

TOWN OF OLD ORCHARD BEACH  
REGULAR TOWN COUNCIL MEETING  
TUESDAY, May 7, 2013  
7:00 P.M.  
AGENDA

Pledge to the Flag  
Roll Call

PROCLAMATION: 'HUNGER AWARENESS WEEK'

ACKNOWLEDGEMENTS:

ACCEPTANCE OF MINUTES: Town Council Meeting Minutes of April 16, 2013.

PUBLIC HEARING BUSINESS LICENSES AND APPROVAL:

Robert F. & Cheryl A. Pinard (201-1-7-2A), 221 East Grand Avenue, Unit 2A, one year round rental; Charles E. Summers (201-1-7-8D), 221 East Grand Avenue, Unit 8D, one year round rental; Beach Bum Properties, LLC (205-6-3-5), 5 Bradbury Street, one year round rental; Beach Bum Properties, LLC (205-6-3-16), 16 Francis Street, one year round rental; Beach Bum Properties, LLC (205-6-3-16A), 16A Francis Street, one year round rental; Beach Bum Properties, LLC (205-6-3-18), 18 Francis Street, one year round rental; Golan Inc., dba/Coastal Gifts (206-31-4 / 206-31-6), 29 Old Orchard Street, Rental of Merchandise - Outdoor Display - will be operating on adjoining parking lot; Golan Inc., dba/Coastal Convenience (206-26-4-A), 34 Saco Avenue, Rental of Merchandise, Outdoor Display; Judy Patterson dba/Groovy Judes (206-31-9), 41 Old Orchard Street, Retail; Patricia Liannon & Joseph Leprohon (208-1-1-1), 180 Saco Avenue, #1, one seasonal rental; Jennifer & Kevin Holland (208-1-1-14), 180 Saco Avenue, # 14, one seasonal rental; Prestige Management Inc., (211-9-11), 209 Saco Avenue, one year round rental; Richard & Paula Boulette (301-3-1-114), 189 East Grand Avenue, #114, one year round rental; Robert & Laura Slaving (301-7-10-7), 190 East Grand Avenue, #7, one year round rental; Jane Duhamel dba/Seaside Grille (304-3-1, 7), York Street, Victualers with Preparation – no alcohol sales; Susan Ross (305-2-1-54), 31 East Grand Avenue, #54, one year round rental; Matt & Robin Berube (309-8-1), 36 Central Park Avenue, one year round rental; Robert Kirby (314-17-2), 90 Union Avenue, one year round rental; Barry & Sherri Tripp dba/Mocean Surf (316-13-15), 6 Union Avenue, Retail; James Blake (317-2-3), 7 Beecherie Avenue, one year round rental; and Vincent Bartolomeo (318-8-6-13), 146 West Grand Avenue, # 13, one year round rental.

PUBLIC HEARING SPECIAL AMUSEMENT PERMITS:

Last Call Inc., dba/Last Call (206-31-19), 4 First Street, and Live Bands Amplified Inside – 11:00 a.m. to 1:00 a.m.; and Jumpin Jake's LLC dba/Jumpin Jake's Café (208-3-3), 181 Saco Avenue, Music Amplified, Outside & Inside – 12:00 p.m. to 12:00 a.m.

TOWN MANAGER'S REPORT:

**NEW BUSINESS:**

- # 5910** Discussion: Presentation on the proposed changes to FEMA's Flood Maps by Robert G. Gerber (P.E., C.G., P.G.) – Senior Engineer/Geologist from Ransom Consulting Inc. Town Manager  
Robert Peabody
- # 5911** Discussion with Action: Approve Liquor License Renewals of Last Call Inc., dba/Last Call (206-31-19), 4 First Street, m-s-v in a Class A Lounge; Collegiate Baseball Club, LLC dba/Ballpark Beer Tent (207-3-6X), 7 Ballpark Way, m- in an Outdoor Stadium; Jumpin Jake's LLC dba/Jumpin Jake's Café (208-3-3), 181 Saco Avenue, m-s-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  
Sharri MacDonald
- # 5912** Discussion with Action: Approve the line item transfers from the Public Works Department; transfer \$7,000 from Account Number 20151-50506 – Road Maintenance Improvement – Non Capital, with a balance of \$22,049.84; to Account Number 20151-50508 – Sewer Maintenance Improvement – Non Capital – with a balance of \$346.22 to cover Invoices from the City of Saco for Camera-Technician and Supplies; approve line item transfer of \$2,000 from Account Number 20151-50506 – Road Maintenance Improvements- Non Capital, with a balance of \$22,049.84; to Account Number 20151-50508 – Sewer Maintenance Improvements – Non Capital – with a balance of \$346.22 to cover invoices for Household Hazardous Waste Drop-Off Days; and approve the line item transfer of \$3,500 from Account Number 20151-50511 - – Ground Maintenance Improvement with a balance of \$18,831.86; to Account Number 20151-50405 – Heating Fuel Expense with a balance of \$105.63. Public Works Director  
Bill Robertson
- # 5913** Discussion with Action: Approve the payment of \$4,956.25 from Account Number – 25140-40510 - Unanticipated Revenue Account, with a balance of \$63,377.23 to the Acorn Village Condominium Association for legal fees associated with the Acorn Village Performance Bond settlement. Chair  
Sharri MacDonald
- # 5914** 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 awarded by the Courts – CR-13-49. Police Chief  
Dana Kelley

