

**TOWN OF OLD ORCHARD BEACH
SPECIAL TOWN COUNCIL MEETING
Monday, November 19, 2018
TOWN HALL CHAMBERS**

A Special Town Council Meeting of the Old Orchard Beach Town Council was held on Monday, November 19, 2018. Chair Thornton opened the meeting at 6:50 p.m.

The following were in attendance:

**Chair Joseph Thornton
Vice Chair Shawn O'Neill
Councilor Kenneth Blow
Councilor Jay Kelley
Councilor Michael Tousignant
Town Manager Larry Mead
Assistant Town Manager V. Louise Reid**

TOWN MANAGER: Welcome to the Inaugural Meeting. We appreciate the work of our Town Clerk, Kim McLaughlin, and I will now ask her to provide the Oath of Office and swear in those elected to office beginning with the elected member of the Regional School Unit # 23 Board Member.

TOWN CLERK: It is my pleasure to provide the Oath of Office and swear in the following Regional School Board members:

**David Boudreau
Michelle Violette**

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 of America 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 member of the Regional 23 School Board according to the Constitution and laws of the State, so help me God.

TOWN MANAGER: Councilors Blow, O'Neill and Tousignant have served previously on the Town Council and we welcome them back again to a continuation of a team approach to the issues presented to the Town Council.

**Kenneth Blow
Shawn O'Neill
Michael Tousignant**

TOWN CLERK:

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 of America 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.

TOWN MANAGER: I will ask the Council to take their seats.

**Councilor Kenneth Blow
Councilor Jay Kelley
Councilor Joseph Thornton
Councilor Shawn O'Neill
Councilor Michael Tousignant**

TOWN MANAGER: I will now ask for a Motion to elect a Chair.

ELECTION MOTION: Councilor Kelley motioned to elect Councilor Thornton as Chair of the Town Council and seconded by Councilor Blow.

VOTE: Unanimous.

TOWN MANAGER: There being none I will move on. The motion passed electing Joseph Thornton as Chair of the Town Council; I will now call for a motion for the election of the Vice Chair position.

MOTION: Chair Thornton motioned for the election of Councilor O'Neill as Vice Chair and seconded by Councilor Tousignant.

VOTE: Unanimous.

TOWN MANAGER: Are there further nominations? There being none I will ask the new Chair Thornton to continue with the rest of the meeting.

CHAIR THORNTON: I will now establish the seating of the Council from my right to my left. I will now ask the Council to take their seats at the table.

The position from the Chair's left to right of the Chairman:

Councilor Blow, Councilor Kelley, Chair Thornton, Vice Chair O'Neill, Councilor Tousignant

CHAIR THORNTON: Does any Council Member wish to make any remarks?

COUNCILOR O'NEILL: I wish to express my appreciation to those who show confidence in me by electing me for another term on the Town Council.

REAFIRM THE RULES AND PROCEDURES OF THE TOWN COUNCIL

MOTION: Councilor Kelley motioned and Vice Chair O'Neill seconded to Reaffirm the Rules and Procedures of the Town Council.

VOTE: Unanimous.

DIVISION 2. - RULES OF PROCEDURE^[3]

Charter reference— Rules of procedure, § 406.

Sec. 2-51. - Regular meetings.

The regular meetings of the town council shall be held at a location, time and on a day as determined by the council at its inaugural meeting, unless otherwise provided by Council Resolution. When any such day falls on a holiday or on Election Day, the regular meeting shall be held on the following day at the same time and place. The date, time and place of any regular meeting may be changed by an order or resolve passed the previous meeting upon the vote of a majority of the members of the council; provided, however, that such change is published in a newspaper having general circulation in the town at least 24 hours before the meeting.

(Policy of 1-6-1977, § 1; Policy of 1-15-1985; Policy of 12-2-2008; [Amd. of 5-3-2016](#))

Charter reference— Meetings, § 404.

Sec. 2-52. - Special meetings.

The chairperson of the town council shall call special meetings of the council whenever, in his or her opinion, the public business may require it or, in the absence, disability or refusal, by a majority of the council. Whenever a special meeting shall be called, a 24-hour actual personal notice in writing, signed by the chairperson of the council or by a majority of the council, as the case may be, shall be served upon each member of the council, either in person or by notice left at the place of residence, stating the date and the purposes for which such meeting is called. No business shall be transacted at the special meeting except as is stated in the notice. In an emergency that requires immediate action, the 24-hour notice is waived, provided the same requirements for postponement of meetings in section 2-53 are met. An emergency agenda item may be added and acted upon at a special meeting pursuant to Charter section 1004.

(Policy of 1-6-1977, § 2; Policy of 12-5-1989; Policy of 1-2-1996; Policy of 12-2-2008)

Sec. 2-53. - Postponement of meetings.

