

**TOWN OF OLD ORCHARD BEACH  
TOWN COUNCIL MEETING  
Tuesday, July 16, 2013  
TOWN HALL CHAMBERS  
7:00 p.m.**

**A Town Council Meeting of the Old Orchard Beach Town Council was held on Tuesday, July 16, 2013. Chair O'Neill opened the meeting at 7:02 p.m.**

**The following were in attendance:**

**Chair Shawn O'Neill  
Vice Chair Bob Quinn  
Council Kenneth Blow  
Councilor Jay Kelley  
Councilor Malorie Pastor  
Councilor Joseph Thornton  
Interim Town Manager Robert Peabody, Jr.  
Assistant Town Manager V. Louise Reid**

**Absent: Councilor Roxanne Frenette**

**Pledge to the Flag  
Roll Call**

**EMERGENCY ITEM:**

**CHAIR O'NEILL: We have a request to add an Emergency Item to the Agenda:**

**MOTION: Vice Chair Quinn motioned and Councilor Blow seconded to add the following Emergency Item, Agenda Item Number 5981, pursuant to Charter Section 404.1 - to the Agenda following Agenda Item Number 5979:**

**Discussion with Action: Approve the Special Event Permit application for William Johnson to hold a family barbecue on the beach in front of 213 East Grand Avenue on Sunday, August 4, 2013 from noon to 6:00 p.m.**

**VOTE: Unanimous.**

**ACCEPTANCE OF MINUTES:**

**Town Council Workshop Minutes of June 25, 2013; Town Council Workshop Minutes of June 26, 2013; Town Council Workshop Minutes of June 27, 2013; Special Town Council Meeting Minutes of June 28, 2013; Town Council Minutes of July 2, 2013; and Special Town Council Minutes of July 9, 2013.**

**MOTION:** Councilor Kelley motioned and Vice Chair Quinn seconded to Accept the Minutes as read.

**VOTE:** Unanimous.

**PUBLIC HEARING BUSINESS LICENSES AND APPROVAL:**

**CHAIR O'NEILL:** I open this Public Hearing at 7:04.

**PUBLIC HEARING BUSINESS LICENSES AND APPROVAL:**

**Cha Builders LLC (202-2-6), 209 East Grand Avenue, one year round rental; Hilary & Tom Ventura (207-2-13), 161 Saco Avenue, Unit #302, one year round rental; Bruce Garland (211-16-2), 5 Murphy Avenue, one year round rental; Sarah Weinstein (305-3-4), 39 East Grand Avenue, one seasonal rental; Ricky Jace dba/Fantasy Photo (307-2-1), 1 Old Orchard Street, Retail; Thomas & Laurie Levesque (313-2-1), 1 Bay Avenue, Unit 22, one year round rental; and Julia Farris (324-15-1), 1 Temple Avenue, 23 seasonal rentals; this is a conditional license; need to complete deficiencies for complete approval; conditional license approval will expire on 12/31/13.**

**CHAIR O'NEILL:** I close this Public Hearing at 7:07 p.m.

**MOTION:** Vice Chair Quinn motioned and Councilor Pastor seconded to Approve the Business Licenses as read.

**VOTE:** Unanimous.

**PUBLIC HEARING SPECIAL AMUSEMENT PERMITS:**

**CHAIR O'NEILL:** I open this Public Hearing at 7:08 p.m.

**Joseph's by the Sea Inc., dba/Joseph's by the Sea (310-3-3), 55 West Grand Avenue, D.J. & Live Music Inside – 12:00 p.m. to 11:00 p.m.**

**CHAIR O'NEILL:** I close this Public Hearing at 7:09 p.m.

**MOTION:** Councilor Pastor motioned and Councilor Blow seconded to Approve the Special Amusement Permit as read.

**VOTE:** Unanimous.

## **TOWN MANAGER'S REPORT:**

There has been some question as to where on the website the Monthly Department Head Reports can be found. The Reports may be found by clicking on Town Departments and then clicking the individual department.

Last week I toured the Maine Water Biddeford-Saco Facility with other members of the Community Advisory Committee. The Company has retained Woodard & Curran to undertake a Source & Treatment Analysis and a Transmission & Distribution Analysis that will be available to the Council when completed.

Public Works union negotiations have been scheduled for Thursday. The process began in May, but was put on hold pending the outcome of the recall election.

The voluntary safety audit of Town facilities by the Department of Labor will begin tomorrow. I will apprise the Council of the outcome of the process.

## **NEW BUSINESS:**

**# 5976** Discussion with Action: Approve the Pole Permit from Northern New England Telephone Operations, LLC and Central Maine Power Company to install two poles on Willow Avenue, approximately 80 feet towards the dead end of the road.

**Background:** Northern New England Telephone and Central Maine Power come to the Town Council for permission to install poles within the confines of the municipality. They provide the Location Permit as well as a map noting the position of the poles.

**MOTION:** Vice Chair Quinn motioned and Councilor Pastor seconded to Approve the Pole Permit from Northern New England Telephone Operations, LLC and Central Maine Power Company to install two poles on Willow Avenue, approximately 80 feet towards the dead end of the road.

**VOTE:** Unanimous.

**# 5977** Discussion with Action: Approve the Special Event Permit application for the OOB Recreation Department to hold "Concerts in the Park" from 6:30 p.m. to 8:00 p.m. , Thursday nights on July 18th and 25th, and August 1<sup>st</sup>, 8<sup>th</sup> and 15<sup>th</sup>, 2013; and a request to waive the fee.

**MOTION:** Councilor Blow motioned and Councilor Pastor seconded to Approve the Special Event Permit as read.

**VOTE:** Unanimous.

**# 5978** Discussion with Action: Approve the Special Event Permit application for the Eastern Trail Alliance to hold the "Maine Lighthouse Bike Ride" Saturday, September 7<sup>th</sup>, 2013 from 9 a.m. to 2 p.m.; and a request to waive the fee.

**MOTION:** Councilor Blow motioned and Councilor Kelley seconded to Approve the Special Event Permit as read.

**VOTE:** Unanimous.

**# 5979** Discussion with Action: Approve the Liquor License Renewal for Bua Thai LLC dba/Bua Thai (211-12-4), 194 Saco Avenue, m-v in a Restaurant; and Joseph's by the Sea Inc., dba/Joseph's by the Sea (310-3-3), m-s-v in a Restaurant.

**MOTION:** Councilor Pastor motioned and Councilor Kelley seconded to Approve the Liquor License Renewals as read.

**VOTE:** Unanimous.

**# 5981** Discussion with Action: Approve the Special Event Permit application for William Johnson to hold a family barbecue on the beach in front of 213 East Grand Avenue on Sunday, August 4, 2013 from noon to 6:00 p.m.

**MOTION:** Councilor Blow motioned and Councilor Pastor seconded to Approve the Special Event Permit application for William Johnson to hold a family barbecue on the beach in front of 213 East Grand Avenue on Sunday, August 4, 2013 from noon to 6:00 p.m.

**VOTE:** Unanimous.

## **GOOD AND WELFARE**

**COUNCILOR PASTOR:** She talked about the Maine Healthy Beaches program which provides the State of Maine with a system to monitor public beaches and notify the public when there is a potentially hazardous condition. She said that recently this has been the case and she encouraged the Town's administration to have this an important priority and keep on top of what should be done.

**JOHN BIRD:** As the Conservation Chair he was able to answer many questions relative to the issues of the healthy beach and water programs. He said it is the responsibility of the Maine Healthy Beaches program to ensure healthy, informational opportunities for citizens to know the condition of the water at the beaches. They monitor coastal water quality for swimming and other water contact usage which is the responsibility of the local jurisdiction, municipality and State. The town is advised of the results obtained from the bacteria water quality samples and whether they exceed the State and Federal standards. Conditions at sample site indicate the possible presence of disease-causing organisms. These advisories are recommendations to the public to avoid water contact activities at the beach until further analyses reveal safe conditions.

**PATRICIA CARRUTHERS:** As a member of the Conservations she joined Mr. Bird in continuing the discussion on the issue of water purity. She explained that as a water sampler herself the standards are set for the water purity. Once it has been determined that the concentration of bacteria is within the standard, signs are removed from the beach or the warning is taken down. She also indicated she felt that part of the difficulty in Ocean Park was the number of septic tanks that are there and people are not aware that everyone is not on the town's sewer line.

**COUNCILOR BLOW:** He also provided information on the septic situation and indicated that the overabundance recently of rain has not helped the situation.

**PATRICIA CARRUTHERS:** I'd like to take a few minutes this evening to discuss the second annual Rev3 Triathlon that will be taking place in Old Orchard Beach on Sunday, August 25, 2013. Rev3 Maine is one of the most successful triathlon launches in history – a new race may be lucky to hose 600 – 700 athletes its first year – Old Orchard Beach brought in over 1,000 athletes from around the world and in the end of the 2012 race session, triathletes awarded Old orchard Beach the bronze in best new race venues. Melbourne, Australia was awarded the silver and Bend, Oregon took home the gold (and I will point out Bend had an ultra distance race which brought them an unusual amount of recognition.) I am also pleased to announce hat sheJams will again be this year's charity partner – most well know for the millions they've raised for cancer research in Maine via tri for a cure and other community events. She Jams will be on the curse, easy to recognize in their wonderful pink team colors. Will Thomas of Tri-Maine will also be back as the local race director and I am back as the local volunteer coordinator working with Rev3's national volunteer coordinator Tracy Bryant, in other words, the same team is in place as 2012. Triathlon continues to be the fast growing amateur sport around

