

**TOWN OF OLD ORCHARD BEACH, MAINE
ADMINISTRATIVE HEARING
Wednesday, October 29, 2014
1:30 p.m.**

An Administrative Hearing was called to order at 1:30 p.m. on Wednesday, October 29, 2014, to consider administrative review.

The following were in attendance:

**Town Manager Larry Mead
Assistant Town Manager, Louise Reid
Code Enforcement – Dan Feeney
Police Chief Dana Kelley
Fire Chief Ricky Plummer
Planner – Jeffrey Hinderliter
Kenneth Lafayette
Gary Curtis
Tina Kelly
Paul Golzbein – The Pier
Rich Redmond – The Pier**

Absent: Marc Bourassa

The Town Manager introduced everyone attending and discussion began on several police reports on activities at the Pier. It was noted at the beginning that the Pier management has an excellent reputation for handling any issues related to infractions at the Pier but since the Ordinance requires that after three reports are formulated, an Administrative Review Board Meeting needs to be held. Many on the Board itself have questioned that requirement of “three” reports, particularly when it is the business owner who is reporting the incident and having security themselves handling the issues.

Rich Redmond had prepared a report as it regarded the Pier 2014 Security Summary Report which included the following:

This report is a breakdown of calls for service and what area on the Pier the call was handled; also statistics in areas and budgets for security. The Pier facility handles about a million tourists a summer. They have about three thousand people on the Pier on average and see about ten thousand people a day during the summer season.

6/22/14	Hooligans – female arrest assault/refused service.	Detail Officer
7/4/14	Hooligans – trespass warning/refused entrance.	Detail Officer
7/11/14	Hooligans - warning trespass.	Detail Officer
8/19/14	Hooligans - warning trespass.	Detail Officer
7/6/14	Sunglass Hut – subject harassing clerk.	Detail Officer
7/11/14	Front of Pier – escorted off.	Sgt.

Hemmingway

7/13/14	Front of Pier – escorted off.	Officer Germaine
7/13/14	Front of Pier – subject refused entrance. Trespass Warning	Detail Officer
7/13/14	Pier Patio Pub – 8 refused entrance at door.	Detail Officer
7/27/14	Pier Patio Pub – subject refused entrance.	Detail Officer
8/2/14	Front of Pier – subject refused to leave. Trespass warning	No Detail Officer
8/9/14	Tequila Frogs – subject refused to leave – Arrest.	Detail Officer
8/10/14	Pier Patio Pub – refused entrance.	Detail Officer
8/10/14	Pier Patio Pub – Subject shut off. Trespass warning.	Detail Officer Jarret
8/30/14	Pier Pizza – subject warned – trespassing.	Detail Officer

He explained that the Pier detail shifts run for 66 days, 271 man hours with the 2014 budget of \$14,092. In addition Pier security staff includes 41 officers with the 2014 budget of \$129,000. There are 171 Pier employees (seasonally.)

The Pier is secured 24/7 by security services during the summer months. In addition, the Pier security retained over 211 fake or fraudulent ID 114 cards and were written up and forwarded to the Police for prosecution. A file was produced documenting all this information. Pier security has at least five contacted calls for service at minimum per day and up to 70 calls and contacts at maximum during peak summer volume a day; most calls handled by detail officers and professional security personnel.

There was no question among the Administrative Board that the records and details of security are meticulous and appreciated by the Board members. There were continued discussions about the fake identifications and the detail required to take police action on these individuals. In additional it was discussed that there is a good working relationship between the bar and restaurants in the downtown area in letting each other know of the issues and individual that are causing the disturbances which permits security at the other place to be alerted so that individual does not appear at that bar or restaurant. In addition it was noted that there are security cameras all over the Pier and the square area, placed there by Pier management for security reasons and to establish a very excellent area of safety.

Discussion also included the fact that the money raised through food sales is on line with alcohol sales which has not always been the case. In the past alcohol sales were significantly higher that food sales and it was felt by the business owners and also the Board that this signaled perhaps a more family oriented clientele.

During the discussion period there was historical information given on the type of music and programing that the Pier has done over the years with the change in the likes and dislikes of those who visit the Pier on a regular basis. The type of musical programs has changed over the years and the Pier ownership has done everything to keep up with the times and the likes and dislikes of the clients.

MOTION: A motioned was made by Gary Curtis and seconded by Chief Kelley to consider the documentation presented and the continued support of the business owner sufficient to the discussion of this Administrative Board on these particular issues.

VOTE: Unanimous.

Dan Feeney, Code Enforcement Officer, did introduce into the discussion some issues relative to the maintenance of the Pier including some issues that he had recently brought to the attention of the owners during an inspection. Paul Golzbein indicated that the Pier has always made the repairs that are necessary when it is noted and that some of the items that were mentioned by the Code Officer had not been brought to the attention of the owners. He was offended at the suggestion that the Pier was “shabby” and that his family has owned the Pier for years and have always adhered to correcting code issues. The suggestion of the Pier possibly needing new paint on the backside of the Pier was mentioned and the owner said it would be done. The Code Officer and the owner of the Pier will meet to discuss other issues of concerns. The question was raised if the Pier has a Maintenance Budget to which the owner indicated that thousands of dollars are spend in upgrades to the Pier and this year alone 60% to 70% of that budget went to new roofs for the Pier area.

The Town Manager and the Board expressed their appreciation to both Paul Golzbein and Rich Redmond for their adherence to safety and legal considerations and for the depth of documentation which they provided to the Board at this meeting.

MOTION: Gary Curtis motioned and Chief Kelley seconded to adjourn the meeting at 2:45 p.m.

VOTE: Unanimous.

Respectfully Submitted,

V. Louise Reid
Secretary to the Administrative Board

I, V. Louise Reid, Secretary to the Administrative Board of Old Orchard Beach, Maine, do hereby certify that the foregoing document consisting of three (3) pages is a true copy of the original Minutes of the Administrative Hearings held on Wednesday, October 29, 2014.