

**TOWN OF OLD ORCHARD BEACH
REGULAR TOWN COUNCIL MEETING
TUESDAY, MAY 1, 2012
TOWN HALL CHAMBERS
7:00 P.M.
AGENDA**

**Pledge to the Flag
Roll Call**

**PRESENTATION: Presentation of the Annual Report and
Dedication to Shawn O'Neill by the
Town Council Chairman, Bob Quinn**

ACKNOWLEDGEMENTS:

**ACCEPTANCE OF MINUTES: Town Council Workshop Minutes of April 9, 2012; and
Town Council Minutes of April 17, 2012.**

PUBLIC HEARING BUSINESS LICENSES AND APPROVAL:

Joan R. Fink (107-3-1-K16), 49 Kavanaugh Road, one year round rental; Michael Douglas (205-11-7), 8A Carll Avenue, one year round rental; Peter Mourmouras dba/Surf's Upscale Artisans (206-24-34), 30 Saco Avenue, Outside Display; Richard Meoli (303-2-6), 7A & B Saunders Avenue, two year round rentals; Jim Morande & Larry LaChance dba/Maine Bucknuts, Country Store & Lachance Chocolates (206-31-7), 35-37 Old Orchard Street, Victualers with Preparation, Beer, Wine, Liquor (off premises) & Retail; Christina Paul-Perez dba/Christina's Classic Cookies (206-31-8B), 39B Old Orchard Street, Victualers with Preparation, No Alcohol, Retail; James O'Brien dba/The Rack & Roll Sandwich Shop (206-31-9), 41 Old Orchard Street, Victualers with Preparation, No Alcohol; James Blow dba/J&M Holdings, LLC (210-2-52), 34A Smithwheel Road, one year round rental; David & Pamela Yost (301-7-1-1), 180 East Grand Avenue, Unit 1, one year round rental; Timothy & Kelly Christian (301-7-1-3), 180 East Grand Avenue, Unit #3, one year round rental; Tae Min Lee dba/SARAnLIA (306-4-3-C), 19 East Grand Avenue, Unit C, Retail; Diana Gilliam dba/Cranberry Prims (306-4-7), 17 East Grand Avenue, Retail; Guy Loranger dba/Big Daddy's Bar & Grill (307-3-4), 13 Old Orchard Street, Victualers with Preparation, with Beer, Wine and/or Liquor on Premises; Joseph Agri & Gail Ritchey (310-7-2-7), 64 West Grand Avenue, Unit #7, one seasonal rental; and Daniel Carey (316-8-1-1), 9 Ocean Avenue, Unit #1, one year round rental.

PUBLIC HEARING SPECIAL AMUSEMENT PERMIT:

William Marshall dba/The Whaler (206-31-17), 20 Staples Street, Acoustics Inside, 9:00 p.m. – 12:00 a.m.; Patio Pub Inc. dba/Pier Patio Pub (306-6-1-J), 2 Old Orchard Street, Band's amplified, Solos, DJ's, Comedy Inside & Outside, 11:00 a.m. to 1:00 a.m.; Patio Pub Inc. dba/Hooligan's Landing (306-6-1-DD), 2 Old Orchard Street, Solo's, Duet Acts, Comedy, DJ Inside, 11:00 a.m. – 1:00 a.m.; and Guy Loranger dba/Big Daddy's Bar & Grill (307-3-4), 13 Old Orchard Street, Singer, Piano, Acoustic Guitar, Inside, 9:00 p.m. to 12:00 a.m.

PUBLIC HEARING LIQUOR LICENSE

Guy Loranger dba/Big Daddy's Bar & Grill (307-3-4), 13 Old Orchard Street, s-m-v in a Restaurant.

TOWN MANAGER'S REPORT:

NEW BUSINESS:

5614 Discussion with Action: New Freedom Grant Application – proposed sidewalk work to improve access to public transportation for those with disabilities. **Chair Bob Quinn**

5615 Discussion with Action: Approve a six, eighteen, thirty or forty-two month extension of the current Constellation Energy Electricity Contract for all Town Medium Electricity Accounts which are currently priced at \$0.0689 per kWh and set to expire in December of 2012, with a new kWh rate, effective December 2012. **Chair Bob Quinn**

5616 Discussion with Action: Review possible costs for mulching, trimming with clippings to be bagged and disposed of off-site with mowing to begin the week of May 1, 2012 and continue, if needed, to November 15, 2012 or a period of twenty-eight (28) weeks from Account Number 20151-50511 – Grounds Maintenance, with a balance of \$10,363.03 as of the April 6, 2012 financials. **Chair Bob Quinn**

