

**TOWN OF OLD ORCHARD BEACH
REGULAR TOWN COUNCIL MEETING
TUESDAY, APRIL 7, 2009 – 7:00 P.M.
TOWN HALL CHAMBERS
AGENDA**

**Pledge to the Flag
Roll Call**

ACKNOWLEDGEMENTS:

ACCEPTANCE OF MINUTES: **Town Council Minutes of March 3, 2009; Town Council Workshop of March 3, 2009; Special Town Council Minutes of March 4, 2009; Special Town Council Minutes of March 10, 2009; Town Council Minutes of March 17, 2009; Town Council Workshop of March 18, 2009; Town Council Workshop of March 21, 2009; Town Council Workshop of March 25, 2009; Town Council Workshop of March 26, 2009; Town Council Workshop of March 31, 2009; and Administrative Board Hearings of March 26, 2009 and April 2, 2009.**

PUBLIC HEARINGS: **Shall We Amend the Town of Old Orchard Code of Ordinance, Chapter 30, Article V – Privately Owned Fire Hydrants?**

Shall We Amend the Town of Old Orchard Beach Code of Ordinances, Chapter 18, Businesses, Section 521, 522, 524 through 531; and Chapter 78 – Zoning, Sections 1, 1222, 1224, 1225 and 1229?

Shall We Amend the Town of Old Orchard Code of Ordinances, Chapter 74, Subdivisions, Sections 153, 207,233, and Chapter 78 – Zoning, Section 215?

Shall We Amend the Town of Old Orchard Beach Code of Ordinances, Chapter 78 – Zoning, Sections 1, 142, 178, 212, and 1381?

BUSINESS LICENSES: **Carmen & Marco Giacotti (201-1-1), 231 East Grand Avenue, one year round rental; Jason Hirst (205-6-6-9), 6 Imperial Street, Unit 9, one year round rental; Lois Hager (210-1-20-48), 39 Smithwheel Road, Unit 48, one year round rental; PMF Inc., dba/Ace's Auto Sales (211-1-15), 1 Old Orchard Road, Used Car Lot, Service Station, Storage Unit and one year round rental; Patricia Kane-Raynor (301-3-1-100), 189 East Grand Avenue, Unit 100, one year round rental; Paul Houle (312-14-3), 74 Atlantic Avenue, one year round rental; Nicholas J. Cerullo (320-9-10), 3 West Casco Avenue, one seasonal rental; and Johanna Thomas (324-1-2), 6 New Salt Road, one seasonal rental.**

SPECIAL AMUSEMENT PERMIT: Fly By Night Inc., dba/Mr. Goodbar (306-5-2), 6 East Grand Avenue, live music, juke box, comedy, karaoke, & dancing.

TOWN MANAGER’S REPORT:

- # 5147 Discussion with Action: Amend Section 54 – Regulatory Powers (b)(5) – Establish Specific Parking Spaces for Lifeguards to Park during the Hours of 9:00 a.m. and 5:00 p.m. between the Friday before Memorial Day and Labor Day; Amend Sections 54-44 (Penalty); 54-159(Passenger and Loading Zones); and Add Sections 54-114 (Milliken Street Parking Lot) and 54-115 (Memorial Park Parking Lot). Chair Sharri MacDonald
- # 5148 Discussion with Action: Amend Section 42-173 (Surfing- Areas Where Prohibited); and Add Sections 42-112 (Beach Rules) and 42-113 (Fishing). Chair Sharri MacDonald
- # 5149 Discussion with Action: Amend Sections 34-26 (Definitions); 34-91 (Occupancy Requirements); and 34-286 (Required: Criteria for Issuance on Conversion of Seasonal Structures to Year Round Dwellings). Chair Sharri MacDonald
- #5150 Discussion with Action: Approve the Liquor License Renewals for Richard Payette dba/ The Landmark Restaurant (306-5-6), 28 East Grand Avenue; s-m-v in a Restaurant; Fly By Night Inc., dba/Mr. Goodbar (306-5-2), 6 East Grand Avenue, s-m-v in a Class A Lounge; Thomas H. Humphreys dba/Tom’s Restaurant (306-4-4), 17 B East Grand Avenue, s-m-v in a Restaurant; J. G. Cutter LLC dba/Barefoot Boy (305-4-5) 45 East Grand Avenue, s-m in a Restaurant; and Chrysanthe & Demetrios Dikos dba/Chryst’s Restaurant (306-5-1-E), 6 East Grand Avenue, m-v in a Restaurant. Chair Shari MacDonald
- # 5151 Discussion with Action: Request to reduce a Administrative Design Review Certificate fee from \$150 to \$70 for Design Review Applicant, Sharron Saunders, 27 West Grand Avenue, Oceanside Snack Shack (MBL 307-1-3.) Town Manager Stephen Guntz

- # 5152 Discussion with Action: Accept with regret the resignation of Jayne Flaherty from the Conservation Commission; and Appoint John Bird as a regular member of the Conservation Commission, term to expire 12/31/2011. Chair Sharri MacDonald**
- # 5153 Discussion with Action: Appoint Eber Weinstein as an Alternate Member of the Planning Board, term to expire 12/31/2010. Chair Sharri Macdonald**
- # 5154 Discussion with Action: Approve additional funding for the Conservation Commission in the amount of \$30,000 and erase the \$17,756.15 overages for a total amount of \$47,756.16 from Account Number 20117-50549- Miscellaneous Expense with a balance of \$60,805.48. Town Manager Stephen Guntz**
- # 5155 Discussion with Action: Set the Public Hearing date of April 21, 2009 to Amend the General Assistance Ordinance. Chair Sharri MacDonald**
- # 5156 Discussion with Action: Update the Special Event Permit approved on February 17, 2009 for the OOB365 and the Old Orchard Beach Recreation Department holding the Taste of OOB on May 3, 2009 to include the hanging of banners and signs. Chair Sharri MacDonald**
- # 5157 Discussion with Action: Approve a donation to the Veterans of Foreign Wars (VFW) towards the Memorial Day Parade, in the amount of \$5,000 from Account Number 20117-50549 – Miscellaneous, with a balance of \$13,049.32. Chair Sharri MacDonald**
- # 5158 Discussion with Action: Approve the Special Event Permit for the Old Orchard Beach Call Force Association to hold their Annual Yard Sale Fundraiser at the public Safety Complex on Saturday, May 2, 2009 from 8:00 a.m. to 2:00 p.m.; and a Request to Waive the Fee. Chair Sharri MacDonald**
- # 5159 Discussion with Action: Provide Payment to Dennis K. Burke Oil Company for School Department oil in the amount of \$124,104.84 from Account Number 10013-30111 – Reserve for Special Education, with a balance of \$150,000 and continue to pay for the remainder of oil invoices through the School year. Chair Sharri MacDonald**

GOOD AND WELFARE:

ADJOURNMENT: