

**TOWN OF OLD ORCHARD BEACH
REGULAR TOWN COUNCIL MEETING
TUESDAY, APRIL 20, 2010
TOWN HALL CHAMBERS
7:00 P.M.
AGENDA**

**Pledge to the Flag
Roll Call**

PRESENTATION: **Presentation of the 2008 – 2009 Annual Report
by the Assistant Town Manager to the
Chair Sharri MacDonald and Acknowledgement
of the Dedication of the Annual Report**

ACKNOWLEDGEMENTS:

ACCEPTANCE OF MINUTES: **Town Council Meeting Minutes of April 6, 2010;
Town Council Workshop Minutes of April 7, 2010; and
Town Council Workshop Minutes of April 13, 2010.**

PUBLIC HEARINGS:

**Shall We Amend the Code of Ordinances, Section 54-187,
Brown Street, to allow for a handicap parking space on then left side facing the ocean?**

**Shall We Amend Chapter 18, Businesses by Amending Article II
Licenses, Section 18-26, 18-28, 18-30, 18-31, 18-33 through and including 18-36, 18-38, Article
III Body Piercing, Sections 18-66, 18-68, 18-100, 18-102 through and including 18-103, Article
IV Tattooing, Sections 18-166, 18-167, 18-204, 18-205, Article VII Ice Cream Trucks, Sections
18-423, 18-424, Article VIII Massage establishments, Sections 18-487, 18-488, Article IX
Campgrounds, Section 18-526, and to Add Article X Victualers, Section 18-581 and 18-582 and
to Delete the following: Article III Body Piercing, Sections 18-69, Sections 18-131 through and
including 18-138, Article IV Tattooing Sections 18-168 through and including 18-173, Article VI
Performing Arts Facilities Sections 18-286 through and including 18-360, Article X, Auctions,
Sections 18-581 through and including 18-585, and Article XI Head Shops, Section 18-601
through and including Section 18-606 of the Old Orchard Beach Code of Ordinances?**

**Shall We Amend Chapter 30, Fire Prevention and Protection, Article
II Uniform Fire Code, Section 30-26, and 30-59, Article IV Life Safety Code, Section 30-76 and
Chapter 38, Miscellaneous Offenses, Article II, Weapons, Section 38-25 and 38-29, Article VI,
Boarding Up of Seasonal Facilities, Section 38-242?**

PUBLIC HEARING BUSINESS LICENSES AND APPROVAL: Alfred Simpson, Street Musician, Personal Service, request to waive the fee; Walter & Gordon Murphy (103-1-20), 184 Portland Avenue, two year round rentals; Christopher Claudio (104-3-5-3B), 26 Walnut Street, Unit 3B, one year round rental; Roger & Mindy Smith (301-6-1-202 & 203), 191 East Grand Avenue, Units 202 & 203; two year round rentals; and Thomas Byrnes (305-4-1-605), 1 Cleaves Street, Unit 605, one year round rental. Frederick Hoffmeister, Street Musician, Personal Service, request to waive the fee; Susan P. Strommer (104-3-5-C8), 26 Walnut Street, C-8, one year round rental; Berry Hill at Design Center dba/Roma Pizza (205-3-7), 38 Old Orchard Street, Victualers with Preparation.; Garry T. Melia (207-2-13-107), 161 Saco Avenue, Unit 107, one year round rental; Mona Tibbetts (305-3-9), 5 Boisvert Street, one seasonal rental; Paul Roncallo (312-1-4), 52 ½ Highland Avenue, one year round rental; and Robert Wade & Anne Stafford-Wade (312-11-22), 22 Cedar Avenue, one year round rental.

PUBLIC HEARING SPECIAL AMUSEMENT PERMITS AND APPROVAL: William Marshall dba/The Whaler (206-31-17), 20 Staples Street, Live Music-acoustic duo's/single, no amplification; Inside – 9:00 p.m. to 11:45 p.m.; Bernard L. Orne dba/Bernie's Beach Club (307-3-1-B) 8 West Grand Avenue; Live & Recorded Music Inside, 9:00 a.m. to 1:00 a.m.; New England Restaurant Group dba/Pirates Patio & Galley (304-2-9), 2 Walnut Street, Amplified Music, Percussion & Dancing; Inside & Outside, 12:00 p.m. to 10:00 p.m.; and Vacancy Pub Inc. dba/Vacancy Pub (210-10-4), 17 Ocean Park Road, Karaoke 9:00 p.m. – 12:30 a.m.

