

**THE OLD ORCHARD BEACH TOWN COUNCIL
INAUGURAL MEETING
TOWN HALL CHAMBERS
Monday, November 19, 2007**

An Inaugural Meeting of the Town Council of Old Orchard Beach was held on Monday, November 19, 2007 at 7:00 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 School Board and the Town Council and for which we are her tonight to honor. We also welcome Superintendent of Schools Rick Matthews. We also welcome Representative George Hogan to our Inauguration meeting this evening and thank him for his enormous support throughout the past year. Our thanks to all those who ran for public office and did not win for your willingness to serve. I will ask the Assistant Town Manager to offer a Prayer of Dedication.

PRAYER:

For the opportunity to serve, we give you thanks, dear God.
For the trust placed in us we offer professional ethics and personal honesty;
For the opportunity to provide positive change for those who have placed their confidence in us, we will labor productively without personal prejudice; and concentrate on seeing proactive rather reactive change in our community; and
For the experience of serving with other elected officials we place trust in each other and commit to unite in a common goal, service to the community.

Amen

TOWN MANAGER: Thank you, Louise. Our Town Clerk will administer the swearing in of the School Board members first.

TOWN CLERK: The Town Clerk requested that each of the elected School Board members take their Oath of Office. The following took the oath:

School Board Members:

Clark, Patricia
Evans, Deborah

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 School Board Member according to the Constitution and laws of the State, so help me God.

TOWN MANAGER: We will now have the swearing in of Councilors MacDonald and O'Neill.

Town Council Members:

**Councilor Sharri MacDonald
Councilor Shawn O'Neill**

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.

ELECTION MOTION: Councilor Dayton motioned and Councilor Frenette seconded to elect James Long as Chair of the Town Council.

VOTE: Yea: Unanimous.

ELECTION MOTION: Councilor Dayton motioned and Councilor Frenette seconded to elect Councilor Shawn O'Neill as Vice Chair.

VOTE: Yea: Unanimous

TOWN MANAGER: The motions passed elect James Long as Chairman and Shawn O'Neill as Vice Chair and Chairman Long will now preside over the rest of the meeting.

CHAIRMAN LONG: It is with great appreciation that I accept the responsibility of Chair of the Town Council and I look forward to working with our fellow Councilors in a year in which we will move forward for the progress of the community. I open the meeting for any comments by other Councilors.

COUNCILOR DAYTON: I offer my congratulations to the two elected Council members and the commitment to work together in the coming year. I congratulate Chairman Long on his appointment as Chair and Vice Chair Shawn O'Neill as well.

COUNCILOR FRENETTE: I also, as Councilor Dayton said, look forward to working together with this Council and to have the opportunity to continue to work with Jim as the Chair, Shawn as Vice Chair and Robin and Sharri as well. Congratulations to Sharri on her election and I believe we will have a good year ahead.

VICE CHAIRMAN O'NEILL: I also congratulate Jim on his election as Chair and commit to work with the Council in a progressive approach to the Council work in the coming year.

COUNCILOR LONG: We are now asked to Reaffirm the Rules and Orders of the Town Council.

MOTION: Chairman Long motioned and Councilor Dayton seconded to reaffirm the Rules and Orders of the Town Council amending it by deleting:

Sec. 2-95. Contact with employees prohibited.

As required by Section 411 of the Charter, no councilor shall communicate outside of a council meeting with any town employee other than the town manager about any matter related to the employee's employment with the town unless such communication has first been authorized by consent of the town manager.

(Ord. of 7-17-07)

Sec. 2-96. Censure.

A councilor who violates any of the rules of this article or any provision of the Town Charter may be publicly censured by vote of a majority of the council. The procedure for a vote of censure shall be as follows:

- (1) Only a member of the council or the town manager may request the censure of a councilor. Such request must be in writing and submitted as an agenda item for a council meeting. The request must set forth the reasons for the proposed censure.
- (2) When the council takes up the request for censure, the councilor who is the subject of the request shall be allowed to address the council and answer questions posed by the council, but shall not be entitled to vote on the motion for censure.
- (3) A motion to censure must specify the reasons for the censure, with specific reference to the rule or Charter provisions which are the basis for the censure. A motion to censure requires three votes for passage. Upon passage, the exact wording of the motion to censure shall be incorporated into the minutes of the town council meeting.
- (4) If a motion to censure is not made and seconded, unless a majority of the council votes to continue the matter, then the request is deemed denied and may not be reconsidered or resubmitted for a period of one year.

(Ord. of 7-17-07)

COUNCILOR FRENETTE: I cannot support this. It is part of the Charter and there is nothing here that we should not adhering to and therefore I will vote against this.

VICE CHAIRMAN O'NEILL: I agree with Councilor Frenette. The administration process indicates that the only employee the Town Council has is the Town Manager and therefore this is an appropriate part of what is in the Charter and should be adhered to by the Council.

CHAIRMAN LONG: Will the Secretary please call for the vote.

**VOTE: Yea: Councilor Dayton, MacDonald and Chairman Long.
 Nea: Councilor Frenette and Vice Chairman O'Neill**

CHAIRMAN LONG: We will not sign the Code of Ethics.

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 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.
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 Frenette motioned and Councilor MacDonald seconded to accept the Code of Ethics.

VOTE: Unanimous.

CHAIRMAN LONG: I will now establish the seating of the Council.
Vice Chairman O'Neill, Councilor Frenette, Chairman Long, Councilor Dayton,
Councilor MacDonald.

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

MOTION: Councilor Frenette motioned and Councilor Dayton 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. 5-0

MOTION: Councilor O'Neill motioned and Councilor Frenette seconded to adjourn the meeting.

VOTE: Unanimous. 5-0

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, 2006.

V. Louise Reid