

**TOWN OF OLD ORCHARD BEACH  
TOWN COUNCIL WORKSHOP  
Thursday, August 15, 2013  
TOWN HALL CHAMBERS  
6:30 p.m.**

**A Town Council Meeting of the Old Orchard Beach Town Council was held on Thursday, August 15, 2013. Chair O'Neill opened the meeting at 6:35 p.m.**

**The following were in attendance:**

**Chair Shawn O'Neill  
Vice Chair Bob Quinn  
Council Kenneth Blow  
Councilor Jay Kelley  
Councilor Malorie Pastor  
Councilor Joseph Thornton  
Interim Town Manager Robert Peabody, Jr.  
Assistant Town Manager V. Louise Reid**

**Absent: Councilor Roxanne Frenette**

**The Chair indicated that discussion this evening will be to consider measures relative to the Charter and a possible referendum vote in November of 2013. During the workshop the following issues were discussed relative to some measures related to the Charter including the possible reduction of Council from seven back to five; eliminating term limits; consideration to the line item budget process; the six-month probationary period for hiring of a Town Manager; possibility of auction considerations in the bid process; a controversial conflict of interest issue limiting raises for any town employee who has a family member serving on the Town Council; and the question of the need for advertising in the print media. The Chair indicated that several Councilors had been approached by citizens related to their desire to consider changes as indicated above. As it involves consideration of reducing the size of Council back to five, it was noted that that referendum question last time only passed by eleven votes. There is also a tight timeline because any ballot questions would have to be approved by mid-September to meet referendum requirements.**

**Speakers this evening who contributed to the discussion included John Bird, Jerome Begard, and William Gombar, former members of the Charter Commission; Maria Turner; Sheila Flathers; Laura Bolduc; Michael Tousignant; Rich Redmond; Fred Dolgan; Karen Brozek, Mike Coleman; Town Clerk Kim McLaughlin; and to be Town Manager, Larry Mead. These individuals provided constructive comments during the evening's discussions. Some reasoning presented included for and against changes included the fact that seeing how going from five to seven Councilors hasn't had enough time to see how the present seven Councilors are working; waiting for another year would be a good test; recognition of the fact that the change to seven was made with the intention to stop the formation of voting blocks; but the Council was also reminded that obviously didn't work as a result of the vote of the recent recall election; concerns expressed that limiting the time limit by assigning a seven year limit would preclude excellent Councilors continuing to serve on the Council; and that the ballot box should be the forum for**

determining how long a person serves. In the issue relative to the line item budget which was recommended by the Finance Committee, it was noted that the staff, including the Finance Director, felt it was cumbersome and constrictive and that the process should continue but be limited to oversight by the Town Manager with perhaps a \$500 or \$1,000 limit and regular reporting tot the Town Council by the Town Manager of any issues needed to be brought to their attention. Under the new Charter the Council must now make line-item appropriations for each department, instead of approving a gross spending amount. The line-item budget amounts cannot be exceeded without the approval the Council. This makes it difficult for Department Heads to move money within their budgets in order to compensate for unexpected expenditures. Some Councilors would like to go back to the old system to give staff more leeway as long as they didn't spend anything more than their annual gross appropriation.

Discussion was also raised whether a new Charter Commission needed to be appointed. Other information during the event discussions included the fact that in the earlier years of the municipality the size of the Council had gone from three to five; then later five to seven; then back to five where it stayed until 2013. During the discussion this evening the Town Clerk was asked to obtain legal counsel advice on two of the issues discussed as well as considerations to be considered on each of these:

**Size of Council**

*Too soon to realize if the seven can work; five better because it is difficult to get good people to run for office;*

**Conflict of Interest**

**Legal Counsel**

*There is an argument that this issue is unfair to employees and would also be a detriment to good people running for Council because they did not want to impact a family member;*

**Term Limits**

*Three years too long; one year too short; two years a good balance; Seven year limit to when a Councilor can serve will limit a good Councilor from continued service to the citizens and the determination of how long a Councilor shall serve should be answered at the ballot box;*

**Sealed Auction**

*More funds could come from an auction than a bid; but the quality of the buyer cannot be determined if it is given to the highest bidder with no opportunity to judge business aspects and character;*

**Six Month – Probationary**

*Only once in the hiring of a Town Manager has a Town Manager not been provided a two year contract. The Council always has the option to put a six-month clause in a contract;*

**Line-Item Budget**

**Legal Counsel**

*Brings transparency to the budget process. Cumbersome and time-*

*consuming for both Council and Staff. Should be monitored by the Town Manager and not add to already heavy Council agendas;*

**Bulletin Board**

*No need to spend thousands of dollars on advertising in a newspaper when citizens can go to the web site, a bulletin board outside Town Hall, request e-mail notification and agendas; pick up agendas from town hall.*

**Other Considerations**

*When does State law supercede Charter and visa-a-versa?  
Is there any municipal officers training and do our Councilors participate?  
Are there differences between labor law and what does State law say about it?*

**The Chair thanked those who participated and indicated that as of this discussion consideration would be given to putting the size of the Council as a non-binding referendum item.**

**ADJOURNMENT:**

**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 copy of the original Minutes of the Town Council Workshop of August 15, 2013.**

**V. Louise Reid**