

**TOWN OF OLD ORCHARD BEACH
REGULAR TOWN COUNCIL MEETING
WEDNESDAY, MAY 16, 2012
TOWN HALL CHAMBERS
7:00 P.M.
AGENDA**

**Pledge to the Flag
Roll Call**

PRESENTATION: **Presentation by the Town of Old Orchard Beach Health Officer, Anita Anderson, on recent changes to the Municipal Level Inspections of Eating and Lodging Establishments**

ACKNOWLEDGEMENTS:

ACCEPTANCE OF MINUTES: **Town Council Workshop Minutes of April 18, 2012;
Town Council Workshop Minutes of April 23, 2012;
Town Council Minutes of May 1, 2012; Town Council Workshop of May 2, 2012; and Special Town Council Minutes of May 7, 2012.**

PUBLIC HEARING BUSINESS LICENSES AND APPROVAL:

Deborah & David Hughes (106-5-15), 13 Birch Lane, one year round rental; Peter A. Gerges dba/Tate's Home Décor Woods Signs & Wood Crafts (205-3-6), 40 Old Orchard Street, Seasonal Retail Store; ; Tim Donnellon (304-1-9), 8 Brisson Street, on year round rental; Francine B. Fink, Trustee (305-4-1-402), 1 Cleaves Street, one year round rental; New England Restaurant Group dba/Bare Foot Boy (305-4-5), 45 East Grand Avenue, Victualers with Preparation with beer, Wine and or Liquor on Premise; Mollie & Christine Albert dba/Sno To Go (306-1-2-6), 1 East Grand Avenue, Kiosk#6, Victualers with Preparation, and No Alcohol Sales; David Belaire dba/Big Wave's (306-1-2-8), 1 East Grand Avenue Kiosk #8, Victualers with Preparation, and No Alcohol Sales; T.P.R. Inc., dba/Tequila Frog's Local Cantina (306-5-3), 8 East Grand Avenue; Victualers with Preparation with Beer, Wine and or Liquor on Premise; Dorothy L. Spitzer & Kevin M. Harrison (315-13-15), 2 Seaview Avenue, three year round rentals; Cheri Silva (316-2-5), 12 Seaside Avenue, one year round rental; and Roger & Karen Nielsen (324-1-6), 18 New Salt Road, one year round rental.

PUBLIC HEARING SPECIAL AMUSEMENT PERMIT:

Oceanside Investment Group dba/Myst Restaurant (306-1-2-I), 1 East Grand Avenue, Suite 2, Acoustical & Amplified Music – Inside and Outside – 1:00 p.m. to 1:00 a.m.; New England Restaurant dba/Bare Foot Boy (305-4-5), 45 East Grand Avenue, Karaoke, Live Entertainment (Amplified), Inside – 9:00 a.m. to 12:00 a.m.; and TPR Inc. dba/Tequila Frog's Local Cantina (306-5-3), 8 East Grand Avenue, Solo, DJ – Inside – 12:00 p.m. to 1:00 a.m.

PUBLIC HEARING LIQUOR LICENSE PERMIT:

New England Restaurant Group dba/Barefoot Boy (305-4-5), 45 East Grand Avenue, s-m-v in a Restaurant; and TPR Inc. dba/Tequila Frog's Local Cantina (306-5-3), 8 East Grand Avenue, s-m-v in a Restaurant/Lounge.

TOWN MANAGER'S REPORT:

NEW BUSINESS:

5639 Discussion with Action: Consent to the Acquisition or Counter-Offer by the MaineDOT of Parcel No. 1, owned by the Town of Old Orchard Beach identified on a plan known as Right of Way Map, State Highway "Saco Avenue," Project No. STP-1733(400X), on file in the Augusta Headquarters of MaineDOT, File No. 16-473 with just compensation offered in the amount of \$12,300 upon filing of the taking and releasing the MaineDOT from any further claim of just compensation arising from the Property Rights taken in connection with the Project; however, if any changes in design or construction occur after date of this settlement and negatively impact the Property owner's land in an unanticipated manner, the Property Owner shall have the right to request that this Settlement be rescinded.

Town Manager Mark Pearson

5640 Discussion with Action: Consent to the Acquisition or Counter-Offer by the MaineDOT of Parcel No. 3, owned by the Town of Old Orchard Beach identified on a plan known as Right of Way Map, State Highway "Saco Avenue," Project No. STP-1733(400X), on file in the Augusta Headquarters of MaineDOT, File No. 16-473 with just compensation offered in the amount of \$8,450 upon filing of the taking and releasing the MaineDOT from any further claim of just compensation arising from the Property Rights taken in connection with the Project; however, if any changes in design or construction occur after date of this settlement and negatively impact the Property owner's land in an unanticipated manner, the Property Owner shall have the right to request that this Settlement be rescinded.

