

**THE OLD ORCHARD BEACH TOWN COUNCIL
INAUGURAL MEETING
TOWN HALL CHAMBERS
Monday, November 19, 2012**

An Inaugural Meeting of the Town Council of Old Orchard Beach was held on Monday, November 19, 2012 at 7:13 p.m. at the Town Hall in the Chamber.

TOWN MANAGER: We welcome each of you to this important Inauguration meeting and offer our congratulations to all those elected to their positions on the Town Council. and for which we are here tonight to honor. I will now ask the Town Clerk to provide the Oath of Office.

TOWN CLERK:

For Board Member of Regional School Unit #23, one (1) for three years (3)

Plante, Jerome G. 3974*****

For Member of the Town Council one (1) for one year (1)

Bolduc, Laura J. 2215*****

For Member of the Town Council two (2) for two years (2)

Mailhot, Linda L. 1708*****

Quinn, Robert J. 2263*****

For Member of the Town Council two (2) for three years (3)

Dayton, Robin M. 2305*****

Furtado, Dana M. 2063*****

I, _____, do solemnly swear that I will in all respects observe the provisions of the Town Charter and ordinances of the Town of Old Orchard Beach and that I will support the Constitution and will obey the laws of the United States and of this State so long as I shall continue a citizen thereof, so help me God. I, _____, do solemnly swear that I will faithfully discharge all the duties incumbent upon me as a Town Councilor according to the Constitution and laws of the State, so help me God.

TOWN MANAGER: I will ask the Council to take their seats.

**Councilor Laura Bolduc
Councilor Michael Coleman
Councilor Robin Dayton
Councilor Dana Furtado
Councilor Sharri MacDonald
Councilor Linda Mailhot
Councilor Bob Quinn**

TOWN MANAGER: I will now ask for a Motion to elect a Chair.

ELECTION MOTION: Councilor Quinn motioned to elect Councilor Coleman as Chair of the Town Council and seconded by Councilor Dayton.

TOWN MANAGER: Are there any further nominations?

ELECTION MOTION: Councilor Furtado motioned to elect Councilor MacDonald as Chair of the Town Council and seconded by Councilor Bolduc.

TOWN MANAGER: The roll call for Councilor Coleman as Chair:

VOTE: Yea: Councilors Dayton, Quinn and Coleman
Nea: Councilors MacDonald, Mailhot, Bolduc and Furtado

TOWN MANAGER: The motion failed.

TOWN MANAGER: The roll call for Councilor MacDonald as Chair:

Vote: Yea: Councilors Mailhot, Bolduc, Furtado, MacDonald, Quinn
Nea: Councilors Dayton and Coleman

TOWN MANAGER: The motion passed electing Sharri MacDonald as Chair of the Town Council. I will now ask the new Chair, Chair MacDonald, to continue with our meeting.

CHAIR MACDONALD: I will now call for a motion for the election of the Vice Chair position.

MOTION: Councilor Mailhot motioned for the election of Laura Bolduc as Vice Chair and seconded by Councilor Furtado.

VOTE: Yea: Councilors Mailhot, Quinn, Furtado, Coleman, Chair MacDonald,
Nea: Councilor Dayton
Abstain: Councilor Bolduc

CHAIR MACDONALD: I will now establish the seating of the Council from my right to my left. I will now ask the Council to take their seats at the table.

The position from the Chairs left to right: Councilor Coleman; Councilor Quinn; Councilor Mailhot; Chair MacDonald; Vice Chair Bolduc; Councilor Furtado; Councilor Dayton.

CHAIR MACDONALD: We are now asked to Adopt the Rules and Procedures of the Town Council.

MOTION: Vice Chair Bolduc motioned and Councilor Mailhot seconded to Adopt the Rules and Procedures of the Town Council with the change Reflected in Section 2-66 – Rule of debate.

Sec. 2-66. Rule of debate.

(a) When a question is under debate by the town council, the chairperson shall receive no motion except as follows:

- (1) To adjourn;
- (2) For the previous question;
- (3) To lay on the table;
- (4) To postpone to a day certain;
- (5) To refer to a committee or some administrative official;
- (6) To amend; or
- (7) To ~~table indefinitely~~ remove without prejudice.

(b) The several motions in subsection (a) of this section shall have precedence in the order in which they are cited.

(Policy of 1-6-1977, § 16; Policy of 12-2-2008)

VOTE: Yea: Councilor Mailhot, Furtado, Dayton, Vice Chair Bolduc, Chair MacDonald

Nea: Councilors Coleman and Quinn

Sec. 2-72. Motion to table.

The council may table an agenda item by any of the following three (3) motions:

(1) Motion to lay on the table. This motion is not debatable and not subject to amendment. The effect of this motion is to continue the agenda item until the next meeting of the council. There is no limit on the number of times an agenda item may be continued by a motion to lay on the table.

(2) Motion to postpone to a day certain. This motion may be amended as to the postponement date and debate is allowed.

(3) Motion to ~~table indefinitely~~ remove without prejudice. This motion, ~~which may also be described as a "motion to remove without prejudice,"~~ is not debatable and not subject to amendment. If passed, the effect of the motion is that the principal question is deemed lost. However, that does not preclude the reintroduction of the principal question as a new agenda item for a subsequent town council meeting.

(Policy of 1-6-1977, § 22; Policy of 12-2-2008; Policy of 3-15-2011)

AMENDED 11/19/2012

MOTION: Vice Chair Bolduc motioned and Councilor Coleman seconded to Adopt the Rules and Procedures of the Town Council with the change Reflected in Section 2-72 – Motion to Table.

VOTE: Unanimous.

CHAIR MACDONALD: I will ask for a Motion to Accept the Code of Ethics – Standard of Conduct for Town of Old Orchard Beach Officials and Employees, also to be gender neutral.

CODE OF ETHICS
Standard of Conduct for Town of Old Orchard Beach
Officials and Employees

- 1. It is the obligation of every public official and employee to support the Constitution of the United States and the Constitution of the State of Maine.**
- 2. Every citizen, where entitled to a hearing, shall receive a fair and impartial hearing on any matter coming before the Town Council, it's appointed agencies or any employee of the Town. No public official or employee shall make any promise or pledge to any person concerning any matter to be heard before a public official or employee except upon fair, impartial and final hearing thereof.**
- 3. The conduct of public business shall be free of any hidden personal or financial interest of any public official or employee. No public official or employee shall advocate in any public meeting or private discussion any matter in which he/she has a personal or financial interest except upon full and timely disclosure of the interest.**
- 4. It is the obligation of every public official to faithfully discharge the duties of his/her office. In the conduct of public business, no public official shall be excused from voting except on matters involving consideration of his/her own official conduct, or where his/her financial interests are involved. Every public official shall make full and timely disclosure of any personal or financial interest, or where other interests of the official impair the official's ability to act fairly and impartially which he has in any matter of public business to be transacted before him/her.**
- 5. The conduct of public business shall be free of any influence arising from gifts, favors or special privileges. It is the obligation of every public official and employee to refuse personal gifts, favors or special privileges in every instance where such public official or employee reasonably believes such gift, favor or special privilege would not have been extended but for the position of such public official or employee, or where there exists a reasonable belief that the giver's interests are likely to be affected by the actions of the public official or employee, or where the gift is or may reasonably be considered to be designed to influence the actions of the public official or employee. No public official or employee shall seek personal or financial advantage by means of his/her public office, appointment or employment.**
- 6. The use of public trust for private gain is in conflict with good government. No public official or employee shall violate the provisions of Maine State Statutes. No public official or employee shall use confidential or advance information obtained by virtue of public office, appointment or employment for personal or financial advantage.**
- 7. It is the obligation of every public official and employee to carry out the lawful orders and policies of the Town Council. No public official or employee shall knowingly take any action inconsistent with the lawful orders or policies established by the Town Council. No public official or employee shall knowingly take any action which would be detrimental to the best interests of the Town.**

MOTION: Councilor Coleman motioned and Vice Chair Bolduc seconded to Accept the Code of Ethics.

VOTE: Unanimous.

CHAIR MACDONALD: The Chair called for the Establishment of Place and Time for the holding of regular meetings of the Council.

MOTION: Councilor Mailhot motioned and Councilor Coleman seconded to establish the Town Council Chambers at 7:00 p.m. on the first and third Tuesday's of the Month as the regular meeting of the Council.

VOTE: Unanimous.

MOTION: Councilor Coleman motioned and Councilor Furtado seconded to adjourn the meeting.

VOTE: Unanimous.

Respectfully Submitted,

**V. Louise Reid
Town Council Secretary**

I, V. Louise Reid, Secretary to the Town Council of Old Orchard Beach, do hereby certify the foregoing document consisting of five (5) pages is a true copy of the original Minutes of the Special Town Council Inaugural Meeting on November 19, 2012.