

**TOWN OF OLD ORCHARD BEACH  
TOWN COUNCIL MEETING  
WEDNESDAY, JANUARY 30, 2013  
TOWN HALL CHAMBERS  
7:00 P.M.**

**A Special Town Council Meeting of the Old Orchard Beach Town Council was held on Wednesday, January 30, 2013. Chair MacDonald opened the meeting at 7:05 p.m.**

**The following were in attendance:**

**Chair Sharri MacDonald  
Vice Chair Laura Bolduc  
Councilor Michael Coleman  
Councilor Robin Dayton  
Councilor Dana Furtado  
Councilor Linda Mailhot  
Town Manager Mark Pearson  
Assistant Town Manager V. Louise Reid  
Members of the Edith Belle Memorial Library Board  
of Trustees**

**Absent: Councilor Bob Quinn**

**The Town Council Chair called the Special Town Council Meeting to order for the following reasons:**

**Discussion with Action: Transfer the amount of \$74,591 from Account Number 25140/40510 – Miscellaneous Revenue, with a balance of \$92,767.11 to the Edith Belle Memorial Library Account(s).**

**At a recent Workshop held with the Town Council and the Edith Belle Memorial Library Board of Trustees, the request was made for additional funding being provided for the services and operation of the Library. After a lengthy interaction between Council and the Library Board of Trustees, it was requested that the items be brought forward at a Special Town Council Meeting this evening. After hearing from the Library Board of Trustees who indicated the Library doors would have to close without the funding, this meeting tonight is being held.**

**Israel Collins, a staff member and Board of Trustees member spoke passionately about the work of the Library. He indicated that there were two agenda items both of which have been backed up with data provided and discussed in the Public Workshop. He reminded the Council that they had received additional budget detail and the financial safeguards documentation with nearly two weeks of review and ask for any additional information. He reminded everyone that libraries are the sole community centers left in America. The degree to which a branch of the local library is connected to the larger culture is a reflection of the degree to which the community itself is connected to the larger culture. He said that we are the last remaining social institution left in our town. The library has never been more relevant nor has it ever offered more services than we do today. In fact,**

**the 225,880 allocated to the library in FY 12, which was less than 1% of the town's entire budget, allowed us to provide 608,020 in valuable services to our community with just over 30,000 patron visits. He asked that you restore this minimalistic bare-boned budget to allow us to continue operating through the rest of the fiscal year. From the September 4, 1952 Minutes, the Libby will gave to the Town the money and land to build the library "upon the express condition that, following the library's erection and equipment, Libby library is to be maintained and supported and kept up by the Town." He encouraged the Council to support and provide adequate funding to the library that the residents and visitors of our community expect, demand and quite frankly, deserve.**

**Lee Koenigs, Library Director, continued the discussion with the Council in presenting her documentation relative to the request for the funding. Consideration this evening is on the level of additional funding for the Library. She detailed what the Library brings to the community in its programming and community outreach. The Council had asked for a line-item breakdown of how additional money, if provided, would be used to support the Library programs and services. The Library pointed out that part of the problem is that the Library's bottom line looks a little healthier than it really is and that is because the \$78,500 left in the Library's accounts has to last through July 1, 2013; and \$59,000 of that is set aside for payroll; and that money cannot be used to fund day-to-day operations. The \$19,000 remaining for the operations does not take into account the outstanding bills already owed by the Library. The Library pointed out that they originally had asked for \$241,610.**

**After initial discussion of these items it was indicated by Councilor Dayton that she felt the second agenda item should have been listed first and settled first before any vote on additional funding was made.**

**MOTION: Councilor Coleman motioned and Councilor Dayton seconded to table to after the next agenda item consideration of transferring of funds to the Edith Belle Memorial Library.**

**VOTE: Unanimous.**

**Discussion with Action: Discontinue the Terms of the Memorandum of Understanding and restore self administration to the Edith Belle Memorial Library Board of Trustees. Below is a copy of the signed Memorandum of Understanding.**

**Town of Old Orchard Beach, Maine  
Old Orchard Beach Free Public Library Association  
aka Edith Belle Libby Memorial Library**

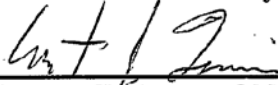
**Memorandum of Understanding:**

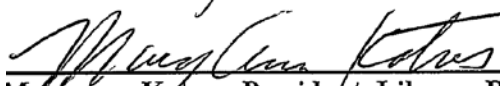
The Town of Old Orchard Beach, Maine (the Town) and the Old Orchard Beach Free Public Library Association (Library) both acknowledge that the two organizations serve the same constituency and have the same goal and objectives. Both organizations want to maximize service to the residents of Old Orchard Beach and patrons of the Edith Belle Libby Memorial Library.

The Town and the Library also acknowledge that the Town has the capacity to provide certain services that the Library needs. Examples of these services include payroll processing and accounts payable processing. Both organizations acknowledge that there are potential dollar savings and other benefits to having the Town perform certain functions for the Library.

The Town and the Library now agree to the following arrangements for services:

1. The Town will process all payroll related functions for employees at the Library. This is intended to include regular payroll processing as currently provided to Town employees, officials and other entities with similar memorandums of understanding. This includes but is not limited to regular paycheck processing, direct deposit, tax deposits, necessary and selected deductions and any other service that may be appropriate.
2. The Town will process accounts payable upon receipt of coded invoices from the Library. The Library Trustees will have full authority over purchasing decisions. The Town will prepare regular processing of an AP warrant to be signed by the Library Trustees.
3. The employees of the Library remain under the control and direction of the Board of Trustees of the Library. In order to assure flexibility, the Board of Trustees may, when warranted, transfer funds from one operational line item to another operational line item within the current fiscal year.
4. This memorandum of understanding is considered to be in place until such time that either the Town or the Library chooses to modify or discontinue the terms of the agreement. Any modification will be subject to mutual agreement. Either party may choose to discontinue terms of this Memorandum of Understanding by giving notice of termination at least one year prior to the beginning of the Town's next fiscal year.

  
Robert Quinn, Chairman, Old Orchard Beach Town Council      Date – 6/19/12

  
Mary Ann Kotros, President, Library Board of Trustees      Date – 6/19/12

Memorandum of Understanding – Edith Belle Libby Memorial Library

Some expressed their opinion that keeping oversight on the Library is a priority and essential that the Memorandum of Understanding be kept in place. It was suggested that this would keep transparency in the process. Some of the concerns included the need to raise more funding internally for the Library. Councilor Coleman earlier had presented information he secured from the Maine State Library which is attached to these minutes presenting statistical information relative to Local Government Revenue for Old Orchard Beach's Library compared to Maine state Average and Medium and also contrasting the individually library donations collected contrasted to the State Average and Median. Questions were raised on the legal fees needed to be paid in connection with the reinstatement of their 503c and why did it lapse and why did it cost so much to be reinstated.

Speakers on both sides of the issues included Pat Brown, Doris Harris, Jim Stewart, Chris Johnson, Jerome Begirt, Eileen McNally, Sheila Lauzon, Israel Collins and Lee Koenigs.

**MOTION:** Vice Chair Bolduc motioned and Councilor Mailhot seconded to discontinue the Terms of the Memorandum of Understanding and restore self administration to the Edith Belle Memorial Library Board of Trustees.

**VOTE:** Yea: Councilors Mailhot, Furtado, Vice Chair Bolduc, Chair MacDonald  
Nea: Councilors Coleman and Dayton

**MOTION:** Vice Chair Laura Bolduc made the motion and Councilor Linda Mailhot seconded it to transfer the amount of \$68,591 from Account Number 25140/40510 – Miscellaneous Revenue, with a balance of \$92,767.11 to the Edith Belle Memorial Library Account(s).

**VOTE:** Yea: Councilors Mailhot, Furtado, Vice Chair Bolduc, Chair MacDonald  
Nea: Councilors Coleman and Dayton

During the evening the two e-mails were read into the Minutes by Councilor Coleman and Councilor Dayton.

