

**TOWN OF OLD ORCHARD BEACH
REGULAR TOWN COUNCIL MEETING
TUESDAY, MARCH 17, 2009 – 7:00 P.M.
TOWN HALL CHAMBERS
AGENDA**

**Pledge to the Flag
Roll Call**

ACKNOWLEDGEMENTS:

PRESENTATION: **Fiscal Year 2010 Municipal Budget
by the Town Manager, Stephen Guntz**

ACCEPTANCE OF MINUTES: **Town Council Minutes of March 3, 2009; Town
Council Workshop of March 3, 2009; Special
Town Council Meeting of March 4, 2009; and
Special Town Council Meeting of March 10, 2009.**

PUBLIC HEARING: **Shall We 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)?**

**Shall We Amend Section 42-173 (Surfing- Areas Where Prohibited);
and Add Sections 42-112 (Beach Rules) and 42-113 (Fishing)?**

**Shall We 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)?**

BUSINESS LICENSES: **Paul R. Dionne (104-2-9-4), 42 Walnut Street, #4, one year
round rental; Susan Mayer (205-7-9), 10 ½ Imperial Street, one
year round rental; and Elizabeth & Steven Shore (323-14-17),
44 Temple Avenue, A&B, two year round rentals.**

**SPECIAL
AMUSEMENT
PERMIT:** **JJ's Eatery LLC dba/JJ's Eatery Too (306-5-1), 12B Old
Orchard Street, Entertainment & Dancing; and Dimitri, Inc.
dba/Jimmy the Greek's (211-9-1), 215 Saco Avenue,
Entertainment & Dancing.**

TOWN MANAGER'S REPORT:

NEW BUSINESS:

- # 5131 **Discussion with Action: Approve the Liquor License Renewals for JJ's Eatery LLC dba/JJ's Eatery Too (306-5-1), 12B Old Orchard Street, s-m-v in a Restaurant/Lounge; and Dimitri, Inc. dba/Jimmy the Greek's (211-9-1), 215 Saco Avenue, s-m-v in a Restaurant/Lounge.** Chair Sharri MacDonald
- # 5132 **Discussion with Action: Approve the Special Event Permit Application for the Old Orchard Beach Lifeguards to host the New England Lifeguard Competition on the beach, on the south side of the Pier, on Thursday, July 30, 2009 from 8:00 am. to 5:00 p.m.** Chair Sharri MacDonald
- # 5133 **Discussion with Action: Appoint Donald Cote as as a Regular Member of the Planning Board, term to expire 12/31/2010.** Chair Sharri MacDonald
- # 5134 **Discussion with Action: Accept Resignation, with regret, of Daniel Patry from the Recycling Committee; and Appoint John Weaver as a Regular Member of the Recycling Committee, term to expire 6/30/2012.** Chair Sharri MacDonald
- # 5135 **Discussion with Action: Accept the Bid for the Staples Street Sidewalk Improvement Contract to Grondin and Sons for a total of \$76,318.50; with \$53,422.95 being paid directly by a Maine Department of Transportation Enhancement Grant; and the balance of \$22,895.55 from Account Number 21003-50800 – MDOT Match, with a balance remaining of \$25,000.** Town Manager Stephen Gunty
- # 5136 **Discussion with Action: Accept the Bid for the E. Emerson Cummings Boulevard Sidewalk Improvement Contract in the amount of \$104,727.60 to be paid by a Maine Department of Transportation Safe Routes to School Grant; in addition \$115,000 of Town In-Kind Services and Material; and \$59,750 from the FY2010 CIP – Road Maintenance/Improvements – Account Number 20203-50506 pending Town Council Budget Approval.** Town Manager Stephen Gunty
- # 5137 **Discussion with Action: Authorize the Town Manager to sign the Extension of the April 4, 2004 Contract with an expiration date of April 4, 2009, for Solid Waste Collection Services with Blow Brothers, Inc., dba/BBI Waste Industries from April 5, 2009 to October 5, 2009 from Account Number 20163-50341 – Waste Collection Expense, with a balance of \$81,663.** Town Manager, Stephen Gunty

- # 5138 **Discussion with Action: Authorize the Town Manager to sign an Agreement between Ecomaine and the Town of Old Orchard Beach for recycling services for seven years commencing on April 5, 2009 unless sooner terminated under the agreed terms.** **Town Manager, Stephen Gunty**
- # 5139 **Discussion with Action: Approve the Project Canopy Tree Planting and Maintenance Grant submitted by the Conservation Commission for Matching Funds in the amount of \$3,000 from Account Number 20118-50350 – Contingency, with a balance of \$41,602.** **Chair Sharri MacDonald**
- # 5140 **Discussion with Action: Authorize the Town Manager to sign the State of Maine awarded contract with Maine Information Network (MIN) authorizing MIN to carry out the business of InforME for the next ten years as it involves the Rapid Renewal Service Level Agreement and Online Boat Registration Renewal.** **Town Manager Stephen Gunty**
- # 5141 **Discussion with Action: Set a Public Hearing date of April 7, 2009 to Amend the Town of Old Orchard Code of Ordinance, Chapter 30, Article V – Privately Owned Fire Hydrants.** **Chair Sharri MacDonald**
- # 5142 **Discussion with Action: Set a Public Hearing of Date of April 7, 2009 to 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.** **Chair Sharri MacDonald**
- # 5143 **Discussion with Action: Set a Public Hearing date of April 7, 2009 to Amend the Town of Old Orchard Code of Ordinances, Chapter 74, Subdivisions, Sections 153, 207,233, and Chapter 78 – Zoning, Section 215.** **Chair Sharri MacDonald**
- # 5144 **Discussion with Action: Set a Public Hearing date of April 7, 2009 to Amend the Town of Old Orchard Beach Code of Ordinances, Chapter 78 – Zoning, Sections 1, 142, 178, 212, and 1381.** **Chair Sharri MacDonald**
- # 5145 **Discussion with Action: Sign Old Orchard Beach Town Council Order Adopting Old Orchard Beach Emergency Medical Service (EMS) Red Flag-Identity Theft Prevention Program.** **Town Manager Stephen Gunty**

5146 Discussion with Action: Approve the Maine State Planning Office – “Maine Recycling Toolkit” submitted by the Recycling Committee for Matching Funds in the amount of \$500 to be used to promote Recycling Using Materials from their “Toolkit,” in an outreach program from Account Number 20117-50549 - Miscellaneous, with a balance of \$60,547.

Chair Sharri MacDonald

GOOD AND WELFARE:

ADJOURNMENT: