

Discussion with Action: Convey foreclosed property identified as 3 BAY AVE #24, Parcel Number 00313-00002-011-5 to owners of record DURP LLC, for the total amount of \$20,728.83 in outstanding taxes and accumulated interest, due on the effective date of conveyance, including FY23, FY24, FY25, AND estimated FY26 taxes, plus any legal costs incurred by the Town of Old Orchard Beach.

Chair: Shawn O'Neill

Motion to approve: Councilor Tousignant

Second: Councilor Rague

Vote: 5-0

ADJOURNMENT

Chair: Shawn O'Neill

Motion to adjourn @ 7:05 pm: Councilor Tousignant

Second: Councilor Rague

Vote: 5-0