

**TOWN OF OLD ORCHARD BEACH
TOWN COUNCIL WORKSHOP
February 2, 2010
TOWN HALL CHAMBERS
7:00 p.m.**

A Town Council Workshop of the Old Orchard Beach Town Council was held on Tuesday, February 2, 2010 at 7:00 p.m. Chair MacDonald opened the meeting at 9:00 p.m.

The following were in attendance:

**Chair Sharri MacDonald
Vice Chair Michael Tousignant
Councilor Laura Bolduc
Councilor Shawn O'Neill
Councilor Robin Dayton
Town Manager Jack Turcotte
Assistant Town Manager Louise Reid**

The Ballpark sits on 4.7 acres of land, part of a 50-acre parcel the Town has owned since the 1970's. Back in 1983, Developer Jordan Kobritz bought land to build a park for minor league baseball team, the Maine Guides. The Town cosigned a loan with Kobritz who left after three seasons leaving the Town to pay back a \$2.2 million dollar loan which the Town finished paying off in 2003.

The Chair called this workshop to discuss the need for an organizational structure of the Ballpark. At the beginning of the meeting the Town Manager gave an update on the media involvement over the past week but expressed that these are opportunities to move forward on a positive project – the Ballpark and the May events which will and must be successful. He explained that the Ballpark is a public property and the Town Council has the primary responsibility for its care and management. The Council, however, can delegate some of its responsibility, but the delegation must be in writing; it must establish clear lines of authority; and it must be open to public view. He recommended some possibilities:

The Council could create a new employment position of Ballpark Manager. That employee could be a direct Council appointment, a Manager appointment, or a Manager appointment subject to Council confirmation. The job description for that position would spell out the duties, responsibilities and authority of the Ballpark manager.

The Council could create a new Ballpark Management Committee, and give that Committee appropriate powers and duties, subject to Council oversight. That Committee could be given as much or as little independent authority as the Council deems appropriate, within the confines of a budget to be set by the Council.

The Council could set up and fund a separate not-for-profit corporation, with Board of Directors appointed by the Council. The Council could then lease the Ballpark to the corporation (for a period of three years or less), and the terms of the lease would control how the Ballpark is operated and used.

The Ballpark Working Group had in the past expressed its opinion to the former Town Manager and felt that it had completed its initial mission delineated in the April 14 Improvement Plan and acknowledged that it was time to move forward with more meaningful progress, a structured administrative group would need to be formed. This would alleviate cited concerns over the ability to conduct more aggressive fundraising, oversight of decisions affecting the Ballpark Rehabilitation and its future plans, and the need for a more diverse representation of interests. It was mentioned that numerous studies were reviewed pertaining to or referencing the Ballpark. Most contained interesting and potentially useful recommendations on future Ballpark development, as well as on overall community development and quality of life. It was evident this evening that these ideas are shared by way of general interest and for possible use to the future Ballpark Committee.

Volunteers have worked over the past year to renovate the facility which we know has fallen into disrepair while it has sat empty. The hosting of the United States Collegiate Athletic Association's national baseball tournament for small colleges in May is exciting but also a challenge recognizing that we have approximately ninety days to prepare for it. It was noted by the Town Manager that it appears that there are a couple of positions that people are taking on how to proceed; some want to continue in an all-volunteer approach without additional Town money while others want a more formal structure for the project with financial support from the Town. The Town Manager indicated that these two philosophies are in conflict with each other.

The need for an organizational structure was spoken of constantly throughout the meeting. It was indicated that we needed to streamline the construction process and create an organizational structure. Legal Counsel to the Town Council, Christopher Vaniotis, Esquire, wrote: "The Council can delegate some of its responsibility but the delegation must be in writing, it must establish clear lines of authority and it must be open to public view."

Dru Laduke spoke of an overview of the tournament. It will be a five day event and that we should remember that this is not just about the tournament but it is truly an experience to be enjoyed and appreciated by those participating in the tournament. It will be a tremendous opportunity to show off our community to many who have never been here before and at the same time enhance the tournament's objectives.

Tom LeChance was applauded for his hard work and ingenuity in this whole restoration process. He in turn thanks the host of volunteers who have volunteered their energy and their expertise. He indicated that the group needs to raise approximately \$12,000 in order to cover costs for the facility to be ready for the tournament. The project has generated much interest and donations from people in town and beyond and the general consensus was that they would be able to reach their goal. It was also noted that perhaps a loan from the Town could upfront those projects needed to be completed but with payment back from proceeds coming from the events. Dave Goyet who has had a great deal to do with the spearheading of the fundraising said that some of the funds may not be available until

the activities themselves but he did believe they could raise the funds. April is a key date because many of the legal inspections will take place at the Ballpark so it is imperative that the work be done on a timely basis. Mr. LeChance prepared and presented to the Council the list of projects that needed to be completed before the tournament and those that in the next few months need to be considered and the cost involved with both options. The three page document clearly defined outstanding projects left to be finished and the cost factor for each.

Vice Chair Tousignant said he supported the Ballpark project and that the group has done a phenomenal job and he believed that they could raise the funds to do what is required. He did, however, say that the group had not planned to use taxpayer money and had made that very clear to the Council at the beginning of the formation of the Ballpark Group and that he did not support the Town giving the project money at this time. "There will be no money from the Town, in my opinion, until there is structure."

Al Lappin, a Ballpark volunteer, strongly urged the Town at the idea of an events coordinator for as he said, "the Ballpark has an unbelievable potential." He also indicated that it is important to have someone that has the ability to negotiate, coordinate, understand legal contracts, etc.

Ron Regis suggested that stipends should be paid and that responsibility should go under the Recreation Director, Jason Webber.

David Goyet again encouraged that Council to realize the immediate need for an Event Coordinator.

Jerome Baker recommended "fiscal sanity." He suggested a quick loan to the group so that the project can move forward.

Andrea Berlin reminded everyone again that it is 90 days and we have to get through the inspection process before then.

Alisha McCormick encouraged the Town Council to move forward now and stop waiting for anything else.

Chair Sharri MacDonald indicated that she liked the idea of an operations manager for the Ballpark but unfortunately the Town cannot afford it at this time. She recommended that perhaps the jobs could be split between three already hired town employees and each could "put a little more on their plate." The recommendation was that we could try this approach and then in six months or so reevaluate but the high priority was being prepared for the tournament in 90 days.

Councilor Robin Dayton strongly urged not to lose focus on the immediate need and suggested that what the Ballpark needs is a General Manager. She stressed the urgency of the situation and strongly suggested that "we need someone to hit the ground running." She also requested from the Town Manager a list of requirements in order for there to be an occupancy permit issued. She also reminded the Council that only the Town Manager can hire someone. She said the Board of Directors doesn't equate to getting the construction done. The need for a concise business plan needs to be made available.

Councilor Laura Bolduc indicated that she felt the Ballpark group had taken on too much in the realm of liabilities. By becoming an “all exclusive group” with a lot of people in charge, it needed to be reined in so that group is not making the financial decisions that only the Town can make. She indicated that they needed a “legal eagle” and a “money mastermind. She suggested that perhaps a seven-member board five members from the community and with two staff individuals appointed by the Council. Certainly some of these issues can be addressed in house, particularly the safety issues.

Councilor Shawn O’Neill spoke of his support for the endeavor and encouraged the Council to move forward quickly on these issues. The need for a Board of Directors is obvious and there is not much time remaining before the events in May. Procrastination is not possible and to delay will stack the cards against the event being a success. He asked the Chair for a Workshop to be scheduled quickly and Chair MacDonald announced that there would be one held on Monday, February 8th at 7:00 p.m. in the Town Council Chamber.

Paul Crossman who has been working on the water heater asked some questions as to the Town’s assistance in getting that turned on. It was indicated that those types of issues are out of the realm of the discussion this evening on organizational issues but it is a good question and should be addressed later by the Town Manager.

The Town Manager expressed his appreciation for all in attendance and felt that this was a positive approach and looking forward to Monday night’s Workshop when perhaps actual plans can be brought before the Council.

The workshop ended at 10:30 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 four (4) pages is a true copy of the original Minutes of the Town Council Workshop of February 2, 2010.

Louise Reid