

**TOWN OF OLD ORCHARD BEACH
TOWN COUNCIL MEETING
Tuesday, June 3, 2014
TOWN HALL CHAMBERS
7:00 p.m.**

A Town Council Meeting of the Old Orchard Beach Town Council was held on Tuesday, June 3, 2014. Chair O'Neill opened the meeting at 7:00 p.m.

The following were in attendance:

**Vice Chair Bob Quinn
Councilor Malorie Pastor
Councilor Joseph Thornton
Councilor Michael Tousignant
Councilor Jay Kelley
Councilor Kenneth Blow
Town Manager Larry Mead
Assistant Town Manager V. Louise Reid**

Absent: Chair Shawn O'Neill

**Pledge to the Flag
Roll Call**

EMERGENCY ITEMS:

CHAIR: We have been asked to add the following Emergency Items to the Agenda:

COUNCILOR KELLEY: I wish to add a Business License to the Agenda: Gregg Hotchkiss & Bonita Jensen (211-7-36), 160 B Temple Avenue, one year round rental.

COUNCILOR BLOW: I second that.

VOTE: Unanimous.

COUNCILOR KELLEY: I wish to add the following Agenda Item Number 6203 following Agenda Item Number 6201:

MOTION: Discussion with Action: Accept the bid of \$11,814.88 from The Animal Welfare Society, Inc., for the providing of Animal Shelter services for the FY2015 to the Town of Old Orchard Beach, from Account Number 20135-50310 — Animal Control Service Contract.

COUNCILOR BLOW: I second the motion.

VOTE: Unanimous.

ACKNOWLEDGEMENTS:

VICE CHAIR QUINN: On Saturday, June 21, 2014, a special 10th Anniversary Captain Christopher's S. Cash Memorial 5K and 3 Mile Walk will take place in Old Orchard Beach,

Maine. Better known as " The Run For Cash Family Race Day." People All ages are welcome to come and enjoy a day of running and walking, a day to celebrate the life of Army Ranger Captain Christopher Scott Cash. A Free Fun Run and Obstacle course will be offered for the children ages 4- 9 years old at the OOBHS grounds. All information can be viewed at www.runforcash.org. Contact information Nancy Lee Kelley at www.runforcash_04064@yahoo.com

COUNCILOR KELLEY: Our appreciation to Town Clerk, Kim McLaughlin for the excellent job she did and always does in connection with the Memorial Parade. The efforts she puts into making our parade the best in the State is recognized by many. Thanks to all those who participated in a day of recognition of those who have given the ultimate gift in service to their country.

ASSISTANT TOWN MANAGER: I would like to recognize a celebrity in our midst this evening – a Russian Dignitary of enormous influence – Boris Kolenkhov, a Russian Ballet Instructor. May I introduce him to the Council? Mr. John Bird – who should be recognized for his talent in his second life, is Boris Kolenkhov in the show “You Can’t takes it With You.!” Our Town Clerk and Tax Assessor were both able to view the performance and said John was outstanding. Congratulations John – we aren’t surprised – for those of us who know you have always been impressed by your ability to take on any challenge. “Break a leg.”

COUNCILOR PASTOR: She encouraged citizens to come out and vote on June 10th as there are some important issues on the ballot and reminded us of our right to express our opinion and vote.

ACCEPTANCE OF MINUTES: Special Town Council Minutes of April 9, 2014; Town Council Meeting May 6, 2014; Special Town Council Minutes of May 13, 2014; Town Council Workshop Minutes of May 13, 2014; Town Council Meeting Minutes of May 20, 2014; Town Council Workshop of May 20, 2014; and Town Council Workshop Minutes of May 21, 2014.

MOTION: Councilor Thornton motioned and Councilor Kelley seconded to Accept the Minutes as read.

VOTE: Unanimous.

PUBLIC HEARING BUSINESS LICENSES AND APPROVAL:

CHAIR: I open this Public Hearing at 7:07 p.m.

Eleanor & Murray Hoffman (202-1-10-2), 195 East Grand Avenue, Unit 2, one seasonal rental; Zuber Dadabhai (206-24-52), 12 St. John Street, one year round rental; Cliff & Carol Peterson (206-28-15), 44 School Street, one year round rental; DRT Realty Trust/David Roy Trustee (301-5-3) 36 Wavelet Street, one year round rental; Crest Motel LLC (305-3-5), 37 East Grand Avenue, four year round rentals; Tae Min Lee dba/Sara’s Fashion (306-4-3), 19 B East Grand Avenue, Retail; Joseph Agri (310-7-2-3), 64 West Grand Avenue, Unit 3, one year round rental; Sheila Driscoll (312-3-12), 14 Highland Avenue, two year round rentals; Kathleen A. Farah (313-4-1), 3 Atlantic Avenue, one year round rental; Niels & Lisa Gothgen (319-16-2), 140 West Grand Avenue, one seasonal rental; Mary Brunner

(321-6-6), 24 A Ancona, Avenue, one seasonal rental; and Gregg Hotchkiss & Bonita Jensen (211-7-36), 160 B Temple Avenue, one year round rental.