5617 Discussion with Action: Approve the following projects by Dayton Sand and Gravel from Account Number 31141-50867 – FY09 Bond Expenditures – West Grand Stormwater Project, with a balance of \$1,257,717.04, as follows: **Chair Bob Quinn**

(1) Top course paving on West Grand Avenue, from Pavia Avenue to Temple Avenue, in the amount of \$27,744.00;

(2) Curbing on West Grand Avenue, east side, from Pavia Avenue to Colby Avenue, in the amount of \$12,750.00;

(3) Sidewalk on West Grand Avenue, from Pavia Avenue to Colby Avenue, in the amount of \$13,751.00;

(4) Top course of paving on Colby Avenue, Ancona Avenue, Winona Avenue and Oceana Avenue, from West Grand Avenue to Seaside Avenue, in the amount of \$14,280.00;

(5) Shim and overlay on Free Street, from Temple Avenue to the end (northerly), in the amount of \$18,632.00;

(6) Shim and overlay on Seaside Avenue from Temple Avenue to Porter Road, in the amount of \$34,204.00;

5618 Discussion with Action: Approve the following projects by Dayton Sand and Gravel from Account Number 31141-50858 – FY09 Bond Expenditures – Summit Street Sewer Project, with a balance of \$647,924.98, as follows: Chair Bob Quinn

(1) Reclaim, fine grade, binder course on School Street from Fayette Street to Saco Ave, in the amount of \$56,168.70;

(2) Top course of paving on Summit Street from Saco Avenue to the end, in the amount of \$19,040.00;

(3) Top course of paving on School Street, from Saco Avenue to the end, in the amount of \$23,120.00;

(4) Top course of paving on Fayette Street from Summit Street to School Street, in the amount of \$1,836.00;

5619 Discussion with Action: Approve the following projects by Dayton Sand and Gravel from Account Number 20203-50506 – Road Maintenance/Improvements – Non Capital, with a balance of \$281,765.90, as follows: Chair Bob Quinn

(1) Top course of paving on Ross Rd. from House # 171, to Cascade Road, in the amount of \$52,224.00;

(2) Shim and overlay Willow Avenue, Grandview Avenue, and Birch Lane, in the amount of \$57,327.00;

(3) Reclaim, fine grade, binder and top course Randall Avenue, from Royal Street to West Grand Avenue, in the amount of \$36,563.30;

(4) Shim and overlay on Randall Avenue from West Grand Avenue to Seaside Avenue, in the amount of \$6,868.00;

(5) Shim and overlay Winona Avenue from Free Street to Clover Street, in the amount of \$19,516.00;

(6) Reclaim, fine grade, binder course on Saco Avenue from Heath Street to the old Post Office (corner of Fern Park Avenue), in the amount of \$34,686.00;

(7) Reclaim, fine grade, binder and top course on Heath Street from Saco Ave to First Street, in the amount of \$46,883.00;

5620 Discussion with Action: Approve the following projects by Dayton Sand and Gravel from Account Number 20203-50507 – Sidewalk Maintenance Improvements – Non-Capital, with a balance of \$158,716.15.

Chair Bob Quinn

(1) Pave sidewalks on Washington Ave, from Saco Avenue to Atlantic Avenue, in the amount of \$12,287.00;

(2) Discussion with Action: Pave sidewalks on Saco Avenue, Phase I, from Heath Street to the old Post Office (corner of Fern park Avenue), in the amount of \$12,164.00;

5621 Discussion with Action: Approve the purchase of 300 cases of Blue Bags from Waste Zero in the amount of \$8,616 from Account Number 10011-10302 – Inventory Trash Bags, with a balance of \$15,323.37.

Chair Bob Quinn

5622 Discussion with Action: Approve the Elimination of three (3) spaces on the southerly lot and adjacent Milliken Street Parking Lot by closing it off with Jersey barriers; with the Department of Public Works removing curbing and grass strip; gravel and grade with paving contractor to pave the access drive; in the amount of \$4,500, from Account Number 20151-50506 – Public Works Department Road Maintenance/Improvement – Non Capital, with a balance of \$6,212.59.

Chair Bob Quinn

5623 Discussion with Action: Approve the Application for the 2012 Edward Byrne Memorial Justice Assistance Grant, in the amount of \$10,507, to be put towards the purchase of the Watch Guard digital cruiser video system. This grant is fully funded by the Department of Justice with no matching funds from the Town of Old Orchard Beach.

