

**TOWN OF OLD ORCHARD BEACH
REGULAR TOWN COUNCIL MEETING
TUESDAY, MAY 6, 2014
TOWN HALL COUNCIL CHAMBERS
7:00 P.M.
AGENDA**

Pledge to the Flag
Roll Call

ACKNOWLEDGEMENTS:

ACCEPTANCE OF MINUTES: Town Council Workshop Minutes of April 7, 2014; Town Council Workshop Minutes of April 9, 2014; Town Council Workshop Minutes of April 14, 2014; Town Council Meeting Minutes of April 15, 2014; Town Council Workshop Minutes of April 23, 2014; Town Council Workshop Minutes of April 24, 2014; Administrative Board Meeting Minutes of April 7, 2014; Administrative Board Meeting Minutes of April 8, 2014; and Administrative Board Meeting Minutes of April 10, 2014.

PUBLIC HEARING BUSINESS LICENSE AND APPROVAL:

John Covino (201-1-7-3F), 221 East Grand Avenue, Unit 3F, one year round rental; Conrad & Bhupinder Caldwell (208-1-1-21,) 180 Saco Avenue, Unit 21, one year round rental; 9 Ocean Park LLC/James Hartley dba/Pine Tree Seafood & Produce Co. (210-10-2), 9 Ocean Park Road, Victualers with Preparation with Beer, Wine and/or Liquor (take out); Retail; Paul & Joan Shandrowski (305-4-1-403), 1 Cleaves Street, #403, one year round rental; and Conditional business license for the Grand Victorian Hotel Condominium Association dba/Grand Victorian Hotel COA (306-1-2), 1 East Grand Avenue, 51 year round rentals, subject to payment of property taxes in full for FY2013 tax year and all of FY2014 taxes paid by April 1, 2015; and business license renewal in FY2016 will be conditional that all taxes are current as of April 1, 2017.

PUBLIC HEARING BUSINESS LICENSE AND APPROVAL WITH CONDITIONS

The Landings at Old Orchard Beach LLC dba/The Landings (206-27-10), 29 Saco Avenue - The nine cabins shall be allowed to be rented only from May 1st through October 15th. There shall be no winter rentals of cabins. There will be a re-inspection of cabins by the Code Enforcement Officer within six months. Any denial of access by the Code Enforcement Officer during the licensing period shall be cause for license revocation; Natural High RV Resort/Ed Jackson dba/Fern Park Cabins (206-10-6), 74 Saco Avenue, - All code issues need to be corrected and acceptable to the Code Enforcement Officer. The rental of cabins is allowed only from May 1st through October 15th. The cabins cannot be rented to J-1 Students. Any denial of access by the Code Enforcement Officer during the licensing period shall be cause for license revocation; and Norman Marquis dba/Crosswind Cottages LLC (303-4-7), 142 East Grand Avenue, - The thirteen unit motel will be seasonal only from May 1st through October 15th. Three cabins - #19, 20 and 21 are to be seasonal only from May 1st through October 15th. No winter rentals in any of the seasonal units or cabins.

PUBLIC HEARING AMUSEMENT PERMITS:

Strike Zone Restaurant & Pub Inc. dba/Strike Zone Restaurant & Pub (205-4-1-C), 20 Old Orchard Street, Live Music, Amplified Acoustic – 11:00 a.m. – 12:00 a.m. – Outside & Inside; and Jumpin' Jakes LLC dba/Jumpin' Jakes Café (208-3-3), Music Amplified – 12:00 p.m. – 12:00 a.m., Outside and Inside.

TOWN MANAGER'S REPORT:

NEW BUSINESS:

- # 6161 Discussion with Action: Approve the Beach Management Agreement with the U.S. Fish & Wildlife Services (USFWS) and the Maine Department of Inland Fisheries and Wildlife (MDIFW) developed for the Town of Old Orchard Beach. Town Manager
Larry Mead
- # 6162 Discussion with Action: Accept the bid from Waste Zero in the amount of \$11,466 (\$38.22 per case) for 30,000 bags from Account Number 10012-10302 – Inventory – Trash Bags, with a balance of \$22,297.27. Town Manager
Larry Mead
- # 6163 Discussion with Action: Approve the Liquor License Renewals for Strike Zone Restaurant & Pub Inc. dba/ Strike Zone Restaurant & Pub (205-4-1C), 20 Old Orchard Street, m-s-v in a Restaurant/Lounge; Brentland Beth Inc. dba/Bell Buoy Restaurant (205-4-5), 24 Old Orchard Street, m-s-v in a Restaurant; and Jumpin' Jakes LLC dba/Jumpin' Jakes Café (208-3-3), 181 Saco Avenue, m-s-v in a Restaurant/Lounge. Chair Shawn O'Neill
- # 6164 Discussion with Action: Amend the Town of Old Orchard Beach Code of Ordinances, Chapter 78 (Zoning), Article VI (Districts), Division 8 (General Business District 1), Sec. 78-803 (Conditional Uses) to allow Tattoo Parlors as a Conditional Use within the General Business District 1 (GB-1) and to Amend Chapter 78 (Zoning), Article I (In General), Sec. 78-1 (Definitions), to add definition "Tattoo Parlor." Town Manager
Larry Mead
- # 6165 Discussion with Action: Approval and Ratification of the Old Orchard Beach Wastewater Employees Association Contract, effective July 1, 2012 to June 30, 2015. Town Manager
Larry Mead
- # 6166 Discussion with Action: Proposal for Possible Management of Public Safety Dispatch Services for the Town of Old Orchard Beach with the Scarborough Public Safety Communications. Town Manager
Larry Mead
- # 6167 Discussion with Action: Approve the line transfers for the Police Department from Account Number 20131-50113 – Holiday Wages in the amount of \$25,800, with a balance of \$25,800, to Account Number 20131-50106 – Full Time Wages, with a balance of \$200,157.01; and transfer from Account Number 20131-50128 – Physical Fitness Stipend, in the amount of \$3,600, with a balance of \$3,663.46, to Account Number 20131-50230 – Clothing Allowance, with a