CHAIR: I close this Public Hearing at 7:10 p.m.

MOTION: Councilor Tousignant motioned and Councilor Kelley seconded to Approve the Business Licenses as read.

VOTE: Unanimous.

PUBLIC HEARING AMUSEMENT PERMITS:

CHAIR: I open this Public Hearing at 7:10 p.m.

Last Call Inc. dba/Last Call (206-31-19), 4 First Street, Live Band (Amplified) Inside – 11:00 a.m. to 1:00 a.m.

CHAIR: I close this Public Hearing at 7:11 p.m.

MOTION: Councilor Tousignant motioned and Councilor Pastor seconded to Approve the Amusement Permit as read.

VOTE: Unanimous.

TABLED ITEM:

PUBLIC HEARING AMUSEMENT PERMITS: GFB Scottish Pub Inc. dba/GFB Scottish Pub (205-3-1), 32 Old Orchard Street, Bands & D.J.'s Inside – 8:00 p.m. – 1:00 a.m. subject to review by the Administrative Review Board on May 27, 2014.

CHAIR: I open this Public Hearing at 7:12 p.m.

MOTION: Councilor Kelley motioned and Councilor Pastor seconded to Approve the Amusement Permit as read.

VOTE: Unanimous.

TOWN MANAGER'S REPORT: The Town Manager reported on the spring paving being down on Saco Avenue between Union and 15th Street as well as sidewalk improvements on the west side and portions of Seaside, West Grand and side Streets in the Ocean Park area are being repaired. He updated the Council on the Library construction and reported on issues with structural beams, sagging, cracking, splitting and needing reinforcement which adds approximately \$35,000 to the project. Tomorrow night is opening night at the ballpark with the Raging Tide. Lots of work has been done in the last couple of weeks including working on the parking lot with reclaim, repairs to several of the boxes, adding of loam to the entrance way and other fixes. He thanks the Gallos and their staff, other volunteers and Guy Fontaine of the Ballpark Commission. Met with the Finance Director, Financial Advisors and S&P rater to review Town's financial position in preparation for the sale of bonds this month. Rating is due at the end of this week and he anticipates that it will be a good rating. Water quality testing is going on in the Goosefare area; beach water testing and Goosefare watershed testing. He participated in training today as did John Bird and some other residents. He said this was a top priority for him.

6189 Discussion with Action: Accept the bid from R. P. Crane to supply the Town of Old Orchard Beach with tree services for the year 2014; funds to come from Account Number 20151-50511 – Grounds Maintenance Improvement, as services are needed.

BACKGROUND:

The results from an RFP that went out for Tree Removal Services were responded to by the following businesses:

Lucas Tree Experts
Tamarack Tree & Landscape Co.
Davey Tree Experts
RP Crane & Tree Service

The rates were given for services by Arborist, Lead Climber, Labor as indicated on the attached sheet. The Public Works Director is recommending acceptance of the bid from RP Crane and tree Services.

MOTION: Councilor Tousignant motioned and Councilor Thornton seconded to Accept the bid from R. P. Crane to supply the Town of Old Orchard Beach with tree services for the year 2014; funds to come from Account Number 20151-50511 – Grounds Maintenance Improvement, as services are needed.

VOTE: Unanimous.

6190 Discussion with Action: Accept the bid from Defining Lines for Lawn Care Services at Veteran’s Memorial Park for a three year contract beginning July 1, 2014 (FY2015, FY2016 and FY2017); funds to come from Account Number 20152-50310 – Service Contracts Expense.

BACKGROUND:

On May 19th & 20th of 2014 a quote request for Lawn Care Services at Veteran’s Memorial Park were sent to the following vendors:

- Grass Catcher – no response.
- Defining Lines – bid enclosed.
- Prime Cut Landscaping – bid enclosed.
- Shawn Vance/Yard Master – verbal declined to quote.

