

**TOWN OF OLD ORCHARD BEACH  
TOWN COUNCIL WORKSHOP  
TUESDAY, DECEMBER 9, 2008  
TOWN HALL CHAMBERS**

**A Town Council Workshop of the Old Orchard Beach Town Council was held on Tuesday, December 9, 2008 in the Town Council Chamber. Chair MacDonald opened the meeting at 9:35 p.m. Discussion was on the following:**

**Workshop with the Town Attorney concerning the legal rights and duties of the Town Council, tentatively to begin at 8 p.m.**

**The following were in attendance:**

**Chair Sharri MacDonald  
Councilor Laura Bolduc  
Councilor Mike Tousignant  
Town Manager Steve MacDonald  
Assistant Town Manager Louise Reid  
Legal Counsel Chris Vaniotis – Bernstein & Shur**

**Absent: Vice Chair Robin Dayton  
Councilor Shawn O'Neill**

**The purpose of the workshop this evening was to reinforce values of public service and knowledge of the roles and responsibilities of service as a Councilor. Discussion also centered on common ethics issues, and skills and strategies for solving municipal challenges. The need to continue to communicate the highest standard of service was emphasized and adherence to the laws and ordinances under which a Council serves. Continued discussion on relationships between the Council and the Administration and the Department heads was emphasized including governance is the responsibility of the Council but the administration remains the high priority of the Town Manager.**

**The need for continue to establish confidence in leadership and discussion on behavior predictability or erratic and how to handle such incidents. The need for forthrightness and honest was stressed. The need to be seen as someone that can be trusted, who has high integrity are character qualities encouraged by council membership. Some of the issues also related to equity, trust and transparency, honor, integrity, commitment and stewardship.**

**Discussion about rules and procedures and the fact that these can be added to as the Council sees fit and as they move into areas perhaps not so clearly defined. The appearance of a conflict of interest can be as serious as an actual conflict of interest. In looking at issues relating to council participation it was recommended to understand the issue; determine the options and consequences; seek and advice and counsel; and then take action.**

discussion continued on the Public Records and Procedures and the careful consideration of receiving and sending e-mails which are part of the Freedom of Information request that must be divulged. The term "public records" means any written, printed or graphic matter or any mechanical or electrical data compilation from which information can be obtained directly or after translation into a form susceptible of visual or aural comprehension that is in the possession or custody of an agency or public official of the State or any political group.

The subject of keeping notes at executive sessions was also discussed.

The question was raised if a Councilor abstains can the reason for the abstention be required and the answer was that it could be. Neither the Town Council nor any of its members shall direct or request the appointment of any person to office nor the removal of any person from office and except for the purpose of inquiry, the Council and its members shall deal with the administrative functions of the Town solely through the Town Manager and neither the Council nor any member thereof shall give orders to an subordinates of the Town Manager, either publicly or privately. the Town Manager shall be the chief administrative officer and the head of the administrative branch of the Town government and shall be responsible to the Council for the proper administration and affairs of the Town.

The Town Manager expressed appreciation to General Counsel Chris Vaniotis for his attendance and participation in this important Workshop.

**ADJOURNMENT**

**MOTION:** Councilor Tousignant motioned and Councilor Bolduc seconded to adjourn at 10:58 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 two (2) pages is a true copy of the original Minutes of the Town Council Workshop of December 9, 2008.

Louise Reid