

**TOWN OF OLD ORCHARD BEACH
REGULAR TOWN COUNCIL MEETING
TUESDAY, OCTOBER 19, 2010
TOWN HALL CHAMBERS
7:00 P.M.
AGENDA**

**Pledge to the Flag
Roll Call**

PRESENTATIONS: Senator Barry Hobbins and Representative George Hogan present a Legislative Sentiment to Jeffrey Thompson acknowledging his Deputy Clerk of the Year Award presented by the Maine Town & City Clerk's Association

Presentation by the Edith Belle Memorial Library Board of Trustees Updating the Library Building Project.

ACKNOWLEDGEMENTS:

ACCEPTANCE OF MINUTES: Special Town Council Executive Session of September 29, 2010; Town Council Minutes of October 5, 2010; and Town Council Workshop of October 6, 2010.

PUBLIC HEARING: Shall we Revise Chapter 50, Article II, Sidewalks, Section 50-52 and 50-53 of the Town of Old Orchard Beach?

PUBLIC HEARING BUSINESS LICENSES AND APPROVAL:

Heather T. Paquette (103-1-5-18), 56 Ross Road, Unit 18, one year round rental; Viola Doyon (104-2-9-17), 42 Walnut Street, Unit 17, one year round rental; Eleanor & Murray Hoffman (202-1-10-3 & 4), 195 East Grand Avenue, Units 3 and 4, two seasonal rentals; William B. Verrill (205-16-3-4A), 9 Cascade Road, Unit 4A, one year round rental; and Edward Nasta (314-14-1), 97 Union Avenue, one seasonal rental and three year round rentals.

PUBLIC HEARING SPECIAL AMUSEMENT PERMIT AND APPROVAL:

HFY Enterprises dba/Oceanside Grille at the Brunswick (310-6-1), 39 West Grand Avenue, Music (Amplified) Summer, Inside and Outside, 1:00 p.m. to 5:00 p.m. and 8:00 p.m. to 12:00 a.m.; Off Season – Inside, 8:00 p.m. to 12:00 a.m.

TOWN MANAGER'S REPORT:

NEW BUSINESS:

5582 Discussion with Action: Approve Liquor License Renewal of HFY Enterprises dba/Oceanside Grille at the Brunswick (310-6-1), 39 West Grand Avenue, s-m-v in a Restaurant/Lounge.

Chair Sharri MacDonald

- # 5583 Discussion: Update provided by the Finance Committee; the Ordinance Review Committee; and the Conservation Commission. Chair Sharri MacDonald**
- # 5584 Discussion with Action: The Sewer Appeal of Donna Gagne, 69 Smithwheel Rd. (107-2-7) to waive the sewer connection fee (\$3,300.00) pursuant to Section 58-124 of the Utilities Ordinance. Chair Sharri MacDonald**
- # 5585 Discussion with Action: Approve the Special Event Permit application for Dusty Guarino to hold a Veteran’s Day Recognition at Memorial Park on November 11, 2010 from 11:00 a.m. to 11:30 a.m.; and a request to waive the fee and the insurance requirements. Chair Sharri MacDonald**
- # 5586 Discussion with Action: Approve the Special Event Permit application for the New England Parkinson’s Ride to hold their annual bike ride from Loranger Middle School to the Pier on Saturday, September 10, 2011, from 6:30 a.m. to noon at Loranger and 11:00 a.m. to 5:00 p.m. in the Square; request for a banner in the Square on September 9th and 10th, 2011; and a request to waive the fee. Chair Sharri MacDonald**
- # 5587 Discussion with Action: Approve the Transfer of the Defendant in Rem, or any portion thereof, pursuant to 15 M.R.S.A., Section 5824(3) and Section 5826(6), and accept the seizure money should it be rewarded by the Courts – CR-10-741. Chair Sharri MacDonald**
- # 5588 Discussion: Town Manager to provide an update on the Bond projects and remaining amounts. Town Mgr. Jack Turcotte**
- # 5589 Discussion with Action: Per the Old Orchard Beach Code of Ordinances, Section 2-382, Section 3, approve the Rules of Procedures and Opening Remarks adopted by the Board of Assessment Review on September 29, 2010. Chair Sharri MacDonald**
- # 5590 Discussion with Action: Set a Public Hearing date of November 16, 2010 to Amend Division 7, Board of Assessment Review, Section 2-381 – Created; appointment, vacancies, term; to add two Alternate Members. Chair Sharri MacDonald**

- # 5591 Discussion with Action: Approve payment in the amount of \$1,200 to Jean and Talmadge Rogers for sidewalk work completed at 3 Oceana Avenue from Account Number 20203/50507 – Public Works Sidewalk Maintenance/Microelement Non-Cap, with a balance of \$145,000, pursuant to Section 50-52 of the Sidewalk – Streets, Sidewalk and Other Public Places Ordinance.**

Town Mgr. Jack Turcotte
- # 5592 Discussion with Action: Accept the bid from MacDonald Excavation in the amount of \$2,600 for sidewalk work at 15 Randall Avenue; one-half in the amount of \$1,300 to be paid by the owner, Susan and Frank McGinty; and the other-half of \$1,300 paid from Account Number 20203/50507, with a balance of \$145,000, pursuant to Section 50-52 of the Sidewalk – Streets, Sidewalk and Other Public Places Ordinance.**

Town Mgr. Jack Turcotte
- # 5593 Discussion with Action: Transfer \$552,300.00 from Account Number 10013/30300 - Undesignated Fund Balance (carry forward balances) as of June 30, 2010 for the following accounts and purposes: 20101/50316 – Charter Commission - \$14,300.00; 20201/50842 - Town Hall Improvements - \$29,000.00; 20203/50507 - Public Works Sidewalk Maint/Improvement Non-Cap – \$145,000.00; 20203/50506 - Road Maint/Improve Non-Cap – \$55,000.00; 20203/50508 - Sewer Maint/Improvement – \$31,000; 20203/50831 - Stormwater Maint/Improvement – \$8,000; 20203/50826 Public Works Vehicles - \$80,000; 21004/50871 WWTP Capital - \$190,000.**

Town Mgr. Jack Turcotte
- #5594 Discussion: Update on the “Pay to Throw” Disposal Concept.**

Town Mgr. Jack Turcotte
- # 5595 Discussion with Action: Authorize the Town Manager to instruct Wright-Pierce to move forward on the West Grand Avenue Bond Construction Project as presented to the Council on October 5, 2010 with the understanding that Wright-Pierce will return to the Council as the design is completed and the costs are defined.**

Town Mgr. Jack Turcotte
- # 5596 Discussion with Action: Accept the bid to install cable TV wiring in the Police Station from Account Number 31143/50891 – New Police Station, with a balance of \$1,912,371.70.**

Town Mgr. Jack Turcotte

5597 Discussion with Action: Accept the bid from Nortrax NE, LLC in the amount \$183,116 for purchase of a John Deere Front End Loader from Account Number 20203-50835 – Public Works Vehicle, with a balance of \$180,000 and \$3,116 from Account Number 20151/50501 – Public Works Operating expenses with a balance of \$7,208.00.

Town Mgr. Jack Turcotte

GOOD AND WELFARE

ADJOURNMENT