Two bids were received:

Prime Landscaping:
\$365 per mowing (approximately 30 mows)
\$550 aeration (one per year)
\$1,375 – Tree rings (1 per contract)
3 year contract

Defining Lines
\$360 per mowing – (approximately 30 mows)
\$800 aeration (one per year)

**\$912 tree rings (one per contract)
3 year contract**

The staff is recommending the contract be awarded to Defining Lines.

MOTION: Councilor Tousignant motioned and Councilor Thornton seconded to Accept the bid from Defining Lines for Lawn Care Services at Veteran's Memorial Park for a three year contract beginning July 1, 2014 (FY2015, FY2016 and FY2017); funds to come from Account Number 20152-50310 – Service Contracts Expense.

VOTE: Unanimous.

6191 Discussion with Action: Accept the bid of \$15,500 from Kathee Williams for the purchase of a tax acquired 2000 Single-Wide Modular Home, located at 6 Beechplum Drive (MDL-02).

BACKGROUND:

The Town went out to RFP for the tax acquired property sale of this 2000 Pine Grove Single-wide Mobile Home located across the street from the Wagon Wheel Campground. The Purchaser will be responsible for moving the structure from the current location or with securing an Agreement with the Mobile Home Park owner to leave the structure in place.

**NOTICE OF
TAX ACQUIRED PROPERTY SALE
MODEL YEAR 2000
SINGLE-WIDE MODULAR HOME
TOWN OF OLD ORCHARD BEACH**

Bids for the purchase of a Model Year 2000 Single-Wide Modular Home (Pine Grove Model 491) located at 6 Beachplum Drive (MDL-02), Pine Grove Village (across the Street from Wagon Wheel Campground), Old Orchard Beach, Maine 04064, will be received at the Office of the Town Manager, 1 Portland Avenue, Old Orchard Beach, Maine 04064. Contact can be made via e-mail:lreid@oobmaine.com

Proposal forms are available and may be accessed on line through the Town's website www.oobmaine.com or picked up at the Office of the Town Manager from 8:00 a.m. to 4:00 p.m., Monday through Friday. Each bid must be received in a sealed envelope marked "Tax-Acquired Property Bid" on the outside of the envelope and delivered U.S. mail or hand-delivered. E-mails not accepted. Proposal submissions will be due by 12:00 noon on May 21, 2014. Mark on envelope –

**TAX-ACQUIRED PROPERTY BID
and mailed to:
Town of Old Orchard Beach
Office of the Town Manager
1 Portland Avenue
Old Orchard Beach, Maine 04064
207-934-5714, extension 1526**

Two bids were received along with certified checks for 20% of the quotation price.

Kathee Williams	\$15,500	
Peter Pope/Atlantic Housing Corp.		3,039

The Town Manager is recommending to the Council acceptance of the bid for \$15,500 from Kathee Williams. The Town Manager explained that the amount bid would cover also the back rent on the lot that is due the Mobile Home Park owner. He explained that once abandoned the responsibility of payment of the rent rested on the Town as the owner.

MOTION: Councilor Tousignant motioned and Councilor Blow seconded to Accept the bid of \$15,500 from Kathee Williams for the purchase of a tax acquired 2000 Single-Wide Modular Home, located at 6 Beechplum Drive (MDL-02).

VOTE: Unanimous.

