

**TOWN OF OLD ORCHARD BEACH
REGULAR TOWN COUNCIL MEETING
TUESDAY, JUNE 17, 2008 – 7:00 P.M.
TOWN HALL CHAMBERS
AGENDA**

A Town Council meeting of the Old Orchard Beach Town Council was held on Tuesday, June 17, 2008 in the Town Hall Chamber. The Chairman opened the meeting at 7:01 p.m.

Pledge of Allegiance

Roll Call:

Present were:

**Chairman James Long
Vice Chairman Shawn O'Neill
Councilor Roxanne Frenette
Councilor Robin Dayton
Councilor Sharri MacDonald
Town Manager Stephen Gunty
Assistant Town Manager V. Louise Reid**

ACKNOWLEDGEMENTS:

VICE CHAIRMAN SHAWN O'NEILL: It is with much sadness that we announce the passing of Ed Townsend who served the Town of Old Orchard Beach in Public Works and as Waste Water Superintendent for over forty years and as a Call Fireman for twenty-nine years. Our sympathy to his wife Peg and his family.

COUNCILOR ROXANNE FRENETTE: Notice of a Public Meeting in Old Orchard Beach regarding the intersection improvements to Route 5 at the Halfway Rotary. It will be held on Wednesday, June 25, 2008 at 6:00 p.m. at the Town Hall in the Council Chambers. Representatives of the Maine Department of Transportation (DOT) will be available to discuss the project.

CHAIRMAN LONG: I wish to make the public aware that we will be having a Special Meeting of the Town Council on Tuesday, June 24th at 7:00 p.m. at which time we will pass the budget. In addition there will be no meeting on Tuesday, July 1st in anticipation of the holiday. The next meeting after June 24th will be the Regular Meeting of the Council on Tuesday, July 15, 2008.

ACCEPTANCE OF MINUTES: Administrative Board Minutes of May 29, 2008; and Town Council Minutes of June 3, 2008.

MOTION: Councilor Frenette motioned and Councilors O'Neill seconded to approve the Minutes of the Administrative Board of May 29, 2008; and Town Council Minutes of June 3, 2008.

VOTE: Unanimous.

BUSINESS LICENSES: Eva Tomecka (207-2-13-108), 108 Nobles Lane, one year round rental; Patrick & Cindy Nolan (305-2-1-10), 31 East Grand Avenue, #10, one year round rental; Donald J. Aucoin (305-2-1-31), 31 East Grand Avenue, #31, one year Round rental; Mary Fantucchio (305-3-9-6), 5 Boisvert Street, #106, one seasonal rental; Erin Herbert (306-1-2-AG), Massage Therapist, 1 East Grand Avenue at RE Salon; The Ocean House C. J. Inc., dba/Driftwood Motel (310-7-1), 70 West Grand Avenue, ten seasonal rentals; Karen & Michael Namiotka (311-7-4), 29 Maplewood Avenue, one year round rental; Richard Goranson (312-10-10), 20 West Old Orchard Avenue, one year round rental; William B. Berry (315-9-8), 34 Park Avenue, two seasonal rentals; and Denis Litalien (316-10-2), 4 Ocean Avenue, one seasonal rental.

MOTION: Councilor Frenette motioned and Councilor O'Neill seconded to approve the Business Licenses as read.

VOTE: Unanimous.

NEW BUSINESS:

4094 Discussion with Action: Approve the Special Event Permit application of the Old Orchard Beach 125th Anniversary Committee to sell various Old Orchard Beach memorabilia on Town Property from June, 2008 through February 19, 2009; and permit a banner in the Town Square.

MOTION: Councilor Frenette motioned and Councilor O'Neill seconded to approve the Special Event Permit application as read.

VOTE: Unanimous.

4095 Discussion with Action: Approve the purchase of an Electronic Multi-Space Parking Device and Related Hardware and Accessories for Memorial Park from Account Number 10013-30100 – Undesignated Fund, with a balance of \$4,781,844, and authorize the Town Manager to sign the Agreement.

MOTION: Councilor Frenette motioned and Councilor O'Neill seconded to Remove without Prejudice Agenda Item Number 4095 - Approve the Purchase of an Electronic Multi-Space Parking Device and Related Hardware and Accessories for Memorial Park from Account Number 10013-30100 – Undesignated Fund, with a balance of \$4,781,844, and authorize the Town Manager to sign the Agreement.

VOTE: Unanimous

4096 Discussion with Action: Approve the Liquor License Renewal for Alouette Old Orchard Beach Atlantic Resorts, Inc. dba/Alouette Beach Resort (303-1-11), 91 East Grand Avenue, m-v in a Hotel.

MOTION: Councilor Frenette motioned and Councilor O'Neill seconded to approve the Liquor Licence Renewal as read.

