

**TOWN OF OLD ORCHARD BEACH  
REGULAR TOWN COUNCIL MEETING  
TUESDAY, SEPTEMBER 16, 2014  
TOWN HALL COUNCIL CHAMBERS  
7:00 p.m.**

Pledge to the Flag  
Roll Call

**ACKNOWLEDGEMENTS:**

**ACCEPTANCE OF MINUTES:** Town Council Workshop of August 28, 2014; and Town Council Meeting of September 2, 2014.

**PUBLIC HEARING:**

Shall we Consider a Proposed Amendment to Section 412, "Conflicts of Interest," of the Old Orchard Beach Charter?

**PUBLIC HEARING BUSINESS LICENSES AND APPROVAL:**

William J. McCormick III dba/McCormick and Sons Trucking, Waste Hauler – one truck; Cameron R. Sheets (205-16-3-3A), 9 Cascade Road, Unit 3A, one year round rental; Pamela Golarz (206-11-4), 11 Cottage Avenue, three year round rentals; Ed & Jeanne Jackson (212-1-3), 20 Melvin Avenue, two year round rentals; Ed & Jeanne Jackson (212-1-4), 18 Melvin Avenue, two year round rentals; Sherry's Place/Sarah Weinstein (304-3-5), 79 East Grand Avenue, one seasonal rental; Sherry's Place/Sarah Weinstein (304-3-6) 75 East Grand Avenue, three seasonal rentals; Cody & Gabriela Huffman dba/Lazy Daisy Beach Rentals (316-13-9), 20 Union Avenue, three year round rentals; Thomas Toohey (320-1-4), 60 Colby Avenue, one seasonal rental and one year round rental; and Beth & Douglas Keene (321-3-6) 11 Ancona Avenue, one seasonal rental.

**TOWN MANAGER'S REPORT**

**NEW BUSINESS:**

# 6280 Discussion with Action: Approve the Mobilization of Primary and Secondary Crushers, loading and stacking Equipment of Superior Crushing Inc., in the amount of \$25,605 less \$5,000 approved by the Council on September 2, 2014, from Account Number 50002-50506 – Public Works Equipment, with a balance of \$478,591; to crush broken hot top, concrete chunks, bricks and ledge to a 1 ½ crushed gravel material at \$7.50/ cubic yard, not to exceed 3,414 cubic yards.

Town Manager  
Larry Mead

# 6281 Discussion with Action: Approve the services of Ted Berry Company to do the fall cleanings of the wet wells at the WWTF and pump stations in the amount of \$15,000 from Account Number 20161-50342 – Waste Pumping Expenses, with a balance of \$30,000.

Town Manager  
Larry Mead

- # 6282 Discussion with Action: Approve the PLC/SCADA Project based on time and materials with a not-to-exceed price of \$33,517 from Account Number 50501-50330 – Equipment Replacement Account, with a balance of \$80,056. Town Manager  
Larry Mead
- # 6283 Discussion with Action: Approve the purchase of two (2) chlorine pumps from Maher Corporation in the amount of \$6,400 from Account Number 20161-50330 – Waste Water - Equipment Replacement, with a balance of \$80,056. Town Manager  
Larry Mead
- # 6284 Discussion with Action: Approve the purchase of a 2014 Harley-Davidson FLHP Motorcycle for the Old Orchard Beach Police Department in the amount of \$16,300 with a trade in of \$10,500 for a balance of \$5,800 from Account Number 20131-50330 - Equipment Lease, with a balance of \$9,127.90. Town Manager  
Larry Mead
- # 6285 Discussion with Action: Approve the purchase of a SAF-T Liner C2 Body Model 341TS (81 passenger) bus from the Thomas Built Buses, in the amount of \$89,345 to be financed for three years through Gorham Savings Bank Leasing from Account Number 20197-50330 – Equipment Replacement / Lease, with a balance of \$88,137.24; to be used by the Recreation Department for their youth and adult programming. Town Manager  
Larry Mead
- # 6286 Discussion with Action: Approve the Liquor License Renewal for VFW Memorial Post 7997 dba/VFW Memorial Post 7997 (312-14-2-X), m-s-v in a Club. Chair Shawn O’Neill
- # 6287 Discussion with Action: Approve the Special Event Permit application for Good Shepherd Parish to hold their Youth Ministry Kickoff on the beach by the Square, and in the Square, on Sunday, September 21<sup>st</sup>, from 4 p.m. to 8 p.m., with a rain date of September 28<sup>th</sup>, 2014. Request for a bonfire and volleyball poles on the beach, and a bouncy house in the square, closing the Square to vehicular traffic. Chair Shawn O’Neill
- # 6288 Discussion with Action: Authorize the closing of Town Hall on Friday, September 26, 2014, from 2:00 p.m. to 4:00 p.m. for the Annual Employee Picnic. Town Manager  
Larry Mead
- # 6289 Discussion with Action: Set the Public Hearing date of October 7<sup>th</sup>, 2014 to Amend the Town of Old Orchard Beach Code of Ordinances, Section 54-187, Restrictions and Prohibitions, First Street. Chair Shawn O’Neill