- # 5915** Discussion with Action: Approve the fee of \$2.00 per car for the use of Milliken Street Parking Lot on Thursday, June 20, 2013, by Palace Playland for visit by the American Coasters Enthusiasts (ACE), a non-profit organization of more than 5,000 in sixteen countries, for their flagship event with parking permit stickers to be provided. Assistant Town Mgr.  
V. Louise Reid
- # 5916** Discussion with Action: Approve the Special Event Permit Application for Thornton Academy to hold a Beach Picnic, to include a Campfire, for their off-Campus Life Programs, on the beach at the end of Randall Avenue on Thursday, May 16<sup>th</sup>, 2013, with a rain date of Friday, May 17, 2013, from 5:00 p.m. to 8:00 p.m.; and a request to waive the fee. Town Clerk  
Kim McLaughlin
- # 5917** Discussion with Action: Approve the Special Event Permit application for Revolution 3 Triathlon to host a Rev3 Triathlon on Thursday, August 22, 2013 at 8 a.m. through midnight on Sunday, August 25<sup>th</sup>, 2013; a request to close First Street from Staples to Heath Street during that time period, and the use of the Memorial Park Parking Lot; also a 5K on August 23<sup>rd</sup>, 2013; request for a banner on Cascade Road and Saco Avenue; Insurance listing the Town of Old Orchard Beach as additionally insured to be provided to the Town Clerk's office at least one month prior to the event; payment to be received within two weeks of approval. Town Clerk  
Kim McLaughlin
- # 5918** Discussion with Action: Set preliminary Fees for use of the Ballpark Fields for the 2013 season. Ballpark Vice Chair  
Robin Dube
- # 5919** Discussion with Action: Appoint William Southwick as Assistant Electrical Inspector, term to expire July 1, 2014. Town Council Chair  
Sharri MacDonald
- # 5920** Discussion with possible action to follow regarding the following election items:
- a. The certification by the Town Clerk to the Town Council of seven recall petitions seeking the recall of Councilors MacDonald, Bolduc, Coleman, Dayton, Furtado, Mailhot and Quinn and the setting of the date of an election to submit to the voters the question of recall and in connection with the recall election pursuant to Sections 305.2 and 202 of the Town Charter, and under Sections 305.3, 202, 203 and 204 of the Town Charter and 30-A M.R.S.A. Section 2528(4)(E), the designation and setting of the period for circulation of nomination petitions for the office of each of the Town Councilors subject to recall if recalled to a period of no less than ten days with the period to end no closer than fourteen days before the date the election is set, and in connection with such designation of the availability and period for circulation of nomination papers, to order the Clerk to post such

designation in the same places as Town election notices and warrants are posted and to notify local representatives of the media of the same,

- b. The coordination of other election matters with the Town Clerk as are relevant to the Clerk's office administration and oversight of the recall election, and
- c. The issuance of a Warrant for Special Municipal Referendum Election to a citizen of the Town for the recall election.

Town Clerk  
Kim McLaughlin

**# 5921** Discussion with Action: Appoint Cari-Lyn Lane as a regular member of the Ballpark Commission, term to expire 12/31/13; Appoint W. Victor Gould, Jr. as a regular member of the Ballpark Commission, term to expire 12/31/15; and Appoint John Moore as an alternate member of the Ballpark Commission, term to expire 12/31/13.

Town Clerk  
Kim McLaughlin

**# 5922** Discussion with Action: Appoint Vice Chair, Laura Bolduc, as Negotiations Liaison for all Town Union contracts.

Chair  
Sharri MacDonald

**# 5923** Discussion with Action: Approve the purchase of four Cale Parking Meters at a cost of \$10,700 each; two being purchased through Account Number 52002-50884 – CIP - Public Safety Parking Control Machine Expense, in the amount of \$21,400, with a balance of \$30,667; and two being purchased through the Fiscal Year 2014 budget.

Chief  
Dana Kelley

**# 5924** Executive Session: AFSCME Council 93 Local 481-06, Old Orchard Beach Public Works Department Union Contract, pursuant to 1 M.R.S.A., Section 405(6)(d). (Note: This item discusses labor negotiations, and the Council anticipates that the discussion portion will occur in executive session.)

Chair  
Sharri MacDonald

**GOOD AND WELFARE:**

**ADJOURNMENT**