

**TOWN OF OLD ORCHARD BEACH
TOWN COUNCIL MEETING
Tuesday, December 20, 2016
TOWN HALL CHAMBERS
6:30 p.m.**

A Town Council Meeting of the Old Orchard Beach Town Council was held on Tuesday, December 20, 2016. Chair Thornton opened the meeting at 6:35 p.m.

The following were in attendance:

**Chair Joseph Thornton
Councilor Jay Kelley
Councilor Michael Tousignant
Town Manager Larry Mead
Assistant Town Manager V. Louise Reid**

**Absent: Councilor Kenneth Blow
Vice Chair Shawn O'Neill**

PRESENTATION: Recognition of Deputy Chief Tim DeLuca and Suzanne Makoge

TOWN MANAGER: Recognitions are always appreciated but when they are connected to good-bye's, there are mixed emotions. Such is our presentation this evening as we acknowledge and recognize the years of service and dedication by two employees of the Police Department. Deputy Chief DeLuca has accepted a position as Chief of Police for Houlton, Maine and will be leaving us after the New Year. Tim joined us as a reserve officer December 1st of 1985; and became a permanent Old Orchard Beach Police Officer on January 3 of 1988 – 31 years of service to our community. He has worked his way up into the ranks with not only hard work, committed service to our community and others; and the ability to connect to individuals of all personalities. Whether it was stopping to shovel an elderly 90 year old women's sidewalk because she struggled to do it; or sitting down with a young person who has made poor decisions and direct them to fulfilling their potential; or working side by side other officers and them knowing their safety is "covered." – these are what made and make Tim stand out in his profession. He has supported his superiors with enormous loyalty for which we are all very grateful. His leaving is a great loss to the department and too many of us who have relied on him for his expertise and professionalism. Tim – we wish you much success in your new assignment, both personally and professionally, "Good friends never say "goodbye;" They say – "See you soon." Suzanne has been part of the Dispatch and Police Department since December 12, 1982 – 34 years of service to the community. She has been working with Chief Kelley for most of the years so she is fully aware of the ins and outs of the department. Her retirement will give her an opportunity to do some of the things that she has not had time to do such as possible trip to Florida; and who knows in the future a trip to Japan where, as a child, she always dreamed of visiting; and of course to Italy – home of her ancestry.

We know you have made many friends over the years and friendships remain. We wish many things for you including enjoying the adventures that await you; have fun in your retirement; time to chase your dreams that kept getting postponed for lack of time; and finally thanks for your dedication all these years. To both of you – our friend and

colleague – it is difficult to bid farewell – though our minds say you have a bright future in store and a good life ahead....the heart can never outgrow the pleasant experience of having you near. Wherever you go and whatever you do – here's wishing you the best. God bless you.

Both Deputy Chief DeLuca and Suzanne Makkoge thanked the Council, family and associates for the support they have received through the years and acknowledged that their memories of Old Orchard Beach will always be good ones.

PRESENTATION:

**QUARTERLY MEETING REPORT TO THE
TOWN COUNCIL BY BALLPARK COMMISSION
CHAIR JEROME PLANTE**

Chairman of the Ballpark Commission, Jerome Plante, will, as required by Charter, update us on the status of Ballpark activities. Joining him will be Robin Dayton, a member of the Ballpark Commission.

Ballpark Quarterly Report
December 20, 2016
Jerome Plante

Introduction: Jerome Plante

Report: Robin Dayton

Thank you council for this opportunity to present our quarterly Ballpark report in accordance with the Ballpark Ordinance sec. 2-403. Much of this work is organized and coordinated through the Ballpark Manager.

Improvements:

Since October 2016 we have completed the Fence Addition project which encloses the field on either side. This is the 37 inch high wall and confines the baseball in the park.

Painting. One of our members Victor Gould and his volunteers have painstakingly painted just about every surface in the entire park and facilities including the picnic tables often digging into their own pocket for paint and materials.

This year we also installed and upgraded our sound system eliminating the 2 huge speakers on the deck that projected out to our neighbors. With the new system we have 8 brand new weatherproof speakers mounted on the sky boxes aimed down into the seating area allowing us to lower the volume, improve sound quality, and eliminating complaints.

Further, we built 2 new areas for wheelchair accessibility to go with the Rotary sponsored ADA ramp.

We also completed the re-building of the 2 new batting cages located under the stadium.

One of the biggest improvements we are so pleased about is the completion of the Skybox Upgrade Project. Each skybox now has 2 clear protective Plexiglas windows installed. These ensure protection from the winter months. This work was completed by DPW and we wish to acknowledge our sincere appreciation to Director Cooper and his staff Tom Duprie's and his crew.

Maintenance:

Since October 2016 we have closed the park and winterized the field and facilities, shutting off the water and electricity.

We have cleaned and stored all the concession equipment.

We have also worked to properly stored our field equipment and prep it for the spring season of 2017. This includes changing all the oil in our tractors and sharpening the blades on the lawn mowers.

Operations:

This quarter, the Commission is operating at a high capacity. We have approved 3 new members to the Commission this quarter, Debbie Kulacz, John Gallo, and Robin Dayton.

The Commission met with the Community Garden which is 5 years old this year. We are very pleased the garden is extended for another 2 years. Thank you council.

As you know we had a very successful workshop with Council in October to talk about the long-term property enhancement program. Since then the non-profit organization, Friends of the OOB Ballpark, Inc. has been successfully and independently established itself and is now operational. This is very exciting.

Scheduling for the 2017 season is well underway.

We are pleased to announce that our professional baseball team, The OOB Surge, is returning.

We have also approved a new Youth Development organization, The Southern Maine RIVER RATs to call OOB ballpark their new home!

We have also added the new Greater Northeast Collegiate League. This is a new college league and it's their inaugural year.

So I have to say Council, we have covered “all our bases” this year from youth baseball to college baseball to a professional team. This is really a wonderful accomplishment for Old Orchard Beach. We anticipate being able to offer a full baseball schedule of approximately 150 games this year!! WOW!

In addition to baseball we are looking ahead to the following activities.

This winter the Commission is very eager to work with the Recreation Department, DPW, and Fire to open up the retention pond for skating.

The New England Parkinson’s ride will also be back in 2017.

In addition, we are moving forward on the entertainment front with a Reggae Concert to benefit the American Cancer Society in early June.

Of course the Blues Concert will be back on September 2, 2017.

And, we have our very first request for a wedding in August. Jerry said all we have to furnish is the rice!

This completes our report and we are happy to take your questions.

Respectfully Submitted,
Jerome Plante
Chair Ballpark Commissioner

The Chair expressed appreciation for the work of the Ballpark Commission and their volunteers and Councilor Tousignant detailed the many accomplishments that they have achieved over the past several years.

ACKNOWLEDGEMENTS:

COUNCILOR KELLEY: The Holiday Season is a busy one but we would remind you of the Last Blast – New Year’s Eve – sponsored by OOB365 – including the bonfire at 5:00 p.m. Bring down your Christmas trees and help feed the fire. Ride the Palace Playland Carousel, enjoy hot chocolate, Cotton Candy, French Fries, and great music with DJ Joeyoke. Fantastic Fireworks will follow. Come down and enjoy the New Year’s Eve Blast. Call Sharri MacDonald with any questions that you have at 590-4201.

ASSISTANT TOWN MANAGER: We would like to express our appreciation to the number of individuals who have come into Town Hall with donations to the Salvation Army to be used for their Christmas program of providing food, clothing and toys to families needed a special lift during this season. We are appreciated of the donations of cat and dog food and monetary contributions as well. Thanks to our Town Clerk for the great project of the “Dog Tree” which has caused great interest and also many contributions of dog bones. We would like to thank the Town Staff for taking tags from the tree and providing beautiful gifts for children which are distributed through The Salvation Army. We thank the Waste Water crew for their donation of \$500 to the Salvation Army for gifts for the children. It is a beautiful time for giving and

“Blessed are those who can give without remembering; and take without forgetting.” We would also like to thank the Fire Department for standing at the Army’s kettles and raising over \$1,500 for the Army’s efforts.

ACCEPTANCE OF MINUTES: Accept the Town Council Minutes of December 6, 2016.

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

VOTE: Unanimous.

PUBLIC HEARING:

CHAIR: I open the Public Hearing at 7:09 p.m.

Shall We Amend the General Assistance Ordinance, including 6.8 Basic Necessities, Overall Maximum Levels of Assistance; 6.8 Basic Necessities, Housing Maximums; C. Utilities, Electricity Maximums; and re-adopt without changes, 6.8a Food; D. Fuel; and E. Personal Care and Household Supplies?

BACKGROUND:

**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 December 20th, 2016 at 7:00 p.m. to consider the following:

Shall the Town Council of the Town of Old Orchard Beach amend the General Assistance Ordinance by changing the dollar amounts allowed for Overall Maximums, Food Maximums, Housing Maximums, Utilities, Heating Fuel, and Personal Care & Household Supplies by deleting the strikethrough amounts and adopting the underscored amounts, as follows:

Amend Section 6.8 Basic necessities; Overall maximum levels of assistance

No. in Household	CURRENT MONTHLY	<u>PROPOSED</u> <u>MONTHLY</u>
1	\$803.00	<u>\$838.00</u>
2	\$956.00	<u>\$975.00</u>
3	\$1181.00	<u>\$1220.00</u>
4	\$1563.00	<u>\$1638.00</u>
5	\$1641.00	<u>\$1717.00</u>
6	\$1716.00	<u>\$1792.00</u>

*Add ~~\$68.00~~ \$75.00 a month for each additional person.

Amend Section 6.8 Basic necessities; Housing maximums

Bedrooms	UNHEATED				
	CURRENT	PROPOSED	CURRENT	PROPOSED	
	WEEKLY	WEEKLY	MONTHLY	MONTHLY	
0	148.00	<u>157.00</u>	636.00	<u>674.00</u>	
1	176.00	<u>182.00</u>	757.00	<u>781.00</u>	
2		218.00	<u>229.00</u>	939.00	<u>983.00</u>
3	296.00	<u>315.00</u>	1,272.00	<u>1,355.00</u>	

Bedrooms	HEATED			
	CURRENT	PROPOSED	CURRENT	PROPOSED
	WEEKLY	WEEKLY	MONTHLY	MONTHLY
0	172.00	<u>180.00</u>	740.00	<u>775.00</u>
1	206.00	<u>210.00</u>	886.00	<u>905.00</u>
2	256.00	<u>264.00</u>	1,099.00	<u>1,137.00</u>
3	341.00	<u>359.00</u>	1,468.00	<u>1,543.00</u>

C. Utilities. Electricity Maximums for Households that Use Electrically Heated Hot Water.

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

PUBLIC HEARING: BUSINESS LICENSES AND APPROVAL:

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

New Heritage Builders Inc. (210-2-4), 26 Smithwheel Road, four year round rentals; Martin Adams (211-7-25) 11 Benoit Avenue, one year round rental; Patricia Kane-Raynor (301-3-1-100), 189 East Grand Avenue, one year round rental; Mona Tibbetts (305-3-9-9), 5 Boisvert Street, #109, one year round rental; and Mona Tibbetts (305-3-9-9-A),- 5 Boisvert Street, #109B, one year round rental.

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

VOTE: Unanimous.

AMUSEMENT PERMITS AND APPROVAL:

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

Pamela Given – Ocean Pizza, Inc. dba/Ocean Pizza (210-2-51), 2 Ocean Park Road, Musician Inside – 7:00 p.m. – 10:00 p.m. – occasional Fridays.

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

MOTION: Councilor Tousignant motioned and Councilor Kelley seconded to Approve the Amusement Permits as read.

VOTE: Unanimous.

TOWN MANAGER'S REPORT

Manager's Report: December 20, 2016

Fire Department: The new engine pumper was delivered this past week and is currently being outfitted with required equipment. Once the truck is fully equipped and our firefighters have been trained on the use of the vehicle it will be put into service, probably towards the end of January.

Downtown summer maintenance: Looking ahead to next year's summer season I am in discussion with DEP on finding ways for the Town to be able to use smaller trucks or utility vehicles to operate in the square during our busiest times. Existing DEP rules don't allow for us to handle trash bags more than once before transporting to BBI, which results in the use of larger trucks, which causes safety concerns with the numbers of people who are present downtown. I am hopeful that we can come to an agreement we can use this coming summer.

Paving project: Public Works is working with MDOT on plans for paving of Cascade Rd and Old Orchard Street this spring. We are also looking at the same time to widen the sidewalk in front of Landry's plaza between Miles Ave and Portland Ave. A pinch point given the large numbers of pedestrians from the campgrounds.

FEMA new flood elevation maps: It appears that FEMA will in fact release new flood elevation maps some time in 2017. This process has been stopping and starting for many years now, however the indications are that FEMA intends to go forward this coming year. While we have not yet received the new maps from FEMA I expect that the new elevations will be significantly higher than the existing maps. This will affect many property owners in Ocean Park and along the waterfront all along East and West Grand Avenue and adjacent streets as it relates to renovations or new construction. As we get any information from FEMA we will share that with residents and property owners.

Recreational marijuana: There has been a lot of news coverage this week regarding the forthcoming legalization of recreational marijuana use. Dropping of challenge to referendum results, the implementation of the law will move forward. Many facets to this law:

- Allows for possession of limited amounts.
- Allows for use on private property.
- Allows for limited growing of plants for personal use.
- Does not permit smoking or use in public places or spaces.
- Does not permit use by those under 21.

Allows for retail sales, social clubs, and commercial cultivation, all under regulation by the state. Allows municipalities to regulate or even ban these commercial and retail uses.

This past weekend two very amazing people celebrated their 80th birthdays. One of them, Pope Francis, is celebrated around the world for his boundless energy and his devotion to service to the poor and the needy. The other, Louise Reid, is celebrated around Old Orchard Beach for her boundless energy, her generosity, and her service to those in need.

NEW BUSINESS:

- # 6829 Discussion with Action: Discussion with Action: Re-appoint Kim McLaughlin as Registrar of Voters, term to expire 12/31/18.**

MOTION: Councilor Tousignant motioned and Councilor Kelley seconded to Re-appoint Kim McLaughlin as Registrar of Voters, term to expire 12/31/18.

VOTE: Unanimous.

- # 6830 Discussion with Action: Approve the Blanket letter of Approval for Games of chance for the Veterans of Foreign War (VFW), Post 7997, 76 Atlantic Avenue, from January 1, 2017 to December 31, 2018.**

MOTION: Councilor Kelley motioned and Councilor Tousignant seconded to Approve the Blanket letter of Approval for Games of chance for the Veterans of Foreign War (VFW), Post 7997, 76 Atlantic Avenue, from January 1, 2017 to December 31, 2018.

VOTE: Unanimous.

- # 6831 Discussion with Action: Re-appoint Raymond DeLeo as a regular member of the Design Review Committee, term to expire 12/31/18; appoint Francis Manduca as a regular member of the Design Review Committee, term to expire 12/31/18; re-appoint Reza Namin and James Duclos as regular members of the Finance Committee, terms to expire 12/31/18; re-appoint Ryan Kelly as an alternate member of the Planning Board, term to expire 12/31/18; re-appoint Jayne Flaherty and Stephen Sullivan to the Registration Appeals Board, terms to expire 12/31/19; re-appoint Mark Lindquist as a regular member of the Zoning Board of Appeals, and move Paul Weinstein from associate to regular member, terms to expire 12/31/19; re-appoint Tina Kelly as citizen member of the Business License Administrative Board and Marc Bourassa as the business member of the Business License Administrative Board, terms to expire 12/31/18; re-appoint Francis Manduca as a regular member of the Board of Assessment Review, term to expire 12/31/19; re-appoint Jerome Plante as a regular member of the Ballpark Commission, term to expire 12/31/18; re-appoint Richard Greenlee as a regular member of the Conservation Commission, term to expire 12/13/2019; re-appoint Debbie Anischik and Margaret Bayles as regular members of the Community Animal Watch Committee, terms to expire 12/31/2018.**

MOTION: Councilor Kelley motioned and Councilor Tousignant seconded to Approve the re-appointments and the appointments as read.

VOTE: Unanimous.

- # 6832 Discussion with Action: Approve the purchase of the new Microsoft Exchange Service Software, in the amount of \$6,443.13, from Account Number 20102-50856 – Computer System Upgrade, with a balance of \$15,971.02.**

Background:

The Town is currently using Microsoft Exchange Server 2007 as its e-mail system. Exchange Server 2007 will be dropped from Microsoft support on April 11, 2017. The newest version of Microsoft Outlook e-mail client – Outlook 2016 (a primary component of the Microsoft Office Suite), has been released by Microsoft and is not compatible with Exchange Service 2007. The Town needs to upgrade Exchange to a supported version of Exchange Service to continue to get support from Microsoft and to be compatible with current and future releases of Microsoft Outlook. A new version of Exchange will be installed on a virtual server on the Windows Server 2012 R2 operating system and the user mailboxes migrated to this server. The virtual server itself is already licenses on the VMware virtualization platform and will have no additional cost.

MOTION: Councilor Tousignant motioned and Councilor Kelley seconded to Approve the purchase of the new Microsoft Exchange Service Software, in the amount of \$6,443.13, from Account Number 20102-50856 – Computer System Upgrade, with a balance of \$ 15,971.02.

VOTE: Unanimous.

**QUOTATION**

Quote #: 736498412
Customer #: 9742059
Contract #: 70137
Customer Agreement #: Dell Std Terms
Quote Date: 11/09/2016
Customer Name: TOWN OF OLD ORCHARD BEACH

Date: 11/9/2016

Thanks for choosing Dell! Your quote is detailed below; please review the quote for product and informational accuracy. If you find errors or desire certain changes please contact your sales professional as soon as possible.

Sales Professional Information

SALES REP: SARAH R PHONE: 1800 - 4563355
Email Address: Sarah_R@DellTeam.com Phone Ext: 5132646

SOFTWARE & ACCESSORIES**GROUP TOTAL: \$6,443.13**

Product	Quantity	Unit Price	Total
VLA EXCHANGE SERVER STD 2016 (A8584573)	1	\$481.13	\$481.13
VLA EXCHANGE STD PER USER CAL 2016 (A8584547)	100	\$59.62	\$5,962.00

*Total Purchase Price:	\$6,443.13
Product Subtotal:	\$6,443.13
Tax:	\$0.00
Shipping & Handling:	\$0.00
State Environmental Fee:	\$0.00
Shipping Method:	LTL 5 DAY OR LESS

(* Amount denoted in \$)

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If this purchase is intended for resale: Dell's Reseller Terms of Sale (www.dell.com/resellerterms).

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6833 Discussion with Action: Approve the Liquor License Renewal for Pamela Given – Ocean Pizza, Inc. dba/Ocean Pizza (210-2-51), 2 Ocean Park Road, m-s-v in a Restaurant.

MOTION: Councilor Tousignant motioned and Councilor Kelley seconded to Approve the Liquor License Renewal as read.

VOTE: Unanimous.

6834 Discussion with Action: Approve the FY18 Municipal Budget Schedule and provide general budgetary guidance to the Town Manager for the FY18 Budget.

The Charter requires the Town Council to provide to the Town Manager instructions, recommendations and budgetary guidance concerning addressing the FY18 Budget.

FY 2018 Budget Workshop Schedule

Tuesday, March 21, 2017	Budget Presentation and CIP Presentation Part of Council Meeting
Tuesday, April 4, 2017	Fire Department and CIP (following Council Meeting)
Wednesday, April 5, 2017	Workshop - Waste Water Treatment Facility and CIP
Wednesday, April 12, 2017	Workshop - Police Department and CIP
Tuesday, April 18, 2017	Possible School Board Budget – and any left-over items (following Council Meeting).
Wednesday, April 26, 2017	Workshop - Harmon Museum, Recreation, Ballpark
Tuesday, May 2, 2017	Conservation, Memorial Park, Public Works, CIP (following Town Council Meeting)
Wednesday, May 10, 2017	Workshop - Assessing, Town Clerk, Planning and Code, Edith Belle Memorial Library
Tuesday, May 16, 2017	Service Agencies including Shuttlebus. Town Manager, Town Hall Maintenance, Finance, Tax, General Assistance, Human Resources, Insurance, Revenue and Fees, Town Council, Debt Service, and CIP (after Council)
Wednesday, May 17,, 2017	Workshop any leftover items 23, 24, 25 – additional dates if needed
Tuesday, June 6, 2017	Adoption of FY 2017 Budget

The Town Manager reported that last year the Council attempted to keep the tax rate as low as necessary and indicated that in the past three years that he has been here the Council has indicated a disciplined scenario. On the municipal side last year the tax rate for the Town was 2.7% and the mill rate per thousand was 1.1% increase. The mill rate for the School and the County was 3.1%. He also noted that this year as last year consideration will be given to the capital side of the Wastewater Operation although should this move forward the 2017 bonding would not have an impact on the 2018 budget but would in subsequent years. The unknown side of this is the School's intention to have discussions and perhaps a referendum on upgrades to the schools or possibility of a combine school operation. The Council members instructed the Town Manager that their intention is again this year to monitor and maintain as close to last year's tax assessment as possible.

MOTION: Councilor Tousignant motion and Councilor Kelley seconded to accept the instructions, recommendations and budgetary guidance concerning addressing the FY18 budget.

VOTE: Unanimous.

6835 Discussion with Action: Cancel the regular Town Council Meeting of Tuesday, July 4th, 2017, as it falls on Independence Day; authorize the Town Manager to close Town Hall only on Friday, December 22, 2017 with Town Hall employees taking either ½ vacation day or ½ floating holiday.

MOTION: Councilor Tousignant motioned and Councilor Kelley seconded to Cancel the regular Town Council Meeting of Tuesday, July 4th, 2017, as it falls on Independence Day; authorize the Town Manager to close Town Hall only on Friday, December 22, 2017 with Town Hall employees taking either ½ vacation day or ½ floating holiday.

VOTE: Unanimous.

6836 Discussion with Action: Approve the Special Event Permit application for the Recreation Department to hold their annual Frozen 4-miler Road Race on Sunday, January 15th, 2017, with a snow date of Sunday, January 22, 2017, starting at 11:15 a.m. and ending at 1:15 p.m.; two Old Orchard Beach Police Officers required; and a request to waive the fee as it is a Town event.

MOTION: Councilor Kelley motioned and Councilor Tousignant seconded to Approve the Special Event Application as read.

VOTE: Unanimous.

GOOD AND WELFARE:

JEROME BEGART: He discussed the Town Manager's report on the issue of approval of sale of marijuana and the necessity to regulate costs ahead of time so that it is not causing undue financial constraints on the Town and to couple this with business permits. There will be costs, he reminded everyone, for police training, inspections and licensing and encourage discussions in this regard immediately.

The Town Council expressed best wishes for the holiday season to all and looked forward to a good 2017 as we work to the betterment of our community.

ADJOURNMENT

MOTION: Councilor Tousignant motioned and Councilor Kelley seconded to Adjourn the meeting at 7:52 p.m.

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 fifteen (15) pages is a copy of the original Minutes of the Special Town Council Meeting of December 20, 2016.
V. Louise Reid**