TOWN MANAGER'S REPORT:

NEW BUSINESS:

- # 5448 Discussion with Action: Approve the Special Event Permit application for the Town of Old Orchard Beach to hold the Maine Blizzard AAU 14-year-olds Baseball Tournament at the Ballpark on May 1, 2, 30, and June 12, 19, 26, and 27, 2010 from 9 a.m. to 4 p.m. Request to waive the fee. Chair Sharri MacDonald
- #5449 Discussion with Action: Approve the Special Event Permit application for the Town of Old Orchard Beach to hold the SMBL Over 25 League at the Ballpark on May 9, 23, 30, June 6, 13, 20, 27 and July 3, 4, 11, 18, 25, and August 8 and 15, 2010, from 9:30 a.m. to 12:30 p.m. Request to waive the application fee. League to pay field usage fee. Chair Sharri MacDonald
- #5450 Discussion with Action: Approve the Special Event Permit application for the Town of Old Orchard Beach to hold the CANAM Baseball Games at the Ballpark on May 22, 2010 from 6:00 p.m. to 10 p.m. and May 23, 2010 from Noon to 5 p.m. Request to waive the fee. Chair Sharri MacDonald

- #5451 Discussion with Action: Approve the Special Event Permit application for the Town of Old Orchard Beach to hold the SMBL over 35 League on May 24, 25, 26, and June 1, 2, 7-9, 14-16, 21-23, 28-30, 2010 from 6:30 p.m. to 9:30 p.m. Request to waive the application fee. League to pay field usage fee.** Chair Sharri MacDonald
- #5452 Discussion with Action: Approve a Town Council Appreciation “Hot Dog” Day for Employees, Volunteers, and Community Members including a Ballpark Walk-around at the Ballpark on Sunday, April 25, 2010 from 1:00 p.m. to 3:00 p.m. with hotdogs, chips, rolls and condiments from Radley’s Supermarket at cost in the amount of approximately \$1,500 from Account Number 20101-50502 – Town Council, with a balance of \$5,000.** Chair Sharri MacDonald
- #5453 Discussion with Action: Approve the transfer of \$25,000 from Account Number 20308-59150 –RSU Subsidy to Ballpark Account Number 30414 – 50804.** Chair Sharri MacDonald
- # 5454 Discussion with Action: Approve the request for OOB 365 and the Town of Old Orchard Beach Conduct a Balloon Festival June 24-27, 2010 on the beach and Memorial Park. Request to close the Square. Request for a banner on Cascade Road (and Square if not in use). Request to waive the fee.** Chair Sharri MacDonald
- # 5455 Discussion with Action: Approve the request for the Town of Old Orchard Beach to hold our Annual Memorial Day Parade, followed by a gathering at the Veteran’s Memorial in Memorial Park, on Monday, May 31, 2010, from 10:00 a.m. to 3:00 p.m. Request to waive the fee.** Chair Sharri MacDonald
- # 5456 Discussion with Action: Approve the Liquor License Renewal for Vacancy Pub Inc. dba/Vacancy Pub (210-10-4), 17 Ocean Park Road, s-m-v in a Class A Lounge.** Chair Sharri MacDonald
- # 5457 Discussion with Action: Set a Public Hearing for May 4, 2010 to Amend Ordinance Section 42-201 To Allow Vehicles on the Beach as part of a Town Council approved Special Event Permit.** Chair Sharri MacDonald
- # 5458 Discussion with Action: Accept with regret, the resignations of Pat Carter and Peter Prinz, from the Finance Committee; and Appoint Pat Carter to the Comprehensive Plan Committee, term to expire 12/31/11.** Chair Sharri MacDonald

5459 Discussion with Action: Set a Public Hearing Date of May 4, 2010 to amend Section 54-187, Traffic and Vehicles by disallowing parking on the right side (facing the Ocean) of Temple Ave. from Free Street to West Grand Avenue; and designating two handicap spaces in front of the Temple on Temple Avenue.

Chair Sharri MacDonald

5460 Discussion: Update on the new Police Station.

Chair Sharri MacDonald

5461 Discussion: Update on the mandatory State-Wide Building Code that becomes effective in June, 2010.

Chair Sharri MacDonald

5462 Discussion with Action: Accept Piping Plover Beach Management Agreement as proposed by Maine Department of Inland Fish and Wildlife.

Chair Sharri MacDonald

GOOD AND WELFARE

ADJOURNMENT