VOTE: Unanimous.

4097 Discussion with Action: Cancel July 1, 2008 Town Council Meeting.

MOTION: Councilor Dayton motioned and Councilor O'Neill seconded to cancel the July 1, 2008 Town Council Meeting.

VOTE: Unanimous.

4098 Discussion with Action: Approve the Special Event Permit Application for Inkas Wasi to have summer concerts in the Square by the Water Fountain for three days to be selected from the application request.

MOTION: Councilor Frenette motioned and Councilor O'Neill seconded to approve the Special Event Permit Application as read.

VOTE: Unanimous.

GOOD AND WELFARE:

GINGER MCMULLIN: I am a member of the Old Orchard Beach Conservation Commission and on behalf of Andrea Berlin, Chairperson of the Conservation Commission, to announce that on Thursday evening, June 26, 2008 at 7:00 p.m. in the Town Council Chamber, a presentation will be given by the Maine Department of Inland Fisheries on Wildlife's Beginnings with the Habitat Program. The purpose of this program is to aid Town's in conservation planning by providing information and a collection of maps showing plant and animal habitats of statewide and national significance found in the Town. Additional maps showing public and private conservation lands, watersheds and wetlands will also be included. This very informative program is open to the public. Further information can be held through the office of the Assistant Town Manager at 207-934-5714, extension 226.

COUNCILOR MACDONALD: I am inviting any citizen that would like to come in and discuss anything that is going on in the community and any concerns that they might have.

COUNCILOR DAYTON: I would like to remind everyone that this is recycling week and that you can even recycle plastic and they will be made into Frisbees.

CHAIRMAN LONG: The City of Saco has held a number of open meetings dealing with their desire to development Saco Bay. The State in its judgments established a process to determine if development of the bay would be detrimental to the affected communities as well as to the revenues generated for the State by the current uses of Saco Bay. Currently the City of Saco prefers to have a regional developmental agreement to management development on the bay. The City also contends that their agreement with Spartan Bay is still valid. Protecting the bay is the highest priority and therefore should be considered first. A regional

plan reduces our ability to protect our primary asset, the beach. The approach presently in place does not reflect an understanding of the environment of Saco Bay. The moratorium takes affect July 18, 2008 and the State expects to be informed of our progress in January 2009. The state rejected the plan proposed by Saco. If the Tow Council wishes to have a workshop on Saco Bay and forms a committee then we ought to act on that proposal.

COUNCILOR FRENETTE: I would like to volunteer my services to go to these meetings and would ask the Town Manager and the Planner to attend but we need to know what is going on and if any other councilors wish to attend that would be fine. I want to support the position of George Hogan and see what is being planned for our position in the bay.

CHAIRMAN LONG: I would like to point out that the Chairman does not establish the schedule for the Town Manager nor his staff – the Town Manager is responsible for that. I would also point out that in earlier May Councilors were informed in over 25 e-mails were updated on the issues involved and ahead of us. So I encourage people to get involved as my interest is specifically that of the town. The Town Manager has indicated we are involved.

COUNCILOR FRENETTE: That may be true but our presence is necessary and I want to support George Hogan. If we are not there it looks like we do not have an important investment in this.

CHAIRMAN LONG: What is happening in Saco is that they are trying to establish a Management Agreement prior to the moratorium. Saco desires to receive a Spartan Bay lease payment and without a management agreement that is not likely to happen. They don't own the land and don't have the right to lease it and I am interested in Old Orchard Beach. If they think this is such a good idea they should do this in Saco at Ferry Beach.

COUNCILOR O'NEILL: There are a lot of concerned citizens and I do think they should be involved and I think we would be wise to consider the committee and we could put the Town Manager on that .

COUNCILOR FRENETTE: I agree it would be good to have citizens. I think they are more interested in Saco than Biddeford or Old Orchard but we need to keep ourselves involved.

CHAIRMAN LONG: If we signed on to a management agreement we would lose our rights to the bay. I would suggest

COUNCILOR DAYTON: Is this a citizen group? If we are going to appoint someone we need to do it before the 15th meeting. We can't do anything tonight. This is good and welfare.

COUNCILOR O'NEILL: Yes that is the case.

CHAIRMAN LONG: Can I have a motion to adjourn?

ADJOURNMENT:

MOTION: Councilor Dayton motioned and Councilor O'Neill seconded to adjourn the Town Council Meeting.

VOTE: Unanimous.

Respectfully Submitted,

**V. Louise Reid
Town Council Secretary**

I, V. Louise Reid, Secretary to the Town Council of Old Orchard Beach, Maine, do hereby certify that the foregoing document consisting of five (5) pages is a true copy of the original Minutes of the Town Council Meeting of June 17, 2008.

V. Louise Reid