- balance of \$1,240.39; and transfer from Account Number 20138-50106 – Full Time Wages, in the amount of \$2,000, with a balance of \$200,157.01, to Account Number 20131-50252 – Travel/Food/Lodging, with a balance of 495.02.
- Town Manager
Larry Mead**
- # 6168 Discussion with Action: Approve the purchase of electronic equipment for the Police Department from Portland Location – Radio Communications Management, in the amount of \$9,777.33 from Account Number 20131-50501 – Operational Supplies, with a balance of \$8,623.08 and a line item transfer from Account Number 20131-50106 – Full Time Wages, in the amount of \$9,777.33, with a balance of \$198,157.01, to Account Number 20131-50501 – Operational Supplies.**
- Town Manager
Larry Mead**
- # 6169 Approve the line item transfers for the Fire/EMS Department from Account Number 20138-50402 – Phone/Cellular in the amount of \$1,000, with a balance of \$1,956.76; and Account Number 20138-50121 – Annual Stipend in the amount of \$433, with a balance of \$433; and Account Number 20138-50128 – Physical Fitness in the amount of \$500, with a balance of \$500; Account Number 20138-50501 – Operational Supplies in the amount of \$12,000 with a balance of \$17,741.22; and Account Number 20138-50500 – Administrative/Office Supplies in the amount of \$500, with a balance of \$878.28; to Account Number 20138-50453 – Vehicle Maintenance & Repairs, with a balance of \$878.28.**
- Town Manager
Larry Mead**
- # 6170 Discussion with Action: Canvass and certify the results of the RSU #23 Municipal Election.**
- Chair Shawn O’Neill**
- # 6171 Discussion with Action: Order and Direct the Town Clerk to issue certificates to the successful candidates.**
- Chair Shawn O’Neill**
- # 6172 Discussion with Action: Approve the Special Event Permit application for the Chamber of Commerce to hold their Annual Car Show on Friday, September 12th from 3 p.m. to 8:30 p.m., closing Old Orchard Street, and on Saturday, September 13th, 2014, from 6 a.m. to 4 p.m., in Memorial Park and the Milliken Street parking lot, and closing First Street; request for a banner in the Square, up to two weeks prior to the event, to be coordinated with New England Parkinson Ride and Beach Raid; 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; and a request to waive the fee.**
- Chair Shawn O’Neill**

6173 Discussion with Action: Approve the Special Event Permit application for the Chamber of Commerce to hold their Annual Beach Olympics on the beach and in the Square (request to close the Square) on Friday, August 15th through Sunday, August 17th, 2014, 5 p.m. to 9:30 p.m. on Friday; 10 a.m. to 9:30 p.m. on Saturday; 10:00 a.m. to 4 p.m. on Sunday. Request to place a banner in the Square for up to two weeks prior to the event, to be coordinated with MAPS Breakaway 5k; Insurance, listing the Town as additionally insured, to be provided to the Town Clerk's Office at least one month prior to the event; and a request to waive the fee.

Chair Shawn O'Neill

6174 Discussion with Action: Approve the Special Event Permit application for the Chamber of Commerce to hold their annual Celebrate the Season by the Sea on Sunday, December 7th, 2014 from 1:00 p.m. to 3:00 p.m. on First Street and Memorial Park; to include a Parade, fire pits, horse-drawn hay wagon rides, vendors and a DJ playing holiday music; place a banner in the Square one week prior to the event; and a request to waive the fee. Insurance, listing the Town of Old Orchard Beach as additional insured, to be provided to the Town Clerk's office at least one month prior to event.

Chair Shawn O'Neill

6175 Discussion with Action: Approve the Special Event Permit application for the Veterans Memorial Park Sub-Committee to hold "Illumination Night" in Memorial Park on Sunday, May 25, 2014, from 5 p.m. to 9 p.m., rain date, Monday, May 26th, 2014; and a request to waive the fee.

Chair Shawn O'Neill

6176 Discussion with Action: Approve the Special Event Permit application from RS Fireworks LLC to hold a Fireworks display on Wednesday, June 4th, 2014 at approximately 9:45 p.m. at the Ballpark with. rain dates of 6/4/14 or 6/7/14. Approval by the State Fire Marshall's Office and insurance listing the Town as additionally insured to be provided to the Town Clerk's Office at least one week prior to the event; Notification of the date, location and approximate time of the Fireworks display to be sent to each property owner within a radius of the Ballpark to be determined by the Town Council; and a request to waive the fee.

Chair Shawn O'Neill

GOOD AND WELFARE:

6177 Executive Session pursuant to 1 M.R.S.A., Section 405(6)(E) for consultation with the Town Attorney regarding ongoing litigation, Pearson v. the Town of Old Orchard Beach.

Chair Shawn O'Neill