

**TOWN OF OLD ORCHARD BEACH
TOWN COUNCIL MEETING
Tuesday, July 17, 2012
TOWN HALL CHAMBERS
7:00 p.m.**

A Town Council Meeting of the Old Orchard Beach Town Council was held on Tuesday, July 17, 2012. Chair Quinn opened the meeting at 7:00 p.m.

The following were in attendance:

**Chair Bob Quinn
Vice Chair Michael Tousignant
Councilor Sharri MacDonald
Councilor Robin Dayton
Councilor Michael Coleman
Town Manager Mark Pearson
Assistant Town Manager V. Louise Reid**

**Pledge to the Flag
Roll Call**

EMERGENCY ITEM:

CHAIR: I am requesting motions for three emergency items:

MOTION: Vice Chair Tousignant motioned and Councilor MacDonald seconded to Add Agenda Item Number 5689 to follow Agenda Item Number 5687 – Discussion with Action: Enactment of Emergency Amendment to Section 78-1627 Temporary Signs, Sub-section (4) of the Code of Ordinances;

and

Agenda Item Number 5690 to follow Agenda Item 5688 –

Discussion: Discussion: Personnel Matters (Note: This item discusses privacy issues 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.

and

Agenda Item Number 5691 to follow Agenda Item 5689 –

Discussion: Executive Session pursuant to 1 M.R.S.A, Section 405(6)(E) for Consultant between the Town Council and the Town Attorney concerning the legal rights and duties of the Council.

VOTE: Unanimous.

ACKNOWLEDGEMENTS:

COUNCILOR DAYTON: We would like to acknowledge the work of the Public Works Department in securing the May 2012 Safety Grant Award for Traffic Safety Equipment and receipt of a check in the amount of \$1,985.83.

ASSISTANT TOWN MANAGER: I would like to express the appreciation of the Administration and Town Council to David W. C. Putnam for his generous yearly donation of \$500 toward our General Assistance Program. David has always been committed to assisting those who are in need and his generosity is most appreciated.

COUNCILOR MACDONALD: She reviewed the schedule for the NE Regional Championship Games and the American Legion Tournaments, encouraging citizens to attend this very important event for our Town and for the Ballpark.

ACCEPTANCE OF MINUTES:

Town Council Workshop Minutes of June 13, 2012; Town Council Meeting Minutes of June 19, 2012; Town Council Workshop Minutes of June 20, 2012; Town Council Workshop Minutes of June 26, 2012; and Special Town Council Minutes of June 28, 2012.

MOTION: Councilor Dayton motioned and Councilor MacDonald seconded to Accept the Minutes as read.

VOTE: Unanimous.

PUBLIC HEARING BUSINESS LICENSES AND APPROVAL:

CHAIR: I open this Public Hearing at 7:06 p.m.

Constance String (201-1-7-8E), 221 East Grand Avenue, Unit 8E., one year round rental; Emilien Paquin dba/S&R Barber Shop (210-11-4B), 1 Ocean Park Road, Personal Service; Marshall Frankel (303-3-9), 10 Saunders Avenue, one seasonal rental; Napoli Inc./Rocco Libertella dba/47East (305-4-4), 47 East Grand Avenue, Victualers with Preparation, with Beer, Wine and/or Liquor on Premise; Claudette Buffum Paradis (309-4-6), 9 Lawn Avenue, one year round rental; and Jonathan & Jane Worthley (322-1-4), 17 Manor Street, one year round rental.

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

MOTION: Councilor Coleman motioned and Councilor MacDonald seconded to Approve the Business Licenses as read.

VOTE: Unanimous.

PUBLIC HEARING LIQUOR LICENSES:

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

Napoli Inc./Rocco Libertella dba/47 East (305-4-4), 47 East Grand Avenue, s-m-v- in a Restaurant.

CHAIR: I close this Public Hearing at 7:08 p.m.

MOTION: Councilor MacDonald motioned and Councilor Coleman seconded to Approve the Liquor License as read.

VOTE: Unanimous.

TOWN MANAGER’S REPORT:

The Town Manager indicated he attended the Fourth of July activities as well as a Fire Department training event. He attended a meeting of BRASS at which Governor LePage was the guest speaker. He reported on an Amtrak Board annual event held at Town Hall for about 35 members. He spoke about the implementation of the 2013 budget and a morning meeting with the Lifeguards.