6192 Discussion with Action: Approve the line item transfers in the amount of \$2,286.40 from Account Number 20102-50301 - Town Manager - General Legal Services, with a balance of \$42,430.10 to Account Number 20102-50106 – Town Manager - Full time Employee Wage, with a balance of \$9,918.10; in the amount of \$5,356.30 from Account Number 20102-50301 – Town Manager – General Legal Services, with a balance of \$42,430.10 to Account Number 20102-50101 – Town Manager – Department Head Salary, with a balance of \$4,941.82; in the amount of \$7,000 from Account Number 20102-50301 – Town Manager – General Legal Services, with a balance of \$42,430.10 to Account Number 20115-50450 – Town Hall Maintenance, with a balance of \$(6,725.55); in the amount of \$8,800 from Account Number 20105-50106 – Finance – Full Time Employee Wage, with a balance of \$25,897.80 to Account Number 20102-50454 – Town Manager – Computer/Support/ Service, with a balance of \$26,995.25; in the amount of \$54.83 from Account Number 20105-50106 – Finance – Full Time Employee Wage, with a balance of \$25,897.80 to Account Number 20104-50252 – Tax Collector – Travel/Food/Lodging with a balance of \$(4.83); in the Amount of \$214.34 from Account Number 20105-50106 – Finance – Full Time Employee Wage, with a balance of \$25,897.80 to Account Number 20104-50500 – Tax Collector – Admin/Office/Equip. Non-Capital, with a balance of (\$214.34); in the amount of \$302 from Account Number 20105-50106 – Finance – Full Time Employee Wage, with a balance of \$25,897.80 to Account Number 20104-50304 – Tax Collector – Registry of Deeds Fee, with a balance of (\$302.00); in the amount of \$200 from Account Number 20105-50106 – Finance – Full Time Employee Wage, with a balance of \$25,897.80 to Account Number 20104-50111 – Tax Collector – Overtime Wages, with a balance of (\$84); in the amount of \$500 from Account Number 20105-50106 – Finance – Full Time Employee Wage, with a balance of \$25,897.80 to Account Number 20104-50106 – Tax Collector – Full Time Employee Wage, with a balance of \$2,542.41; in the amount of \$800 from Account Number 20105-50106 – Finance Full Time Employee Wage, with a balance of \$25,897.80 to Account Number 20104-50101 – Tax Collector – Department Head Salary, with a balance of \$4,230.33; in the amount of \$5,675 from Account Number 20105-50106 – Finance – Full Time Employee Wage, with a balance of \$25,897.80 to Account Number 20102-50530 – Town Manager – Bank Fees, with a balance of (\$3,669.86), in the amount of \$4,500 from Account Number 20118-50350 – Contingency – Annual Approp./Subsidy Exp., with a balance of \$175,256.97 to Account Number 20113-50107 – Code – Part Time Employee Wage with a balance of (\$356.70); in the amount of \$7,500 – from Account Number 20118 – 50350 – Contingency – Annual Approp/Subsidy Exp., with a balance of \$175,256.97 to Account Number 20119-50124 – Insurance – In Lieu of Health Insurance Expense, with a balance of (\$5,613.11); in the amount of \$9,950 from Account Number 20118-50350 – Contingency – Annual Approp/Subsidy Exp., with a balance of \$175,256.97 to Account Number 20119-50203 – Insurance – ICMA 457 – Employee Share, with a balance of

(\$4,762.91); in the amount of \$27,840 from Account Number 20118-50350 – Contingency – Annual Approp/Subsidy Exp., with a balance of \$175,256.97 to Account Number 20138-50111 – Fire – Fire Overtime, with a balance of (\$5,839.64); in the amount of \$12,375 from Account Number 20118-50350 – Contingency – Annual Approp/Subsidy Exp., with a balance of \$175,256.97 to Account Number 20136-50405 – Public Safety Complex – Heating Fuel Expense, with a balance of (\$10,063.34); in the amount of \$501 from Account Number 20118-50350 – Contingency – Annual Approp/Subsidy Exp., with a balance of \$175,256.97 to Account Number 20151-50402 – Public Works – Phone/Cellular/Paging, with a balance of (\$436.13); in the amount \$28,230 from Account Number 20118-50350 – Contingency – Annual Approp/Subsidy Exp, with a balance of \$175,256.97 to Account Number 20151-50106 – Public Works – Full Time Employee Wage, with a balance of \$17,373.52; in the amount of \$34,583.85 from Account Number 20119-50210 – Insurance – Health Ins. Employer Share, with a balance of \$224,761.98 to Account Number 20119- 50214 – Insurance – Worker’s Compensation, with a balance of (\$34,538.85); in the amount of \$8,000 from Account Number 20119-50212 – Insurance – IPP Employer Share, with a balance of \$14,951.32 to Account Number 20119- 50371 – Insurance – Gen/Veh/Flood Ins., with a balance of (\$6,813.); in the amount of \$8,223.69 from Account Number 20131-50107 – Police – Part Time Wages, with a balance of \$11,587 to Account Number 20131-50405 – Police – Heating Fuel Exp., with a balance of (\$6,223.69), in the amount of \$7,800 from Account Number 20102-50301 – Town Manager – General Legal Service, with the balance of \$42,430.10 to Account Number 20131-50453 – Police – Vehicle Repair/Tires/Oil, with a balance of \$1,684.23; in the amount of \$21,795.14 – Account Number 20131-50104 – Police – Seasonal Reserves, with a balance of \$41,002 to Account Number 20131-50109 – Police – Seasonal Overtime, with a balance of (\$13,795.14); in the amount of \$2,160 from Account Number 20131-50251 – Police – Conferences/ Training, with a balance of \$5,638.81 to Account Number 20131-50454 – Police – Computer Support with a balance of (\$2,160); in the amount of \$36,000 from Account Number 20138-50113 – Fire – Holiday Wage, with a balance of \$36,000 to Account Number 20138-50106 – Fire – Full Time Employee Wage, with a balance of \$89,250.05; in the amount of \$8,000 from Account Number 20151-50110 – Public Works –Overtime Construction, with a balance of \$16,391.83 to Account Number 20151-50111 – Public Works – Overtime Wages, with a balance of (\$808); in the amount of \$2,250 from Account Number 20152-50300 – Veterans Memorial Park - Professional/ Engineering Serv., with a balance of \$2,200 to Account Number 20152- 50108 – Vet. Memorial Park – Seasonal Wages, with a balance of (\$1,167.50); in the amount of \$1,350 from Account Number 20152-50310 – Public Works – Service Contracts, with a balance of \$10,961.09 to Account Number 20152-50108 – Veteran’s Memorial park – Seasonal Employee Wage, with a balance of (\$1,167.50); in the amount of \$4,738.36 from Account Number 20151-50508 – Public Works – Sewer Maint/Improve Non-Cap, with a balance of \$19,985.61 to Account Number 20151-50515 – Public Works – Road Salt – Winter, with a balance of (\$4,738.36); in the amount of \$6,200 from Account Number 20151-50501 – Public Works – Operating Supplies/Equipment, with a balance of \$175,256.97 to Account Number 20151-50510 – Public Works – Vehicle Fuel Expense, with a balance of (\$2,184.84); in the amount of \$3,000 from Account Number 20161-50340 – Wastewater – Waste Tipping/ Disposal, with a balance of \$55,222.67 to Account Number 20161-50305 – Wastewater – Laboratory Services, with a balance of (\$1,157.82); and in the amount of \$3,000 from Account Number 20161-50342 – Wastewater Pumping Expense, with a balance of \$8,276.64 to Account Number 20161-50510 – Wastewater – Vehicle Fuel, with a balance of \$1,012.73; for a grand total of \$269,185.91.

MOTION: Councilor Tousignant motioned and Councilor Blow seconded to Approve the Line Item transfers as read and corrected, in the amount of \$269,185.91.

VOTE:

6193 Discussion with Action: Set the Public Hearing date of June 17, 2014 to Amend the Old Orchard Beach Code of Ordinances, Section 54-187, Restrictions and Prohibitions, by deleting the no parking prohibition on Cleaves Street.

BACKGROUND:

Chief Kelley indicated that parking is currently allowed on the right hand side of Cleaves Street facing the ocean and prohibited on the left. Cleaves Street is over thirty-feet wide which, by ordinance, allows for parking on both sides. Currently there are parking meters on the right hand side of Cleaves Street. Changing the ordinance to allow parking on the left will enable the Police to place an additional four parking meters on the left side, generating additional revenue.

The Assistant Town Manager received the following e-mail from Neal Weinstein, VP and Board of Directors of Congregation Beth Israel.

I recently read the proposed ordinance change to allow parking on Cleaves Street, which is off East Grand Avenue and adjacent to the Old Orchard Beach Congregation Beth Israel synagogue. The synagogue is strongly opposed to this change. We use that side of the street for synagogue parking as there is no other parking available to us. Normally the metered spaces are full all day. As you know, we have placards in our cars for when we park on the street, so that we don't get tickets, similar to St. Margaret's parking, which cars park in 'no parking' spaces. Although the bottom of the Cleave Street adjacent to East Grand Avenue is certainly wide enough to allow a few cars to park along the northerly side of the street, or as you look at the Ocean, on your left, the remainder of the street is not. This would only allow for maybe 3 or 4 cars to park. This is the only metered street from East or West Grand to the Ocean in the entire town. Are we being singled out? Atlantic, Union, Temple and other streets are wider and yet have no meters. For that matter, the entire northerly side of Staples street could have metered parking without any problem whatsoever. If the Town is looking for revenue (which I understand is the reason for this change) why isn't the square in Ocean Park considered for parking meters like the rest of the town? I enjoy going to the Ocean Park soda fountain for breakfast, lunch and an ice cream, but all too many times, it is impossible to park there because people park in the unmetered spaces for 4 to 6 hours at a time, certainly affecting the businesses and the library. It is clearly a political issue and not a safety or other issue, and it should not be. If revenue is the issue, the town should start with Staples street which would allow maybe 15 more spaces and then move on to lower Temple Ave, Union, and Atlantic. Personally, I would prefer the Town cut expenditures before trying to find new sources of revenue, as a more proper resolution of the issue, but I understand the reality of the situation.

Thank you for your time.

Neal Weinstein

VP and Board of Directors

Congregation Beth Israel

Discussion continued with the Council and also remarks by Jerome Begart with the suggestion that a workshop should be held and by Councilor Tousignant that consideration is given to removing this without prejudice until a full workshop on all parking issues. Chief Kelley agreed that perhaps this should be considered at a later date although he was anxious to look at revenue options at this difficult economic time for the Town and the taxpayers.

MOTION: Councilor Thornton motioned and Councilor Blow seconded to Remove Without Prejudice to set the Public Hearing date of June 17, 2014 to Amend the Old Orchard Beach Code of Ordinances, Section 54-187, Restrictions and Prohibitions, by deleting that no parking prohibition on Cleave Street.

VOTE: Unanimous.

6194 Discussion with Action: Set the Public Hearing date of June 17, 2014 to Amend the Code of Ordinances, Section 42-202, Horses and Horse-drawn Vehicles, changing the dates from October 15th to May 1st to October 1st to March 31st.

BACKGROUND:

From: Kim McLaughlin, Town Clerk

Re: Horse Permits

The Town of Old Orchard Beach and the Town of Scarborough adopted an ordinance in 2009 (Town of OOB on 10/20/09) authorizing a joint permit for horse riders to use both beaches.

Prior to 2009, the Town of Old Orchard Beach had a horse permit ordinance that allowed riders on our beach only at a cost of \$10 for five consecutive days. During the 2007 year, the horse permit revenue was \$140.00 (part of this revenue was two people purchasing permits for a 30-day period), and the revenue for 2008 was \$20.00.

When we amended the Horse Permit ordinance to join with Scarborough, we also amended the time frame to October 15th to May 1st, which was already part of Scarborough's Ordinance.

Since our joint ordinance began with Scarborough, the Town of Old Orchard Beach has benefited financially, and the horse riders have benefited as well, having the use of the beach in Old Orchard Beach, as well as Scarborough.

Revenue Breakdown:

2010 \$1,540 from Scarborough/\$110 to Scarborough, net proceeds: \$1,430

2011 \$1,540 from Scarborough/\$200 to Scarborough, net proceeds: \$1,340

2012 \$1,680 from Scarborough/\$90 to Scarborough, net proceeds: \$1,590

2013 \$1,900 from Scarborough/\$200 to Scarborough, net proceeds: \$1,700

2014 \$1,630 from Scarborough/\$190 to Scarborough, net proceeds: \$1,440

REVENUE FROM SCARBOROUGH SALES OF HORSE PERMITS 2010-2014:
\$7,500

Subtract \$247.30 Town of OOB share of printing permits 2009

Subtract \$140.31 Town of OOB share of printing permits 2014

TOTAL REVENUE 2010-2014: \$7,393.01

On May 7th, 2014, the Scarborough Town Council amended the permit dates on their ordinance. The dates were October 15th to May 1st and are now October 1st to March 31st. This amendment was approved due to Piping Plover nesting in April. Applicants were given an additional 15 days in the fall, and the month of April was deleted in the spring. The Beach Management Agreement the Old Orchard Beach Town Council agreed to on May 6th, 2014, for the years 2014-2016, states the agreement is in effect annually from April 1st to August 31st. Because we have a joint ordinance with Scarborough, and to conform with our Beach Management Agreement, it is important that we amend our ordinance to be concurrent with the Scarborough Town Ordinance.

**NOTICE OF PUBLIC HEARING
MUNICIPAL OFFICERS OF THE TOWN OF
OLD ORCHARD BEACH**

The Municipal Officers of the Town of Old Orchard Beach, Maine hereby give Public Notice that there will be a Public Hearing held at the Town Hall, Council Chambers, on June 17, 2014, at 7:00 p.m. to consider the following:

**AMENDMENTS TO CHAPTER 14 (ANIMALS)
AND CHAPTER 42 (PARKS AND RECREATION)
OF THE CODE OF ORDINANCES,
TOWN OF OLD ORCHARD BEACH, MAINE**

BE IT HEREBY ORDAINED by the Town Council of the Town of Old Orchard Beach, Maine, in Town Council assembled, that the Code of Ordinances of the Town of Old Orchard Beach is amended as follows:

Section 42-202 Horses and horse-drawn vehicles.

(a) *Procedure for Obtaining a Permit.* A rider seeking a permit to bring a horse onto the beach must apply in writing to the Town Clerk of the Town of Old Orchard Beach or the Town Clerk of the Town of Scarborough, using forms supplied by such clerk. The application must be accompanied by identification issued by a government agency and by the application fee required by the Schedule of License, Permit and Application Fees in the municipality where the application is made. If the applicant is a minor, the application must be signed by a parent or guardian, who must supply the required identification (the minor need not supply identification). Along with the permit, the Town Clerk shall also issue a permit number tag, designed to be worn by the rider and visible at a distance, which shall contain the permit number in numerals at least two and half (2 ½) inches high, the name of the permit holder and the name of the issuing municipality, and may contain such other information concerning the permit as the Clerk deems appropriate. A permit issued by either municipality shall be valid in both municipalities. Permits are valid only between **October 15th 1st** and **May 1st March 31st**. All permits, whenever issued, expire on May 1st. The Town Clerk who issues the permit may suspend or revoke the permit if the rider violates any provision of this Section 42-202 and may decline to issue a subsequent permit to a rider who has violated any provision of this Section 42-202.

(b) *Regulation of Horses on the Beach.*

(1) Horses are allowed on the beach only from **October 15th 1st** through **May 4st March 31st**.

Per Order of the Municipal Officers this 3rd day of June, 2014.

MOTION: Councilor Blow motioned and Councilor Thornton seconded to Set the Public Hearing date of June 17, 2014 to Amend the Code of Ordinances, Section 42-202, Horses and Horse-drawn Vehicles, changing the dates from October 15th to May 1st to October 1st to March 31st.

VOTE: Unanimous.

6195 Discussion with Action: Approve the Liquor License Renewals for Last Call Inc. dba/Last Call (206-31-19), m-s-v in a Class A. Lounge; and Gary & Jason Salamacha dba/Barefoot Boy (305-4-5), 45 East Grand Avenue, m-s-v in a Restaurant.

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

VOTE: Unanimous.

6196 Discussion with Action: Approve the Special Event Permit application for the Eastern Trail Alliance to hold the "Maine Lighthouse Bike Ride" - Saturday, September 6th, 2014 from 7 a.m. to 2 p.m.; and a request to waive the fee.

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

VOTE: Unanimous.

6197 Discussion with Action: Re-appointment of Daniel Feeney as Licensed Plumbing Inspector and Electrical Inspector, and re-appointment of Rodney Belanger as Deputy Licensed Plumbing Inspector and Deputy Electrical Inspector, both to expire July 1, 2015.

MOTION: Councilor Thornton motioned and Councilor Pastor seconded to Approve the Reappointment as read.

VOTE: Unanimous.

6198 Discussion with Action: Accept, with regret, the resignation of Carl D'Agostino from the Planning Board and Design Review Committee; with regret the resignation of Michelle Belanger from the Community Animal Watch Committee; move Denise Zahares from an Alternate Member to a Regular Member of the Community Animal Watch Committee, term to expire 12/31/15; and Appoint Susan O'Hara as an Alternate Member, term to expire 12/31/14.

MOTION: Councilor Blow motioned and Councilor Pastor seconded to Accept, with regret, the resignation of Carl D'Agostino from the Planning Board and Design Review

Committee; with regret the resignation of Michelle Belanger from the Community Animal Watch Committee; move Denise Zahares from an Alternate Member to a Regular Member of the Community Animal Watch Committee, term to expire 12/31/15; and Appoint Susan O'Hara as an Alternate Member, term to expire 12/31/14.

VOTE: Unanimous.

6199 Discussion with Action: Cancel the regularly scheduled Town Council Meeting of Tuesday, July 1, 2014.

MOTION: Councilor Blow motioned and Councilor Pastor seconded to Cancel the regularly scheduled Town Council Meeting on Tuesday, July 1, 2014.

VOTE: Unanimous.

6200 Discussion with Action: Approve the Special Event Permit application from Allen Berube to hold a Down East Fighting Championship at the Ballpark on Saturday, August 23rd, 2014, from 7:30 a.m. to 10:30 p.m. Alcohol service by Jimmy the Greek's. Requirement for two police officers. Insurance, listing the Town as additionally insured, to include liquor liability insurance, to be provided to the Town Clerk's Office at least one month prior to the event.

Regarding Mixed Martial Arts (MMA) Proposal at Ballpark for Sat August 23, 2014:

Ladies and Gentleman

I am assisting Downeast Fighting Championships in the areas of security and marketing as well as overseeing beer sales for the above event. As you may have questions regarding this, I am emailing this to give you a better understanding of the game plan to bring this to fruition. MMA events are being held in many venues around the country but are still relatively new to this state with a handful being held at venues such as the Coliseum in Lewiston and Biddeford Ice Arena. The nature of the event would be similar to a live boxing match. The fight card is predetermined and competitors enter an octagon style ring. The event is completely sanctioned by the Maine Athletic Commission who will be on site. The event is projected to draw 2000-2500 people which should not put a strain on resources of the facility. As a proactive business owner that has been involved with the execution of many larger scale events, I have a fundamental knowledge of what's involved in these. It is this group's intent to execute this as safely as possible and act as a stepping stone for future ballpark events. A meeting has been held with Deputy Chief Babin regarding the strategy and has his support. Security: It is estimated there will be 15-20 security personnel to handle the crowd for the main portion of this event. The majority of these personnel has worked major venues/events such as the Civic Center and is well versed in crowd control. The event is set up so that the crowd will be seated in the grandstand seating sections of the ballpark and not on the field itself. Security will be placed at strategic positions throughout the facility and other security will be part of a roam team that will troubleshoot problems before they happen. Security will possess handheld radios and have ability to communicate with one another. In addition, two Old Orchard Police detail officers will be retained at visible locations. Beer Sales: Beer sales will take place at a designated point of sale area with proper identification required for purchase. There will limits placed on sales of beverages and proper serving practices will be followed. A security staff member will be assigned to the point of sale area. Hopefully you have a better understanding of the proposal and I will be on hand to answer more questions at Tuesday's meeting.

Sincerely,
Jim Albert
Jimmy The Greek's

In discussion with the Council it was noted that the fee being paid for the event is \$1,000 with the possibility of additional income based on the attendance and the \$2.00 per ticket being given to the Ballpark. Mr. Alan Berube. He explained that the event would include the Art of Grappling Tourney, Pine Tree State Woman's Figure Competition, and Mixed Marital Arts Show. Insurance was provided by the business owner.

MOTION: Councilor Kelley motioned and Councilor Pastor seconded to Approve the Special Event permit as read.

VOTE: Unanimous.

6201 Discussion with Action: Approve the Special Event Permit application for the OOB Recreation Department to hold "Concerts in the Park" Thursday nights on July 17th, 24th, 31st and August 7th and 14th, 2014. Set up 5 pm to 6 pm, 6 pm to 6:30 pm quiet time for Flag Ceremony, performance 6:30 pm to 8 pm; and a request to waive the fee.

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

VOTE: Unanimous.

#6203 Discussion with Action: Accept the bid of \$11,814.88 from The Animal Welfare Society, Inc., for the providing of Animal Shelter services for the FY2015 to the Town of Old Orchard Beach, from Account Number 20135-50310 — Animal Control Service Contract.

MOTION: Councilor Pastor motioned and Councilor Thornton seconded to Accept the bid of \$11,814.88 from The Animal Welfare Society, Inc., for the providing of Animal Shelter services for the FY2015 to the Town of Old Orchard Beach, from Account Number 20135-50310 — Animal Control Service Contract.

VOTE: Unanimous.

GOOD AND WELFARE:

RICKIE LETOUT: She asked about the four way stop sign at Walnut and East Grand and was told by Chief Kelley that it probably would be in use by the end of next week.

MIKE COLEMAN: He spoke of the importance of individuals getting out to vote on Tuesday, June 10th as there were a number of important issues on the ballot including the school vote and also the easement to the Saco Biddeford Savings Institution which will greatly benefit the Harmon Museum and the citizens of Old Orchard Beach, Maine.

JEROME BEGART: He encouraged everyone to attend the opening of the Raging Tide season tomorrow evening at 7; 00 p.m. at the Ballpark.

6202 Executive Session: Discuss Labor Contracts: (Note: This item discusses Labor contract issues related to AFSCME Council 93, Local 481-06, Old Orchard Beach Public Works Department Union Contract; and Old Orchard Beach Patrolmen's Association – Maine Association of Police Union Contract, as defined under Title 1 M.R.S.A., Section 405, 6(d); and the Council anticipates that the discussion portion will occur in executive session).

MOTION: Councilor Kelley motioned and Councilor Pastor seconded to Enter into Executive Session as read.

VOTE: Unanimous.

MOTION: Councilor Tousignant motioned and Councilor Thornton seconded to Exit the Executive Session as read.

VOTE: Unanimous.

ADJOURNMENT:

MOTION: Councilor Thornton motioned and Councilor Pastor seconded to Adjourn the Town Council Meeting at 9:42 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 fourteen (14) pages is a copy of the original Minutes of the Town Council Meeting of June 3, 2014.

V. Louise Reid