- # 6290 Discussion with Action: Set the Public Hearing date of October 7<sup>th</sup>, 2014 to Amend the Town of Old Orchard Beach Code of Ordinances, Section 54-187, Restrictions and Prohibitions, Heath Street. Chair Shawn O'Neill
- # 6291 Discussion with Action: Set the Public Hearing date of October 7<sup>th</sup>, 2014 to Amend the Town of Old Orchard Beach Code of Ordinances, Section 54-187, Restrictions and Prohibitions, Seaside Avenue. Chair Shawn O'Neill
- # 6292 Discussion with Action: Set the Public Hearing date of October 7<sup>th</sup>, 2014 to Amend the Town of Old Orchard Beach Code of Ordinances, Section 54-187, Restrictions and Prohibitions, Union Avenue. Chair Shawn O'Neill
- # 6293 Discussion with Action: Set the Public Hearing date of October 7<sup>th</sup>, 2014 to Amend the Town of Old Orchard Beach Code of Ordinances, Section 54-187, Restrictions and Prohibitions, West Grand Avenue. Chair Shawn O'Neill
- # 6294 Discussion with Action: Set the Public Hearing date of October 7<sup>th</sup>, 2014, to Amend the Town of Old Orchard Beach Code of Ordinances, Section 54-142, Parking at expired meters and overtime parking. Chair Shawn O'Neill
- # 6295 Discussion with Action: Set the Public Hearing date of October 7<sup>th</sup>, 2014, to Amend the Town of Old Orchard Beach Code of Ordinances, Section 42-81, Posting of Signs, and Section 42-83, Hours of Use, regarding the Ballpark. Chair Shawn O'Neill
- # 6296 Discussion with Action: To consider directing the Town Clerk to place on the ballot for regular Town election on November 4, 2014 a proposed amendment to Section 412, "Conflicts of Interest", of the Old Orchard Beach Town Charter. Chair Shawn O'Neill

**Proposed Order of the Council:**

Be it ordered: That the Town Clerk place on the ballot for the regular Town election to be held on November 4, 2014 the following amendment of the Old Orchard Beach Town Charter:

Shall the Town approve an amendment of Section 412, "Conflicts of Interest", of the Old Orchard Beach Town Charter by adding the underscored text as shown below?

Sec. 412. Conflicts of Interest.

No relative of a Town Councilor or the Town Manager shall be appointed to any compensated Town office or any position appointed by the Town Council or shall be hired for a position in any Town department under the direct control of the Town Council so long as that Councilor continues to serve on the Town Council. If the relative was serving in any such position at the time of that Councilor's election, the relative shall not receive any increase in salary or compensation which is approved during that Councilor's term of office except for salary or compensation increases which are commensurate and proportional to salary or compensation increases received by non-union Town employees or Town employees covered under a

**collective bargaining agreement. A Councilor with a relative serving in a compensated Town office or position shall recuse him or herself from consideration or acting on matters directly related to the compensation or salary of their relative.**

No Town Councilor may vote on any contract while employed by the contractor or subcontractor or in which the member or a relative has a financial interest. Any question of whether a particular issue involves a conflict of interest sufficient to disqualify a member from voting on that issue must be decided by a majority vote of those members present and voting, excluding the member being challenged.

As used in this section, the term "relative" means related by blood, marriage, or law, including spouses, children, grandchildren, great-grandchildren, parents, brothers, sisters, nephews, nieces, grandparents, uncles, aunts, first cousins or domestic partner relation.

# 6297 Executive Session: AFSCME Council 93 Local  
481-06, Old Orchard Beach Public Works Department  
Union Contract, pursuant to 1 M.R.S.A., Section 405C(d).  
(Note: This item discusses labor negotiations, and the  
Council anticipates that the discussion portion will occur  
in Executive Session.)

Chair Shawn O'Neill

GOOD AND WELFARE:

ADJOURNMENT