NEW BUSINESS:

5678 Discussion with Action: Amend the General Assistance Ordinance, Section 6.8, Basic Necessities; Maximum Levels of Assistance.

Shall the Town Council of the Town of Old Orchard Beach amend the General Assistance Ordinance by changing the dollar amounts allowed for Basic Necessities and Overall Maximum levels of assistance, adopting the underscored amounts, and further amending by strikethroughs and underscored amendments to Section B, as follows:

Amend Section 6.8 Basic necessities; Overall maximum levels of assistance

No. in Household	CURRENT MONTHLY	<u>PROPOSED MONTHLY</u>
1	\$812.00	<u>\$731.00</u>
2	\$964.00	<u>\$868.00</u>
3	\$1249.00	<u>\$1124.00</u>
4	\$1573.00	<u>\$1416.00</u>
5	\$1686.00	<u>\$1517.00</u>
<u>6</u>	\$1814.00	<u>\$1585.00</u>

For each additional person add \$68 per month.

B) Housing. The administrator will provide assistance with rent or mortgage payments that are reasonable ~~and~~ within the allowed maximum levels and in accordance with the housing assistance limits and exceptions provided in Title 22, section 4308, subsections 1-A and 1-B. below. See Appendix C of this ordinance for the current year’s housing maximums. It is the applicant’s responsibility to find suitable housing, although the administrator may help the

applicant find housing when appropriate. The administrator will inform the applicant of the allowed housing maximums to assist the applicant in his/her search for housing. The allowed maximum for any applicant will be the categorical housing maximum representing the minimum dwelling unit space necessary to adequately shelter the applicant household. Applicants requesting assistance for housing that contains more bedrooms than are necessary for the number of household members will be provided assistance according to the maximum level for the number of rooms actually needed.

Council previously asked the question that if the allotted amounts designated by the State are not sufficient to meet the needs of a resident can the General Assistant Director provide additional funding to support the additional request. The general answer is “yes” in the case of “an emergency,” however, if the amount will not resolve the emergency, then said the answer is “no.” If it meets the criteria the Town will be given 50% from the State for those additional funds. She gave an example by saying that “John S. has a seven day notice to quit for an arrearage in rent of \$580. His actual rent is \$895 which is above the GA Maximum. However, he is employed, his wife gained employment recently, and they have the potential to be self-sustaining moving forward. The Landlord has agreed to accept the \$480 and not pursue eviction. So the Old Orchard Beach Town will pay the \$480 as an emergency. This client will not be eligible in the future as they are now over income.” Another example: “Bill S. has a seven day notice to quit for an arrearage of \$250. He has adequate income from Disability and part time employment. The landlord does not agree to accept the money to stop the eviction, stating this tenant has a long history of bad behavior and is chronically behind. OOB does not pay this bill.” Housing, Food, Utilities, Diapers, Fuel and Personal Care are all negotiable as emergencies. Funerals are also covered here.”

MOTION: Vice Chair Tousignant motioned and Councilor Dayton seconded to Amend the General Assistance Ordinance, Section 6.8, Basic Necessities; Maximum Levels of Assistance.

VOTE: Unanimous.

5680 Discussion with Action: Request to Approve Tax Abatement in the amount of \$14,498.88, plus any accruing interest and penalties to date, and remove any tax liens on Acorn Village, 42 Walnut Street, Parcels 00104-00002-009-2-Unit 2; 00104-00002-09-11 – Unit 11; and 00104-00002-09-12 – Unit 12.

TOWN MANAGER/ASSISTANT TOWN MANAGER: The Acorn Village Condominium Association, 42 Walnut Street, Old Orchard Beach, have met previously with the Planner and the Assessor on the issue of an abatement of taxes and a lien on the property in the name of the previous developer. They approached the Assistant Town Manager in the absence of the Town Manager and requested as they have several times before an opportunity to come before the Council to discuss this issue. The Assistant Town Manager requested permission to add the agenda item in the absence of the Town Manager and a great deal of material has been presented for their review.