**From:** Kathy Smith [<mailto:ksmith15@maine.rr.com>]  
**Sent:** Wednesday, January 30, 2013 4:55 PM  
**To:** 'Dana Furtado'; 'Laura Bolduc'; 'Linda Mailhot'; 'Michael Coleman'; 'Robert Quinn'; 'Robin Dayton'; 'Sharri MacDonald'  
**Subject:** Library Meeting tonight

“Dear Council

I am hoping to make the meeting tonight but am not feeling well so just in case I thought I would let you how I feel about tonight's meeting. I adore the library, I don't get much of a chance to go there but know it is there for me and my community. When I was a student growing up in the 60's and 70's spending time at the library was not uncommon doing research for school reports as there was no internet, just the library. I have had two relatives put in lots of hours working at the library and it just has such a sentimental spot

**in my heart. Nothing can take you back quicker than walking into our library. It is awesome. That said, we live in a new day it's a different world today. A day with sealed containers in response to the Tylenol scare years ago, body scans at airports and luggage checks in response to tragedy. Can one parent take a child to school anymore without thinking will something happen today? We here in our little town have also been touched by an incident that left us all wondering .....why.... and how could this have happened? In response to thousands of dollars being taken, our tax dollars, safety guides were put in place, just like others that have been put in place whenever something tragically goes wrong. Please do not take these safe guards away. Not yet. We were told for months in the past year or so of a huge cloud hanging over OOB and this was part of it. The clouds have not parted yet revealing sunny days ahead. We are still working under partly cloudy skies. Please keep these safe guards in place. There is talk of Time clocks being placed in Town Hall as I believe a safe guard. If you pass that we will have to accept the change, again living in a different day. Our library needs to have safe guards too. I know they are not a town department but they receive Town dollars, my dollars, your dollars. I can't understand with all the tightening up all over town going on why you would consider for one moment giving the reins completely back to the Library. Let us continue to work with them and them with us. I think the Council has been very fair with the library and cannot understand why the library was so resistant. We love the library and we were told over and over by Council closing the library was not an option. I would be one of the first in line to keep it from closing, it is our library. It has wonderful memories for me. But, things happened, and because they did things need to change. I cannot understand why we cannot all just work together and find a new road and put in place the safety guides so this can never happen again, and take the time we need to let these things happen. We just need time. What's the hurry? Thank you - Kathy Smith - This letter can be read and entered into the record."**

**An e-mail from Lindsay Carter was also read into the Minutes.**

**"Dear Members of the Old Orchard Beach Town Council, I am writing to express my support in keeping oversight on the library a priority. It is essential that the Memorandum of Understanding be kept in place. This is important not only to ensure transparency and keep the tax payers informed, but also to regain the confidence of the residents of our town. As elected officials at the municipal level you have taken a sworn oath which should not be easily breeched. In fact it should never be breeched. I hope you can all take responsibility for the commitments each of you have made individually to our town at-large. Actions have always spoken louder than words. It is at this time your town needs more than ever for you to put political pressures, and small town politics aside in order to support a healthy and prosperous municipal government. Best regards, Lindsay Carter  
Center Street, Old Orchard Beach"**

**At the conclusion of the meeting a very gracious response to the Council was given by Library employee, Sheila Lauzon, in which she spoke of the importance of the library to the community and to those who volunteer and work there. She thanked the Council for their involvement and the trust they have placed in the library staff by virtue of their decision this evening. Eileen McNally also spoke words of appreciation to the Council for their support and thanked all those who attended this evening whether they were in favor of the decision or not and that she believed all were in support of the library mission itself.**

**ADJOURNMENT:**

**MOTION: Councilor Furtado motioned and Councilor Mailhot seconded to adjourn the meeting at 9:30 p.m.**

**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 six (6) pages is a copy of the original Minutes of the Special Town Council Meeting of January 30, 2013.**

**V Louise Reid**