Town Manager Mark Pearson

5641 Discussion with Action: Approve the final bill from Risbara Bros for completion of the West Grand sewer project, on West Grand Avenue, Colby Avenue, Winona Avenue, Ancona Avenue, and Oceana Avenue & Seaside Avenue, in the amount of \$17,209.88, from Account Number 31141-50867 – Sewer Maintenance Improvement – non capital, with a balance of \$1,257,717.04. Chair Bob Quinn

5642 Discussion with Action: Approve the following curbing projects by Dayton Sand & Gravel totaling \$41,250.00, from Account Number 20203-50831, Stormwater Maintenance/Improvement, with a balance of \$160,390.95. Chair Bob Quinn

- (1) Curbing on First Street , from Heath Street to Atlantic Avenue, \$18,750.00;**
- (2) Curbing on Saco Avenue Phase I, from Heath Street to the old post office, \$11,250.00; and**
- (3) Curbing on Washington Avenue, from Saco Avenue to Atlantic Avenue, \$11,250.00.**

5643 Discussion with Action: Approve the following drainage projects by George R. Roberts Co. and Portland Plastic Pipe totaling \$87,468.00, from Account Number 20203-50831 - Stormwater Maintenance/ Improvements, with a balance of \$160,390.35. Chair Bob Quinn

- (1) First Street drainage, from Heath Street to Atlantic Avenue, \$30,694;**
- (2) Saco Avenue Phase I drainage, from Heath Street to the old post office, \$13,739;**
- (3) Saco Avenue Phase II drainage, from old Post Office to Pine Avenue, \$17,059; and**
- (4) Washington Avenue drainage, from Saco Avenue to Atlantic Avenue, \$25,976.**

5644 Discussion with Action: Approve the following sewer projects by George R. Roberts Co. and Portland Plastic Pipe totaling \$22,093.00, from Account Number 20203-50508 - Sewer Maintenance/Improvements, with a balance of \$125,577.42. Chair Bob Quinn

- (1) Saco Avenue Phase II sewer, from old Post Office to Pine Avenue, \$13,852; and**
- (2) Washington Avenue sewer, from Saco Avenue to Atlantic Avenue, \$8,241.**

- # 5645 Discussion with Action: Approve bid from Poirier Guidelines for striping of all Town roadways, including parking stalls, stop bars, etc. in the amount of \$22,370.06 from Account Number 20151-50508 – Sewer Maintenance Improvements non-capital – with a balance of \$39,290.37.** **Chair Bob Quinn**
- # 5646 Discussion: Consider the Memorandum of Understanding submitted by the Board of Directors of the Edith Belle Libby Memorial Library.** **Chair Bob Quinn**
- # 5647 Discussion with Action: Confirm the appointment and two-year contract for Catherine Saltz, Town Treasurer/ Finance Director, effective May 31st, 2012 to May 31st, 2014.** **Chair Bob Quinn**
- # 5648 Discussion with Action: Approve the Special Event Permit application for the Knights of Columbus to hold their second annual “Tootsie Roll Drive” on the sidewalks on Old Orchard Street and the Square on Saturday, June 30, 2012, from 4 p.m. to 9 p.m.; and a request to waive the fee.** **Chair Bob Quinn**
- # 5649 Discussion with Action: Approve the Special Event Permit application for the Veterans Memorial Park Committee to hold “Illumination Night” in Memorial Park on Sunday, May 27, 2012, from 4 p.m. to 10 p.m.; and a request to waive the fee.** **Chair Bob Quinn**
- # 5650 Discussion with Action: Accept, with regret, the resignation of Leigh “Traci” Gikas from the Community Animal Watch Committee.** **Chair Bob Quinn**
- # 5651 Discussion with Action: Move Maria Pastulovic and Michelle Greenlaw to Regular Members from Alternate Members of the Community Animal Watch Committee, terms to expire December 31, 2013; appoint Paul Niemczyk as a Regular Member of the Community Animal Watch Committee, term to expire December 31, 2013; and Appoint Lorraine “Lorrie” Moore as 1st Alternate and Karen Brozek as 2nd Alternate to the Community Animal Watch Committee, terms to expire December 31, 2013.** **Chair Bob Quinn**

- # 5652 Discussion with Action: **Cancel the Regular Town Council Meeting on Tuesday, July 3, 2012.** Chair Bob Quinn
- # 5653 Discussion with Action: **Approve payment of \$13,782.40 to Ted Berry Company for Municipal Vactor Truck day rate; for technical labor; and for disposal at Ecomaine on April 9, 10, and 11, 2012 from Account Number 20161-50342 – Waste Pumping Expense, with a balance of \$91,518.97.** Chair Bob Quinn
- # 5654 Discussion with Action: **Approve Liquor License Renewals for Lesa M. Watson dba/Pierre’s Restaurant (306-4-4), 47 East Grand Avenue, s-m-v in a Restaurant; Oceanside Investment Group dba/Myst Restaurant (306-1-2-I), 1 East Grand Avenue, Suite 2, s-m-V in a Restaurant/Lounge; and Venetia Kouzounas dba/Venetia’s Restaurant (313-4-3), 93 West Grand Avenue, m-v in a Restaurant.** Chair Bob Quinn
- # 5655 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

GOOD AND WELFARE:

ADJOURNMENT: