

**TOWN OF OLD ORCHARD BEACH
TOWN COUNCIL MEETING
TUESDAY, NOVEMBER 18, 2008 – 7:00 P.M.
TOWN HALL CHAMBERS**

A Town Council meeting of the Old Orchard Beach Town Council was held on Tuesday, November 18, 2008 in the Town Hall Chamber. The Chair opened the meeting at 7:02 p.m.

Pledge to the Flag and Roll Call:

Present were:

**Vice Chair Robin Dayton
Councilor Laura Bolduc
Councilor Michael Tousignant
Chair Sharri MacDonald
Town Manager Stephen Gunty
Assistant Town Manager V. Louise Reid**

Absent: **Councilor Shawn O'Neill**

ACKNOWLEDGEMENTS:

TOWN MANAGER: **On behalf of the Administration, we offer our sincere congratulations on the reelection of Councilor Robin Dayton and the election of Laura Bolduc and Mike Tousignant as well as our congratulations to the election of Chair Sharri MacDonald and Vice Chair Robin Dayton. We have an excellent staff team who do their work with expertise and caring professionalism. Community's expectations are met and Old Orchard Beach's quality of life is enhanced by the issues we can address, by the service we provide and by the projects that we are able to accomplish together in the next year. The Town Manager also reported on work being done at the Town Hall on drainage issues and the proposed Workshop and possible Executive Session with the extended invitation by our Legal Counsel to meet with the Council.**

COUNCILOR DAYTON: **I wish to express appreciation to Chief John Glass and the Fire Department and a host of volunteers for the enormously successful Halloween Party at the Fire Department. This is always a well attended event and the labors of love that go into bringing it to pass is appreciated by all who attend.**

COUNCILOR TOUSIGNANT: **We encourage all citizens to place on their calendar, Sunday, December 7th when the Chamber of Commerce will present again "Celebration by the Sea." The schedule for the day will be on channel 3 and we look forward to greeting you all. In addition, our Christmas tree this year is the result of the generosity of Jamie Shorey of 75 Ocean Park Road in Saco who has agreed to give her sixty foot pine tree which will be making its trip to the Square on Monday, December 1st, down Saco Avenue to Old Orchard Street to the Square. This is always an exciting event.**

ACCEPTANCE OF MINUTES: Town Council Meeting Minutes of October 21, 2008.

MOTION: Councilor Laura Bolduc motioned and Councilor Dayton seconded to Remove without Prejudice the Town Council Minutes of October 21, 2008 until Councilor O'Neill is present.

VOTE: Unanimous.

PUBLIC HEARING:
BUSINESS LICENSES: Cynthia H. Murfey dba/Sagamore Mgt. LLC (205-7-7), 16 Imperial Street, six year round rentals; Irene M. & Mark Santamaria (206-6-7), 28 Shady Lane, one year round rental; Alouette Atlantic Resorts, LLC dba/Neptune Motel (304-7-3), 82 East Grand Avenue, seventeen year round rentals; Deborah DeFelice & Mary Notaris dba/Absolute Beach Rentals (315-17-5), 37 Union Avenue, one year round rental; Nancy McBride (321-4-5), 10 Colby Avenue, two year round rentals; and Norman and Naoma Campbell (322-7-2), 75 Randall Avenue, one year round rental.

MOTION: Councilor Bolduc motioned and Councilor Dayton seconded to approve the Business Licenses as read.

VOTE: Unanimous.

SPECIAL AMUSEMENT PERMIT: Michael & Gregory Mezoian dba/The Captain's Galley (208-1-6), 168 Saco Avenue, Entertaining & Dancing.

MOTION: Councilor Dayton motioned and Councilor Bolduc seconded to approve the Special Amusement Permit as read.

VOTE: Unanimous.

NEW BUSINESS:

5073 Discussion with Action: Set a Public Hearing Date of December 2, 2008 to address funding for the Old Orchard Beach Skate Park.

BACKGROUND: The needed repairs to the presently located Skateboard Park located on E. Emmons Cummings Boulevard and at the entrance to the Ballpark, is in need of repair. Discussions have been ongoing with vendors regarding the cost for such upgrading and repairs. The Recreation Director has provided, attached to this commentary, a map layout of what the Skateboard Park would look like should funding be available for the upgrades, as well as a cost breakdown should the present Skateboard Park be upgraded. The purpose of the Public Hearing is to provide to the Council the requests of parents and skateboarders alike and to discuss possible means of financing such updates. The present equipment at the skateboard park was originally designed for an indoor skateboard facility and was purchased at a considerably less than valued price and transformed into an outdoor park. The wear and

tear on this park has caused it to deteriorate to the present condition but it has a vital importance to a large segment of our population. On the cost breakdown sheet it should be noted that our discussion with the vendor included the “Pro-Series” costs and not the “X Series” or “Stealth” because the “Pro-Series” is conditioned to our weather situation.

MOTION: Councilor Dayton motioned and Councilor Tousignant seconded to remove without prejudice the Public Hearing to address funding for the Old Orchard Beach Skate Park.”

VOTE: Unanimous.

5074 Discussion with Action: Approve the Liquor License Renewal for Michael & Gregory Mezoian dba/The Captain’s Galley (208-1-6), 168 Saco Avenue, s-m-v in a Restaurant.

MOTION: Councilor Dayton motioned and Councilor Bolduc seconded to approve the Liquor License Renewal as read.

VOTE: Unanimous.

5075 Discussion with Action: Affirm the appropriations 706,058.00 in account 10013/30101, Designated Fund Balance as of June 30, 2008 as follows: Account 21003/50800 CDBG Grant Town Share \$25,000; 21003/50810 Stormwater West Grand \$10,638.00; 21003/50833 Temple/Manor Improvements Expense \$56,900.00; 21003/50886 Little River/Jones Creek Flood Mitigation \$12,520.00; 21003/50862 Smithwheel Outlet Project \$47,180.00; 21003/50885 PWD Catch Basin/Vac All \$100,100.00; 21004/50871 WWTP Capital \$425,000.00; and 21005/50838 Memorial Park \$28,720.00.

BACKGROUND: This fund appropriations are “projects in the works” such as the Temple Avenue and Manor Street projects which has not been completed and the PWD Catch Basin/VacAll which has money set aside for the lease payments.

MOTION: Councilor Bolduc motioned and Councilor Dayton seconded to table the affirmation of the appropriations \$706,058.00 in Account 10013/30101, Designated Fund Balance as of June 30, 2008, as read.

VOTE: Unanimous.

5076 Discussion with Action: Transfer \$349,900.00 from account 10013/30300, Undesignated Fund Balance to account 10013/30301, Designated Fund Balance as of June 30, 2008 for the following accounts and purposes: 21001/50802 Comprehensive Plan \$10,000.00; 21001/50856 Computer System-Assessing 21001/50856 \$5,900.00; 21003/50507 PW Road Maint/Improvement Non-Cap \$115,000.00; 21003/50508 Sewer Maint/Improve Non-Cap \$33,000.00; 21003/50826 PW Building Improvements \$35,000; 21004/50871 WWTP Capital \$160,000.00.

BACKGROUND: These are funds in the operations capital fund which were earmarked for special projects such as the Comprehensive Plan where the Assessor is having the system upgraded and it is not completed yet and the Road Improvements, Sewer Improvements, etc. These funds need to be earmarked because of the way our fiscal year and the construction year go.

MOTION: Councilor Bolduc motioned and Councilor Tousignant seconded to table the Transfer \$349,900.00 from Account 10013/30300, Undesignated Fund Balance to Account 10013/30301, Designated Fund Balance as of June 30, 2008 for the following accounts and purposes, as read.

VOTE: Unanimous.

5077 Discussion with Action: Approve the Special Event Permit Application for The Salvation Army to hold their Pier Ministry in the parking area of the Square from Saturday, August 1st through Friday, August 7, 2009, from 5:00 p.m. to 11:00 p.m.; a request to hang a banner in the Square two weeks prior to the event; and a request to waive the fee.

MOTION: Councilor Bolduc motioned and Councilor Dayton seconded to approve the Special Event Permit Application as read.

VOTE: Unanimous.

5078 Discussion with Action: Approve the Special Event Permit application for The Salvation Army to hold their Parade on Sunday, August 2, 2009 from 3:30 p.m. until 5:30 p.m. from Saco & Biddeford Savings Institution to the Pier; and a request to waive the fee.

MOTION: Councilor Bolduc motioned and Councilor Tousignant seconded to approve the Special Event Permit Application as read.

VOTE: Unanimous.

5079 Discussion with Action: Approve the Special Event Permit application for The Salvation Army to hold their Beach Blast & Volleyball event on the beach at the end of Union Avenue on Tuesday, August 4, 2009, from 5:00 p.m. to 10:00 p.m.; a request to have a bonfire; and a request to waive the fee.

MOTION: Councilor Dayton motioned and Councilor Bolduc seconded to approve the Special Event Permit Application as read.

VOTE: Unanimous.

5080 Discussion with Action: Approve the Special Event Permit application for the Salvation Army to hold their Community Family Fun Fest on Wednesday, August 5, 2009 from 4:30 p.m. to 6:30 p.m. in Memorial Park; a request to place a banner on or near the Gazebo; and a request to waive the fee.

MOTION: Councilor Bolduc motioned and Councilor Tousignant seconded to approve the Special Event Permit Application as read.

VOTE: Unanimous.

5081 Discussion with Action: Approve the Special Event Permit application for the Recreation Department, in conjunction with the Saco Bay Artists and Libby Memorial Library to hold their 2nd annual Seaside Art Festival in Veterans Memorial Park on Saturday, July 25, 2009 12:00 noon until 7:00 p.m.; with a rain date of Sunday, July 26, 2009; a request to hang a banner on the Gazebo for two weeks prior to event; and a request to waive the fee.

MOTION: Councilor Bolduc motioned and Councilor Tousignant seconded to approve the Special Event Permit Application as read.

VOTE: Unanimous.

GOOD AND WELFARE:

CHAIR MACDONALD: I, again, wish to invite citizens to join me on the third Thursday of the month to visit with me at the Town Hall Chamber and bring to meet issues of interest to you as we seek to govern to the needs of the citizens.

COUNCILOR DAYTON: Our sincere congratulations to the Marching Band of Old Orchard Beach High School for the honors they have received four years in a row for the talent and professional presentations they make and securing the gold again for the fourth year in a row.

ADJOURNMENT:

MOTION: Councilor Dayton motioned and Councilor Bolduc seconded to adjourn.

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 November 18, 2008.

V. Louise Reid