

**TOWN OF OLD ORCHARD BEACH
REGULAR TOWN COUNCIL MEETING
TUESDAY, JUNE 6, 2017
TOWN HALL COUNCIL CHAMBERS
6:30 p.m.**

Pledge to the Flag
Roll Call

PRESENTATION: Dedication of Annual Report to
BEVERLY RUSSELL
Community Animal Watch

ACKNOWLEDGEMENTS:

ACCEPTANCE OF MINUTES: Town Council Meeting Minutes of May 16, 2017; Town Council Workshop Minutes of May 16, 2017; and Town Council Workshop Minutes of May 23, 2017.

PUBLIC HEARING BUSINESS LICENSES AND APPROVAL:

Steven Fontaine (316-5-1), 8 Seaside Avenue, one year round rental; Michael McGonagle (319-5-4-3), 17 Tunis Avenue, Unit #3, one year round rental; MAC & D Realty (313-4-8), 6 Camp Comfort Avenue, five (5) seasonal rentals; William Griffin (316-13-1-1), 1 Pearl Avenue, Unit #1, one year round rental; Michael & Shira Burns (312-15-5), 29 Central Park Avenue, eight (8) year round rentals; Corey Keehn & Jeff Brooks (205-17-8), 9 Smith Avenue one year round rental; Alex Chou (206-31-21), 38 ½ Staples Street, one year round rental; Sarah & Christopher Santos (315-10-2), 40 Park Avenue, one year round rental; Daniel O'Rourke & Tammy Treadwell (305-3-9-7), 5 Boisvert Street, #107, one year round rental; Marianne Doyle (206-24-43), 29 School Street, one seasonal rental; Kelly A. Murphy (308-1-20), 12 Evergreen Avenue, one seasonal rental; Jane Quinn (315-17-7), 43 Union Avenue, one seasonal rental; Thomas Dupuis dba/Jazzy's Twist (306-5-2-A), 6 East Grand Avenue, Victualers with preparation/no alcohol; Joseph McCollum & Joseph Kocian dba/Shipwrecked LLC (211-9-17), 213B Saco Avenue, Retail, Victualers with preparation/no alcohol sales; rental of merchandise – scooters; WINHA, LLC – Alan Weinstein dba/Oriental Massage Establishment (206-26-4-D), 34D Saco Avenue, Oriental Massage Establishment; Moshe Agam dba/Beach Fantasy (205-4-3), 26 Old Orchard Street, Victualers with preparation/no alcohol, pastry and coffee; and Joel Ranger, LLC dba/White Cap Village Motel & Apartments (313-2-2), 5 Bay Avenue, 3 Bay Avenue and Bay Avenue Parking Lot, twenty (20) seasonal rentals.

TOWN MANAGER'S REPORT:

NEW BUSINESS:

6923 Discussion with Action: Adoption of the FY2018 Municipal Budget. Town Manager
Larry Mead

Consider FY18 Municipal Operating Budget Appropriation in the amount of \$15,586,633.

Consider FY18 Capital Improvement Budget Appropriation in the amount of \$1,316,700.

Consider FY18 Non-Property Tax Revenue Appropriation in the amount of \$3,891,500.

Consider FY18 Appropriation of \$550,000 from the Unassigned Fund Balance; \$500,000 from the Rescue Fees Revenue Billing Fund; and \$200,000 from the 2008 Road, Water and Sewer Bond Fund, for the purpose of reducing the FY18 Property Tax Commitment.

- # 6924 Discussion with Action: Consider setting due dates of September 15, 2017 and March 15, 2018, for taxes for FY2018.** **Chair Joseph Thornton**
- # 6925 Discussion with Action: Consider setting interest rate of 7% for delinquent taxes.** **Chair Joseph Thornton**
- # 6926 Discussion with Action: Consider Authorizing the Tax Collector and Treasurer to accept prepayments of taxes before commitment, at an interest rate of 0%, pursuant to 36 M.R.S.A., Section 506.** **Chair Joseph Thornton**
- # 6927 Discussion with Action: Consider Authorizing the Finance Director to Set the Percentage for Sewer Rate for FY2018 to reflect the percentage of the tax bill used for the operation of Waste Water Treatment Plant after approval of the Budget.** **Chair Joseph Thornton**
- # 6928 Discussion with Action: Consider Authorizing and Directing the Assessor to Prepare a Perfect List of all taxes of the Municipality and to commit the same to the Tax Collector.** **Chair Joseph Thornton**
- # 6929 Discussion with Action: Consider Authorizing and Directing the Tax Collector and Treasurer, pursuant to 36 M.R.S.A., Section 906, to apply any tax payment received from an individual as payment for any Property Tax against outstanding or delinquent taxes due on said Property in Chronological Order beginning with the oldest unpaid tax bill provided, however, that no such payment may be applied to any tax for which an Abatement Application or Appeal is pending unless approved in writing by the Taxpayer.** **Chair Joseph Thornton**
- # 6930 Discussion with Action: Consider Amending the Code of Ordinances, Appendix A, Schedule of License, Permit and Application fees, by amending the following sections: Ambulance Billing Fees, Building Fees, and License Ordinance Categories.** **Chair Joseph Thornton**
- # 6931 Discussion with Action: Approve the following line item transfers:**

FROM the Code Enforcement Department in the amount of \$28,000, from Account Number 20113-50107 - Part Time Wages, with a balance of \$32,185.65; to Account Number 20113-50106 - Full Time Wages, with a balance of (\$20,694.75); and in the amount of \$4,000 from Account Number 20113-50300 - Professional Engineering, with a balance of \$5,000; to Account Number 20113-50101 - Department Head Salary, with a balance of \$729.15.

FROM Town Hall Maintenance in the amount of \$3,525.00, from Account Number 20115-50405 - Heating Fuel, with a balance of \$4,295.64; to Account Number 20115-50310 - Service Contracts, with a balance of (\$2,982.70).

FROM Insurance and Benefits in the amount of \$10,000.00, from Account Number 20119-50373 - Unemployment Insurance Expense, with a balance of \$20,504.46, to Account Number 20138-50310 - Fire Department Service Contract Expense, with a balance of (\$3,928.49).

FROM Insurance and Benefits in the amount of \$90,000.00, from Account Number 20119-50210 - Health Insurance Expense, with a balance of \$185,594.24; to Account Number 20138-50111 - Fire Department Overtime, with a balance of (\$90,755.76).

FROM Insurance and Benefits in the amount of \$9,350.00, from Account Number 20119-50212 - Income Protection Plan, with a balance of \$13,894.89; to Account Number 20106-50106 – Assessors Full Time Wages, with a balance of (\$3,607.13).

FROM Debt Service Expense in the amount of \$31,000, from Account Number 20197-50395 - with a balance of \$76,143.18 to Account Number 20138-50111 - Fire Department Overtime, with a balance of (\$90,755.76).

Chair Joseph Thornton

6932 Discussion with Action: Amend the Town of Old Orchard Beach Code of Ordinances, Division 2, Compensation of Elected Officials, Article IV, Town Council.

Chair Joseph Thornton

6933 Discussion with Action: Amend the Town of Old Orchard Beach Code of Ordinances, Chapter 54, Traffic and Vehicles, Article V, Stopping, Standing and Parking, Division 2, Specific Places, Section 54-187, Restrictions and prohibitions, parking in the Town Hall parking lots and Veteran's Square.

Chair Joseph Thornton

6934 Discussion with Action: Award the bid from Waste Zero for Municipal Trash Disposal Bags at \$.3876 per bag, from Account Number 10011-10302 - Trash Bags, with a balance of \$24,260.12.

Town Manager
Larry Mead

6935 Discussion with Action: Approve the cost of repairing the Recreation Department bus, in the amount of \$6,169.39, from Account Number 20171-50453 – Recreation Vehicle Repair, with a balance of \$1,121.58; and \$5,047.81 from Account Number 30200-50317 – Recreation Fund Non-Program Expenses, with a balance of \$62,591.19.

Town Manager
Larry Mead

6936 Discussion with Action: Accept the bid from Haley's Metal Shop, in the amount of \$7,280, to modify the existing heating system serving the second floor of the Fire Department, from Account Number 52002-50813 – Capital Fire Facility improvements, with a balance of \$9,437.24.

Town Manager
Larry Mead

6937 Discussion with Action: Confirm the appointment and two year contract for Diana Asanza, Town Treasurer/ Finance Director, effective June 6, 2017 to June 18, 2019, at a current salary of \$79,249.56.

Town Manager
Larry Mead

6938 Discussion with Action: Approve the Special Event permit application for Tammy Henson to hold a wedding on the beach in front of the Normandie on Saturday, June 24th, 2017 from 3 p.m. to 5 p.m. and a bonfire from 7 p.m. to 11 p.m. Chair Joseph Thornton

6939 Discussion with Action: Approve the Special Event Permit application from Pat McDonald for a Wrestling Tournament at the Ballpark on Saturday, July 29th, 2017, from 9 a.m. to 9 p.m. The Ballpark Commission has approved, and the applicant will be signing a Ballpark rental agreement. Chair Joseph Thornton

6940 Discussion with Action: Approve the Liquor License Renewals for Venetias Kouzounas dba/Venetias Restaurant (313-4-3), 93 West Grand Avenue, m-v in a Restaurant; and JTG Hospitality, Inc. dba/Ballpark Beer, (207-3-6X), 7 Ballpark Way, malt in Outdoor Stadium. Chair Joseph Thornton

6941 Discussion with Action: Authorize the Town Manager to enter into a three-party agreement between the Town, Maine Department of Transportation (MDOT), and Portland Area Comprehensive Transportation System (PACTS) for pavement preservation improvements to State Route 5, Saco Avenue, between Temple Avenue and Union Avenue. Town Manager Larry Mead

6942 Discussion with Action: Authorize the Town Manager to enter into a three party agreement between the Town, Maine Department of Transportation (MDOT), and Portland Comprehensive Transportation System (PACTS) for pavement preservation improvements to State Route 5, Ocean Park Road, between Temple Avenue and the Saco City Line. Town Manager Larry Mead

GOOD & WELFARE:

6943 Executive Session: Discuss Labor Contract: (Note: This item discusses labor contract issue related to the Old Orchard Beach Local 2247 International Association of Firefighters AFL-CIO-CLO union contract, as defined under Title 1 M.R.S.A., Section 405 (6) (D), and the Council anticipates that the discussion portion will be held in Executive Session.) Chair Joseph Thornton

ADJOURNMENT: