

**TOWN OF OLD ORCHARD BEACH
TOWN COUNCIL WORKSHOP
Wednesday, September 12 2012
TOWN HALL CHAMBERS
7:00 p.m.**

A Town Council Workshop of the Old Orchard Beach Town Council was held on Wednesday, September 12, 2012. Chair Quinn opened the meeting at 7:03 p.m.

The following were in attendance:

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

Absent: Vice Chair Michael Tousignant

Last November the citizens voted on the passage of a new Charter which went into effect on July 1, 2012 of this year. Municipal charters are the constitutions of municipal government, defining their powers and structures. A charter change is the political process involved in changing a part or wholly changing the constitution of the municipality. The two items for considering this evening include the Amending of Section 905 relative to Minutes of Meetings, Workshops and Public Hearings; and the Salary for the position of the Town Clerk.

Individuals in the audience who spoke during the evening were John Bird, Jerome Begert, Chris Johnson, William Gombar, and Laura Bolduc. The beginning of discussion was relevant to why this workshop was being held so late in the time frame of the election season when the Charter changes have been in effect since July 1, 2012. The Council acknowledge the good work of the Charter review Commission but several of the Council indicated that there have been concerns from many citizens over two particular issues; one being the salary of the Town Clerk; and the second on the need for television and taping of Committee and Board meetings. Also introduced during the evening was the question of the increase from five Town Council members to seven and questions on the need for charter changes relevant to the Comprehensive Plan itself. Several indicated their concern that questions 3 and 4 on the ballot last November included several items and although many might concur on some they had no opportunity to reflect their disagreement with some of the other items.

It was stipulated that this discussion is not relevant to an individual but rather to the position of the Town Clerk. There was concern raised that a salary increase from current salary of \$54,242.76 to \$68,790 (26.82% increase) is quite dramatic and causes concern since non-union employees have not had raises~~ed~~ since June of 2008. There was discussion on the length of the period the Town Clerk would serve increasing it from two years to four

years and that while we are fortunate to have a very competent Town Clerk that may not always be the case of the extension of the service time may be a concern in the future. It should be noted, however, that each time a department head's salary is increased, that would increase the Town Clerk's salary; and like if there was a decrease, the Town Clerk's salary would be decreased. The Council was presented with the figures showing the calculation which included:

Finance Director	\$80,000
Assessor	78,273
Police Chief	75,989
Director of Public Works	68,578
Fire Chief	68,508
Superintendent Waste Water	66,970
Recreation Director	56,000
Town Planner	56,000
Total	\$ 550,318
Average	68,790

There as discussion on the salary of those in other communities of the same size as Old Orchard Beach. Concern was raised about the motion that was requested to Order the Town Clerk to **keep her office** open ~~her office~~ on Monday, September 24, 2012 until the end of the Public Hearing and the question as to whether the Council has the authority to Order the Town Clerk to do **that anything**. According to the Town Attorney the Order could be issued~~s~~ which is the legal jargon for this type of motion. Discussion included also the question of who gives the Town Clerk her review if she is an elected officer and that **was** one of the reasons the Charter Commission felt that separating her from the salary discussion of other town employees would be a preferred way. There was mixed reviews on the formula that was used to calculate the salary which is based on the top eight department head salaries.

As discussion continued the subject was raised of the requirement to tape Board and Committee meetings and the necessity of additional staff and equipment to do this. Suggestions were made of other types of equipment to tape meetings so that they are a permanent record of what occurred. With the introduction of high definition television and new digital recording technologies, knowing how to record is not that difficult. However it was pointed out that some technical advances are very expensive and are a consideration as well. The ability to preserve the historical accounts of what happens in a meeting is important not only from a documentation standpoint but has legal benefits as well. As this proceeded it was decided not to address this at this time.

The consideration to discuss the size of the Council from five members to seven was put on the back burner recognizing that already individuals have taken out papers for this election for the five seats up for grabs. Again the final decision was to let this remain until further time has passed.

Following the meeting it was noted that a Special Town Council Meeting will be held to pass the order listed below:

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BE IT ORDERED:

That a public hearing will be held at the Old Orchard Beach Town Office on September 24, 2012 to consider the following proposed amendment to the Charter:

[Amend section 414.2 by adding the underscored text and deleting the text in strikeover type, as shown below:]

Sec. 414.2. ~~Compensation of the Town Clerk shall be set at the compensation not less than equal to the average of that of the top eight (8) Department Heads, as of the adoption of the fiscal year budget.~~ Reserved. Salary Formula Repealed.

The purpose of this amendment is to allow the Town Council to determine the basis for the Town Clerk's compensation.

[Amend section 201.2 by adding the underscored text and deleting the text in strikeover type, as shown below:]

Sec. 201.2. Town Clerk. The Town Clerk shall be elected by registered voters of the town. The term of the Town Clerk shall expire at four ~~(4) year~~ two (2) year intervals on the third Monday in November, in the gubernatorial and presidential election years. The Town Clerk shall be elected for a term of ~~four (4) years~~ two (2) years, and shall serve until a successor is elected and qualified.

The purpose of this amendment is to limit the intervals of service of the Town Clerk.

The Town Council Chair thanked those who came to the meeting for their participation.

The meeting was closed at 9:50 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 three (3) pages is a true copy of the original Minutes of the Town Council Workshop of September 12, 2012.
V. Louise Reid