

**TOWN OF OLD ORCHARD BEACH
REGULAR TOWN COUNCIL MEETING
TUESDAY, APRIL 6, 2010
TOWN HALL CHAMBERS
7:00 P.M.
AGENDA**

**Pledge to the Flag
Roll Call**

ACKNOWLEDGEMENTS:

ACCEPTANCE OF MINUTES: Special Town Council Minutes of March 15, 2010; Town Council Minutes of March 16, 2010; Special Town Council Minutes of March 30; and Town Council Workshop of March 30, 2010.

**PUBLIC HEARING:
BUSINESS LICENSES:** 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.

**PUBLIC HEARING:
SPECIAL AMUSEMENT
PERMIT:** 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.; and New England Restaurant Group dba/Pirates Patio & Galley (304-2-9), 2 Walnut Street, Acoustical Music, Percussion & Dancing; Inside & Outside, 12:00 p.m. to 8:00 p.m.

See also Agenda Item # 5428 under New Business.

TOWN MANAGER'S REPORT:

TABLED ITEM: #5422 Discussion with Action: 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.

NEW BUSINESS:

- # 5428 Request to reconsider and immediately hold a PUBLIC HEARING on application for a special amusement permit of Dale Tarbox d/b/a Sunset Bar and Grill (307-1-6), 6 Fernald Street for a special amusement permit, Live Music – small band and comedy, Outside – 4:00 p.m. – 10:00 p.m. Councillor Robin Dayton**
- # 5429 Discussion with Action: Approve the Appointment of the Public Works Director. Chair Sharri MacDonald**
- # 5430 Discussion with Action: Approve the Old Orchard Beach Call Force to hold their annual yard sale at the public safety complex on Saturday, May 1st, 2010 from 8 a.m. to 2 p.m. Request to waive the fee. Chair Sharri MacDonald**
- # 5431 Discussion with Action: Approve the Special Event Permit application for the Ocean Park Association to hold a sand sculpture contest on the beach between Randall and Ancona Avenues on July 4, 2010, from 12:30 a.m. to 2:30 p.m. Request to waive the fee. Chair Sharri MacDonald**
- # 5432 Discussion with Action: Approve the Special Event Permit application for the Ocean Park Association to hold a parade on July 5, 2010 from 9:30 a.m. to 11:30 a.m. on Temple Avenue. Request to waive the fee. Chair Sharri MacDonald**
- # 5433 Discussion with Action: Approve the Special Event Permit application for the Ocean Park Association to hold Square and Line Dances in the Ocean Park Square on July 5, 2010 and September 4, 2010 from 7:00 p.m. to 9:30 p.m. Request to waive the fee. Chair Sharri MacDonald**
- # 5434 Discussion with Action: Approve the Special Event Permit application for the Ocean Park Association to hold the Ocean Park 5k Race on July 30, 2010 from 5:00 p.m. to 8:00 p.m. in Ocean Park. Request to waive the fee. Chair Sharri MacDonald**
- # 5435 Discussion with Action: Approve the Special Event Permit application for the Ocean Park Association to hold Illumination Night on August 7, 2010 from 5:30 p.m. to 10:30 p.m. in Ocean Park. Request to waive the fee. Chair Sharri MacDonald**
- # 5436 Discussion with Action: Approve the Special Event Permit application for the Ocean Park Association to hold a Christian Youth Conference Block Dance on August 14, 2010 from 7:30 p.m. to 11:00 p.m. in Ocean Park. Request to waive the fee. Chair Sharri MacDonald**

- # 5437 **Discussion with Action: Set a Public Hearing date of April 20, 2010 to Amend the Code of Ordinances, Section 54-187, Brown Street, to allow for a handicap parking space on the left side facing the ocean.** Chair Sharri MacDonald
- # 5438 **Discussion with Action: Set a Public Hearing Date of April 20, 2010 to 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.** Chair Sharri MacDonald
- # 5439 **Discussion with Action: Approve the placement of a Silver Bullet across from the Department of Public Works to enhance our recycling efforts; cost of emptying the Bullet each time is approximately \$100 and will come out of Account Number 20163/50341 – Solid Waste Collection Expense with a balance of \$45,094.34.** Chair Sharri MacDonald
- # 5440 **Discussion with Action: Approve the Liquor License Renewal for William Marshall dba/The Whaler (206-31-17), 20 Staples Street, s-m-v in a Class A Lounge; Bernard L. Orne dba/Bernie’s Beach Club (307-3-1-B), 8 West Grand Avenue, s-m-v in a Class A Lounge; and New England Restaurant Group dba/Pirates Patio & Galley (304-2-9), 2 Walnut Street, s-m-v in a Restaurant.** Chair Sharri MacDonald
- # 5441 **Discussion with Action: Re-appoint Tianna Higgins as a regular member of the Planning Board, term to expire 12/31/11; Appoint Timothy Perrigo as an alternate member of the Planning Board, term to expire 12/31/11.** Chair Sharri MacDonald
- # 5442 **Discussion with Action: Appoint the following as regular members of the Ballpark Commission— David Goyet, Lucien Huot and Sheila Flathers, terms to expire 12/31/12; Michael Bouffard, Paul Crossman and Dana Furtado, terms to expire 12/31/11; Mark Gustin term to expire 12/31/10.** Chair Sharri MacDonald
- # 5443 **Discussion: Initial Presentation of Piping Plover Beach Management Agreement as proposed by Maine Department of Inland Fish and Wildlife.** Town Manager Jack Turcotte

5444 Discussion with Action: Approve membership with Scarborough, Saco and Biddeford on the Sea Level Adaptation Working Group (SLAWG); and approve Payment of \$3,125 (cash match), payable to Southern Maine Regional Planning Commission from Account Number 20117 – 50549 – Miscellaneous, with a balance of \$6,247.97.

Town Manager Jack Turcotte

5445 Discussion with Action: Authorize Town Manager to solicit bids for new ambulance.

Town Manager Jack Turcotte

5446 Discussion with Action: Order Authorizing the Loan Agreement between the Town of Old Orchard Beach and the Maine Municipal Bond bank for issuance of a \$2,500,000 Bond to permanently finance the costs of the design, construction, furnishing and equipping of a new police headquarters building as authorized by voters on November 3, 2009.

Chair Sharri MacDonald

GOOD AND WELFARE

ADJOURNMENT