Presenting for the Acorn Association this evening was David A. Darling, President of the Association. He and Michael K. Fortunate met with the Assistant Town Manager on two

separate occasions and then with the Town Manager yesterday. They presented to the Town Council information relative to the history of the building of Acorn Village. On December 10, 2003 the Planning Board approved the Acorn Village LLC proposal to construct the first phase of Acorn Village Condominiums. As part of the approval, Swenson Excavation, Inc., Post Office Box 314, Old Orchard Beach, was required to establish a \$159,999 performance assurance bond. On March 4, 2005, the former OOB Planning Coordinator wrote a letter to William Ver Planck of Harleysville Mutual Insurance Company to reduce the bond by \$74,777.50 for infrastructure construction to date without any supporting documentation of an inspection or engineer review. Subsequently the bond was reduced to \$85,122.50. On January 17, 2007, Tim Swenson of Swenson Excavation requested a bond reduction of \$67,001.50 and on January 22, 2007, Woodard & Curran Engineering stated in a memo to the Town Planner that they had "no objection" reducing the bond. On January 29, 2007 another letter was sent directing the Insurance Company to reduce the bond by \$64,711 following an engineering review of the Acorn Village Condominium infrastructure construction to date. This left a mere \$20,511 to assure the completion of the project. On October 26, 2009, the former Town Planner at the time sent an e-mail to the developer stating that updated cost estimate for site completion had been prepared by Wright Pierce engineer and the new estimated came to \$81,860. At this point the bond was still at \$20,511. After repeated requests from the Acorn Village Condo Association Executive Board that there was a massive shortfall to complete the remaining work on the Site Plan, the Developer was notified to increase the bond to \$56,100 on December 21, 2009. It should be noted that in December of the prior year, the former Code Enforcement Officer had sent a notice of Violation to the Developer stating that he had until June 1, 2008 to complete all the site improvements or be subject to daily fines ranging from \$100 to \$2,500. The work is still incomplete to this date and no fines have been imposed. On February 4, 2011, the Code Enforcement Officer sent another warning of Notice of Default to the Developer stating that if the entire project was not 100% completed by May 31, 2011, he would be in jeopardy of losing his performance guarantee. Attached to the notice was an updated list of incompletes and deficiencies dated September 22, 2010. On June 30, 2011, Wright-Pierce sent an updated site inspection report in a memo to the Code Enforcement Officer listing the necessary remaining work to complete the project. This last estimate came to \$198,893. To date, the Town has taken control of the \$36,100 bond put in escrow by the Developer and has been working hard to get the remaining \$20,511 held by Harleysville Mutual insurance Company. According to the Town Planner, Harleysville Mutual Insurance is just waiting for the engineer's status report before releasing the funds. In the meantime, the Association has been getting estimates to complete the development and submitted them to the Town Planner for warrant review. As a result the Town Council has authorized the release of a portion of the bond money to Acorn village to finally get the project moving again. The Association is scheduling the work as soon as the funds are being released. The problem is that the engineer's estimate of almost \$199,000 to complete the project and the \$56,611 remaining the bond, leaves a deficit of nearly \$143,000 and this is where they need the Council's help. As of April 14, 2011 the Developer Rights expired under the Maine Condominium Act and the Developer's self-imposed seven year deadline stated in the Acorn Village Condo Docs. As per the Condo Act, any undeclared units become common elements of the Association after the Developer's rights expire. Hence, on April 14, 2011, the three remaining unfinished and undeclared Units 2, 11 and 12 became common elements of Acorn Village Condo Association. According to recent visits to the Tax Assessor, there are unpaid real estate taxes since 2010 and tax liens on these Units totaling \$14,498.88. The historical narrative provided by the Association Board illustrates major inconsistencies and neglect

from former town officials that has left Acorn Village residents with an incomplete and deficient project going on nine years. They feel they have been patient and reasonable in trying to work through a difficult situation with a less-than-reputable Developer. Recently the Town Staff has been very helpful in working with us to get the project completed, especially Jeffrey Hinderliter, the Town Planner. The Association feels it has been left with a massive shortage of performance assurance funds to finish the project and the Association unknowingly inheriting the tax liability taxes of \$14,498.88 (plus any accruing interest and penalties to date), and remove any tax liens on these Units.

The Council spent some time listening to the comments of the Association members. They also took note of the Attorney for the Association's comments (Attorney Leslie E. Lowry of Jensen Baird Gardner Henry, which indicated that "Any portion of the common elements for which the Declarant has reserved any development right to add real estate to a condominium or to withdraw real estate from a condominium, shall be separately taxed and assessed against the Declarant, and the Declarant alone is liable for payment of those taxes." However, he also notes that the final portion of that section and the language puts the obligation for the taxes only on Acorn Village LLC. The Attorney believes this is a beneficial provisions designed to protect Unit owners from having to "inherit" a tax liability on valueless failed condominium development rights. He also believes the Association and its members should be and are legally relieved from liability for unpaid taxes of Acorn Village LLC. Some of the questions as were who has marketable title; who owns the Association per the Condominium Act; delegation of responsibilities; and the responsibilities of the Town since the property is owned by the Town at this point. Councilors Coleman and MacDonald encouraged support between the Town and the Association membership to clear up the issues with the emphasis that concern was raised about recoupment of legal fees that may arise as a result of the investigation. Also speaking was Kenneth Bohannon of Unit 23 encouraging the Council to take into consideration that they are tax payers of the Town. John Bird spoke in favor of the Acorn Association request. A confidential memo from the Town's attorney was referenced at the meeting by Council that as it stands now with the foreclosure of the liens securing the taxes assessed against Units 2, 11 and 12, the Town has title, subject to defeasement only by irregularity in the tax lien process.

MOTION: Councilor Dayton motioned and Councilor Coleman seconded to Table to the August 7, 2012 Meeting to Approve Tax Abatement in the amount of \$14,498.88, plus any accruing interest and penalties to date, and remove any tax liens on Acorn Village, 42 Walnut Street, Parcels 00104-00002-009-2-Unit 2; 00104-00002-09-11 – Unit 11; and 00104-00002-09-12 – Unit 12.

VOTE: Unanimous.

5680 Discussion with Action: Approve the Contract for the Animal Welfare Society/Shelter Services in the amount of \$1,081.84 to be paid quarterly on July 1, 2012, October 1, 2012, January 1, 2013 and April 1, 2013, in the amount of \$11,081.84 from Account Number 20135/50310 – Animal Control – Service Contract, with a balance of \$16,000.

MOTION: Councilor Dayton motioned and Councilor Coleman seconded to Approve the

Contract for the Animal Welfare Society/Shelter Services in the amount of \$1,081.84 to be paid quarterly on July 1, 2012, October 1, 2012, January 1, 2013 and April 1, 2013, in the amount of \$11,081.84 from Account Number 20135/50310 – Animal Control – Service Contract, with a balance of \$16,000.

VOTE: Unanimous.

5681 Discussion with Action: Approve the payment of \$115,000 to Biddeford Saco Old Orchard Beach Transit Committee for transit services for the fiscal year 2013 from Account Number 20176-50350 – Transit District Appropriation, with a balance of \$115,000.

MOTION: Councilor Dayton motioned and Vice Chair Tousignant seconded to Approve the payment of \$115,000 to Biddeford Saco Old Orchard Beach Transit Committee for transit services for the fiscal year 2013 from Account Number 20176-50350 – Transit District Appropriation, with a balance of \$115,000.

MOTION: Vice Chair Tousignant motioned and Councilor MacDonald seconded to Approve the payment of \$115,000 to Biddeford Saco Old Orchard Beach Transit Committee for transit services for the fiscal year 2013 from Account Number 20176-50350 – Transit District Appropriation, with a balance of \$115,000.

VOTE: Unanimous.

5682 Discussion with Action: Accept, with Regret, the Resignation of Mark Gustin from the Ballpark Commission.

MOTION: Councilor Dayton motioned and Councilor MacDonald seconded to Accept, with Regret, the Resignation of Mark Gustin from the Ballpark Commission.

VOTE: Unanimous.

5683 Discussion with Action: Approve the Special Event Permit application for MAPS to hold their annual Breakaway 5K Road Race on Saturday, August 18th, 2012 starting at 7:45 a.m. in the Square. Insurance, listing the Town of Old Orchard Beach as additionally insured, to be provided to the Town Clerk's Office at least one week prior to the event; and a Request to waive the fee.

MOTION: Councilor Dayton motioned and Councilor MacDonald seconded to Approve the Special Event Permit as read.

VOTE: Unanimous.

5684 Discussion with Action: Approve the Special Event Permit application from Pine Point Vista Condo Association to hold their annual meeting, to include a bonfire on the beach, in front of the Pine Point Vista Condominiums on Saturday, August 18th, 2012 from 7 p.m. to midnight; rain date Saturday, September 1st.

MOTION: Councilor Dayton motioned and Councilor Coleman seconded to Approve the Special Event Permit as read.

VOTE: Unanimous.

5685 Discussion with Action: Possible Solutions to Drainage Issues on Birch Lane.

BILL ROBERTSON: The Public Works Director and the Town Manager met with a resident over the issue of serious drainage problems in Birch Hill. As a result of the camera inspection and the preparation of the Pipe Graphic Report of 1 Oakcrest Drive. The Public Works Director will explain a couple of possible solutions to the drainage issues in the Oakcrest Drive/Birch Hill area. The Public Works Director submitted Option One – Build loam berm along Oakcrest Drive along the right-of-way of the vacant lot approximately four feet wide and one foot in height; cover the berm with jute matting to encourage grass growth at a minimum cost of \$250 - \$500. The second option was to asphalt berm along Oakcrest Drive and backfill loam and seed behind it with a minimum cost of \$1,400 for the berm, loam and the seed at \$250 to \$500. The third option included drainage structure including stone, frame and grate, reconnect existing pipes and loam/seed with a minimum cost of \$2,000. The owners of the residence, Carol P. Northrop, agreed to Option One.

MOTION: Councilor MacDonald motioned and Councilor Dayton seconded to move forward with Option One which includes build loam berm along Oakcrest Drive along the right-of-way of the vacant lot approximately four feet wide and one foot in height; cover the berm with jute matting to encourage grass growth at a minimum cost of \$250 - \$500.

VOTE: Unanimous.

5686 Discussion with Action: Approve the Request for a handicapped parking space in front of 18 Hillcrest Avenue; and 61 Evergreen Avenue.

CHIEF KELLEY: The Assistant Town Manager and Chief Dana Kelley had discussions with Mrs. Margaret Sprague of 18 Hillcrest Avenue. Mrs. Sprague is in her 80's and has requested a handicapped parking space in front of her home. The Chief visited with her at her home and feels it is appropriate to have a space there. The Assistant Town Manager in speaking with Mrs. Sprague indicated that although it is a reserved handicapped spot that if another handicapped driver parks there it is acceptable as it is a handicapped spot for any handicapped individual. We have also re-pollled the handicapped sign for the resident at 61 Evergreen Avenue.

MOTION: Councilor MacDonald motioned and Councilor Dayton second Approve the Request for a handicapped parking space in front of 18 Hillcrest Avenue; and 61 Evergreen

Avenue.

VOTE: Unanimous.

5687 Discussion with Action: Approve the Liquor License Renewals for Portland Avenue Associates/King Weinstein dba/Grand Beach Inn (202-3-5), 198 East Grand Avenue, s-m-v in a Hotel/Optional Food; and Lafayette Waves Inc/Kenneth Lafayette dba/Beach Street Café (313-6-1), 77 West Grand Avenue, m-v in a Restaurant.

MOTION: Councilor Coleman motioned and Councilor MacDonald seconded to Approve the Liquor License Renewals as read.

VOTE: Unanimous.

5689 Discussion with Action: Enactment of Emergency Amendment to Section 78-1627 Temporary Signs, Sub-section (4) of Code of Ordinances.

TOWN MANAGER: ASSISTANT TOWN MANAGER:

Councilor MacDonald brought to the Assistant Town Manager the question of why the Ballpark sign indicating the location of the Ballpark was removed from the Fire Department lawn. After four hours of discussion and meetings on the issue it was decided to bring forward to the Town Council the following emergency ordinance amendment allowing temporary signage for events at the Ballpark. It should be noted that the Assistant Town Manager encouraged the Town Council to understand that the job of department heads, example Code and Planning, are to uphold the ordinances for all citizens and business owners of the community and that the subject was raised because of the denial to at least three new businesses of the ability to include such signage on their businesses and as such denied this request as well. Discussion following indicated that this is the desire to promote a town event at a town-owned location where a lease is held by a supported local baseball team.