Chair Bob Quinn

5624 Discussion with Action: Approve Liquor License Renewal for Chrysanthe & Demetrios Dikos dba/Chrys's Restaurant (306-5-1-E), 12 Old Orchard Street, m-v in a Restaurant; Patio Pub Inc. dba/Pier Patio Pub (306-1-J), 2 Old Orchard Street, s-m-v in a Restaurant/Lounge; Patio Pub Inc. dba/Hooligan's Landing (306-6-1-DD), s-m-v in a Restaurant; and William Marshall dba/The Whaler Inc., (206-31-17), 20 Staples Street, s-m-v in a Class A Lounge.

Chair Bob Quinn

- # 5625 Discussion with Action: Approve the Special Event Permit application from Jennifer Hill for a beach Wedding in front of the Alouette Motel on Saturday, May 19, 2012, from 4:00 to 5:00 p.m. Chair Bob Quinn**
- # 5626 Discussion with Action: Approve the Special Event Permit application for OOB365 to hold their “Taste of OOB” on Old Orchard Street and the Square, Sunday, May 6, 2012; event from 11:00 a.m. to 4:00 p.m., with a request to close Old Orchard Street and the Square from 9:30 a.m. to 5:00 p.m., allowing for traffic to cross from Milliken to First, and East to West Grand Avenues. Insurance listing the Town of Old Orchard Beach as additionally insured to be provided to the Town Clerk’s Office at least one week prior to the event; and a Request to waive the fee. Chair Bob Quinn**
- # 5627 Discussion with Action: Amend the Special Event Permit application from OOB365, approved by the Town Council on 8/16/2011, for the Revolution 3, to include the use of Memorial Park and parking lot from noon on Friday, August 24th, 2012 to 6 p.m. on Sunday, August 26th, 2012; and close Old Orchard Street from the beach to First Street from 4 a.m. to 9 a.m. and 3:30 p.m. to 6 p.m., managing traffic in between the closed times. Chair Bob Quinn**
- # 5628 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 Tuesday, July 3, 2012, from 2:30 p.m. to 5:30 p.m.; and a request to waive the fee. Chair Bob Quinn**
- #5629 Discussion with Action: Approve the Special Event Permit application for the Ocean Park Association to hold a parade on Wednesday, July 4, 2012 from 9:30 a.m. to 11:30 a.m. on Temple Avenue; and a request to waive the fee. Chair Bob Quinn**
- #5630 Discussion with Action: Approve the Special Event Permit application for the Ocean Park Association to hold the Ocean Park 5k Race on Friday, July 27, 2012 from 5:00 p.m. to 8:00 p.m. in Ocean Park; and a request to waive the fee. Chair Bob Quinn**

- #5631 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 Temple Avenue between West Grand Avenue and Seaside Avenue on Wednesday, July 4, 2012 and Saturday, September 1, 2012, from 7:00 p.m. to 9:30 p.m.; and a request to waive the fee.** **Chair Bob Quinn**
- # 5632 Discussion with Action: Approve the Special Event Permit application for the Ocean Park Association to hold Illumination Night on Saturday, August 4, 2012 from 5:00 p.m. to 10:30 p.m. in Ocean Park; and a request to waive the fee.** **Chair Bob Quinn**
- # 5633 Discussion with Action: Approve the Special Event Permit application for the Ocean Park Association to hold a Christian Youth Conference Block Dance, on Temple Avenue, between West Grand Avenue and Seaside Avenue on Saturday, August 11, 2012 from 7:30 p.m. to 11:00 p.m.; and a request to waive the fee.** **Chair Bob Quinn**
- # 5634 Discussion with Action: Approve the Special Event Permit application for the Ocean Park Association to hold a S'Mores & More campfire on the beach at the end of Temple Avenue on Thursday, July 5th; Thursday, July 26th; and Thursday, August 2nd, 2012 from 7:00 to 9:00 p.m. in Ocean Park; and a request to waive the fee.** **Chair Bob Quinn**
- # 5635 Discussion with Action: Accept, with regret, the resignation of Kim Schwickrath from the Community Animal Watch Committee.** **Chair Bob Quinn**
- # 5636 Discussion with Action: Approve Inca Son to hold street performances in the Square near the water fountain on Saturday, July 14th; Sunday, July 22nd; Saturday, August 11th; Sunday, August 19th; Saturday, August 25th; and Saturday, September 1, 2012 from 1 p.m. to 9 p.m.** **Chair Bob Quinn**
- # 5637 Discussion with Action: Personnel Matters. (Note: this item discusses privacy issues defined under Title 1 M.R.S.A. Section 405(6)(A), and the Council anticipates that the discussion portion will Occur in Executive Session.)** **Chair Bob Quinn**

**GOOD AND WELFARE:
ADJOURNMENT:**