the world and Rev3 is a world class company – Old Orchard Beach made Rev3's roster last year and it has been a mutually beneficial relationship. We are one of the twelve races put on by Rev3 nationally and due to the success of the inaugural first year, the pro's prize purse has been increased to \$50,000 for 2013 – we will have the best of the best in racing in Old Orchard Beach on August 25<sup>th</sup>. The pros are incredible to watch race but ultimately, triathlon for many is about the journey – so although we will be hosting approximately 50 male and female pro triathletes competing for the prize purse, Old Orchard Beach will host another 1,300 amateur triathletes – who will travel to Old Orchard Beach from around the world to test themselves in what is an individual sport. And this ultimately is why I am here tonight. REV3 OOB needs volunteers. We already have over 111 volunteers registered so far for 2013 but we need many more. There are positions available Friday, Saturday and Sunday of race weekend. Each volunteer shift is no more than 4.5 hours and most are 4 hours. You are not giving up your day or your weekend – just a morning or afternoon. There are many positions available – we need people to help racers check in beginning Friday evening, need kayakers to provide support to the extensive professional water safety we have in place, we need enthusiastic people at the finish line to greet finishers, hand them their medals and make sure they find their way off the course safely – we need people at the aid stations providing food and water to the athletes while on their journey. I want to take a quick moment to point out that Rev3 pays its own way – Old Orchard Beach is reimbursed for all Police, Fire, emergency and water safety and Public Works hours dedicated to the race. The volunteers are an integral part of the race and REV3 recognizes this. To encourage volunteers, REV3 has a give back program – for every volunteer shirt you work, REV3 will donate \$15 to a charity, a civic group or booster club. The charities and clubs who have already registered this year are the Old Orchard Beach Community Animal Watch, the Old Orchard Beach Community Food Pantry, The Mid Coast Triathlon Club, The Kennebunk Triathlon Club, The Old Orchard Beach Recreation Department, The Eastern Trail Alliance, Boy Scout Troop 330 out of Arundel, Maine, and the Old Orchard Beach Conservation Committee, just to name a few. We have plenty more room and money to donate. You can donate your time to one of those groups, or you can contact me if you'd like to register your own group. You can also just volunteer individuals, enjoy what was a very fun and fulfilling experience. Feedback last year from both the residential community as well as the business community and our public sector workers was incredibly positive. Young children were announcing they were going to do triathlons and we expect to see an increase of local participants this year. Volunteers enjoyed the energy while they worked very hard to keep the athletes hydrated and safe on the course and it was just a great community experience effort those who worked or just came to check it out. I hope you will make your calendars – the REV# trucks will arrive at Veteran's Memorial Park on Thursday, August 22<sup>nd</sup> and beginning their two day set up. It's an impressive site. To have our jewel Veteran's Memorial Park be the center of this wonderful event is really the "icing on the cake." I want to make special mention of Paul Golzbein and Rich Redmond of the Old Orchard Beach Pier have announced they will be opening up their Pier the morning of the race at 5:30 A.M. so residents and visitors and fans can get an unprecedented view of 1,300 swimmers in the stunningly clear Casco Bay. If you'd like to learn more

about volunteering, there are a few places you can go. You can follow ups on facebook: [www.facebook.com/rev3oobvolunteer](http://www.facebook.com/rev3oobvolunteer). You can go directly to the volunteer sign-up website which is [www.rev3tri.com/volunteer-me](http://www.rev3tri.com/volunteer-me). We have our advertisement running on Channel 3 with all my contact information but quickly, my telephone number is 207-619-3715 if you'd like to call me for more information. If you are not a computer person we are happy to provide a paper registration for you. All ages are welcome to volunteers. Children under 12 must be accompanied by an adult.

**# 5980 Executive Session: Enter into Executive Session for the purpose of discussing matters associated with the employment of a new Town Manager. (Note: This item discusses personnel defined under Title 1 M.R.S.A. Section 405 (6)(A); and the Council anticipates that the discussion portion will occur in Executive Session.)**

**MOTION: Councilor Kelley motioned and Councilor Thornton seconded to Enter into Executive Session for the purpose of discussing matters associated with the employment of a new Town Manager. (Note: This item discusses personnel defined under Title 1 M.R.S.A. Section 405 (6)(A); and the Council anticipates that the discussion portion will occur in Executive Session.)**

**VOTE: Unanimous.**

**MOTION: Councilor Pastor motioned and Councilor Blow seconded to Exit Executive Session for the purpose of discussing matters associated with the employment of a new Town Manager. (Note: This item discusses personnel defined under Title 1 M.R.S.A. Section 405 (6)(A); and the Council anticipates that the discussion portion will occur in Executive Session.)**

**VOTE: Unanimous.**

**ADJOURNMENT:**

**MOTION: Vice Chair Quinn motioned and Councilor Blow seconded to adjourn the Town Council Meeting at 9:15 p.m.**

**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 copy of the original Minutes of the Town Council Meeting of July 16, 2013.**

**V. Louise Reid**