**TOWN OF OLD ORCHARD BEACH
EMERGENCY ORDINANCE AMENDMENT
ALLOWING TEMPORARY SIGNAGE FOR EVENTS AT THE
BALLPARK**

WHEREAS, the Town owns and operates a public facility consisting of an outdoor stadium facility located at 14 E. Emerson Cummings Blvd in the Town of Old Orchard Beach known as the Old Orchard Beach Ballpark (the “Ballpark”); and

WHEREAS, the Town holds certain events at the Ballpark and licenses the facility to various athletic and other groups for purposes of hosting athletic or other outdoor gatherings;

WHEREAS, the Ballpark is located on a roadway that is not commonly viewed from Route 5; and

WHEREAS, it has been identified that visitors to the Ballpark have found it difficult to locate; and

WHEREAS, the Town's existing signage ordinance does not allow temporary signage off site, advertising the location of the Ballpark and its events;

WHEREAS, the Town Council concludes that this circumstance constitutes a public emergency within the meaning of Section 410.1 of the Old Orchard Beach Town Charter.

NOW THEREFORE, be it hereby ordained by the Town Council of the Town of Old Orchard Beach, Maine, in Town Council assembled, that Section 78-1627 (4) be amended by adding the underscored language as follows:

1. Section 78-1627 Temporary Signs, Sub-section (4) Community festivals, carnivals, events at the Ballpark, and special events. Any signage erected by a business, charitable organization, or public organization directly associated with a public festival, carnival, events at the Ballpark or special community event approved by the Town Council.

EFFECTIVE DATE.

This Ordinance amendment takes effect immediately upon adoption and shall expire on the 61st day following the date of its adoption, unless earlier extended, repealed or modified by the Old Orchard Beach Town Council.

Councilor MacDonald introduced the reason for the Emergency Amendment which will provide the opportunity for advertising of Ballpark events and also open up the door to further study by the Council on ordinance changes.

MOTION: Councilor Coleman motioned and Vice Chair Tousignant seconded to Enact Emergency Amendment to Section 78-1627 Temporary Signs, Sub-section (4) of Code of Ordinances.

VOTE: Unanimous.

GOOD AND WELFARE:

DAVID PUTNAM: He requested that there be a lifeguard stationed near the Grand Beach and the Town Manager said he would investigate such a request considering the lack of lifeguards this summer.

JEROME BEGART: He spoke at length about issues related to the benefit and welfare of the Town and in particular support of the Ballpark and the activities there. He encouraged the businesses to recognize their responsibility as well since it is the tax payers that pay for much of the summer tourist trade.

MR. & MRS. PAT TALLARITA – 22 Oceana Avenue spoke of the need for road work considering the unsafe road surface and the fact that they have been promised this for at least the past four years and although some pot holes have been filled, it should be noted that the road has never been repaired to the extent that a resident who is handicapped can leave his home and go to the beach. The Council discussed this and the Assistant Town Manager was assigned to get back to them within the week with an update on possible road work considering the desire to use money left over from the West Grand Bond project.

JOSEPH LEHMAN: He again asked for an update on the Library issue of embezzlement and was told that this was still in the hands of the Attorney General.

5688 Discussion: Labor Contracts: (Note: This item discusses bargaining rules for negotiations, as defined under Title 1 M.R.S. 405,6(D), and the Council anticipates that the discussion portion will occur in Executive Session.

MOTION: Councilor Dayton motioned and Vice Chair Tousignant seconded to Enter into Executive Session: Labor Contracts: (Note: This item discusses bargaining rules for negotiations, as defined under Title 1 M.R.S. 405,6(D), and the Council anticipates that the discussion portion will occur in Executive Session.

VOTE: Unanimous.

5690 Discussion: Personnel Matters (Note: This item discusses privacy issues 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 Dayton motioned and Vice Chair Tousignant seconded to Enter into Executive Session: Personnel Matters (Note: This item discusses privacy issues 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.

5691 Executive Session pursuant to 1 M.R.S.A, Section 405(6)(E) for Consultant between the Town Council and the Town Attorney concerning the legal rights and duties of the Council.

MOTION: Councilor Dayton motioned and Vice Chair Tousignant seconded to Enter Into Executive Session pursuant to 1 M.R.S.A, Section 405(6)(E) for Consultant between the Town Council and the Town Attorney

VOTE: Unanimous.

ADJOURNMENT:

MOTION: Councilor MacDonald motioned and Chair Quinn seconded to Adjourn the Town Council Meeting.

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 eleven (11) pages is a copy of the original Minutes of the Town Council Meeting of July 17, 2012.

V. Louise Reid