The chairperson may postpone any scheduled meeting of the town council and in an emergency may change the hour, day or date of a scheduled meeting, provided all available members of the council are polled by telephone or otherwise and a majority is in agreement. At a subsequent meeting, an entry shall be made in the minutes indicating

reasons for the postponement, those members contacted and the preference of each member, and if an effort was made to contact local news media.

(Policy of 1-6-1977, § 3; Policy of 1-15-1985; Policy of 1-2-1996; Policy of 12-2-2008)

Sec. 2-54. - Filing of items for meetings.

No ordinance, order, or resolve shall be in order for action at any meeting of the town council unless such ordinance, order or resolve shall be filed in the office of the town manager on or before 12:00 noon on the fourth working day prior to a regular meeting and before 12:00 noon of the secular day next prior to the day of any special meeting. Agenda items must state clearly the scope and intent of the action to be taken. All requests for the consideration of a subject shall be in writing, stating the purpose for the discussion, the parties to be present, and as much information as possible to permit council review in advance of the meeting. All such requests other than those submitted by council members must be approved by the chairperson of the town council for inclusion on the agenda of a council meeting.

(Policy of 1-6-1977, § 4; Policy of 1-15-1985; Policy of 12-5-1989; Policy of 12-2-2008; Policy of 11-16-2010)

Sec. 2-55. - Quorum; adjourned meetings; absences.

- (a) A majority of the members of the town council shall constitute a quorum for the transaction of business, but a smaller number may adjourn from time to time.
- (b) Any session of the council may be continued or adjourned from day to day or for more than one day, but no adjournment shall be for a longer period than until the next regular meeting. At least 24 hours' notice of the date, time and place of holding such adjourned meeting shall be provided to all members who were not present at the meeting at which the adjournment occurred.
- (c) If any member of council is going to be absent from a scheduled meeting, the council member must call or e-mail the chairperson of the council no later than one hour before the meeting.

(Policy of 1-6-1977, § 5; Policy of 12-2-2008; Policy of 12-15-2009(1))

Charter reference— Quorum, § 406.

Sec. 2-56. - Order of business.

All regular and special meetings of the town council shall proceed in the following order:

- (1) Pledge to flag.
- (2) Roll call.
- (3) Acknowledgements.
- (4) Approval of minutes of previous meeting.
- (5) Hearings.

- (6) Reserved.**
- (7) Unfinished business.**
- (8) Consent agenda.**
- (9) New business.**
- (10) Good and welfare.**
- (11) Executive sessions.**
- (12) Adjournment.**

(Policy of 1-6-1977, § 6; Policy of 12-5-1989; Policy of 1-5-1999; Policy of 8-3-1999; Policy of 1-15-2002; Policy of 11-20-2006; Policy of 12-2-008)

Sec. 2-57. - Priority of business.

All questions relating to the priority of business to be acted upon by the town council shall be decided without debate.

(Policy of 1-6-1977, § 7; Policy of 12-2-2008)

Sec. 2-58. - Chairperson and vice-chairperson; minutes of meetings.

- (a) The town council shall elect from among its members a chairperson and a vice-chairperson, pursuant to Charter section 402, each of whom shall serve at the pleasure of the council.**
- (b) The chairperson shall preside at meetings of the council, shall be entitled to vote on all questions, and shall be recognized as head of the town government for all ceremonial purposes and by the governor for purposes of military law, but shall have no administrative duties. The vice-chairperson shall act as chairperson during the absence or disability of the chairperson.**
- (c) The chairperson shall take the chair at the time appointed for the council meeting, call the members to order, cause the roll to be called, and, a quorum being present, proceed to business.**
- (d) At each meeting, the minutes of the preceding meeting shall be read unless the reading is dispensed with by consent of majority of the members of the council present. If no objection is made to the minutes, a majority vote of the council shall declare them approved. Otherwise any amendments to the minutes as well as the amended minutes as a whole must be approved by a majority of the members present at the meeting to which the minutes pertain. The minutes of all meetings (regular, special, budget hearings, workshops) shall require approval of the council.**

(Policy of 1-6-1977, § 8; Policy of 12-5-1989; Policy of 12-2-2008)

Sec. 2-59. - Duty of chairperson to preserve order, decide all questions of order.

The chairperson of the town council shall preserve decorum and order, may speak to points of order in preference to other members, and shall decide all questions of order

subject to an appeal to the council by motion regularly seconded. No other business shall be in order until the question on appeal is decided.

(Policy of 1-6-1977, § 9; Policy of 12-2-2008)

Sec. 2-60. - Right of appeal from rulings of chairperson.

Any member of the town council may appeal to the council from a ruling of the chairperson. If the appeal is seconded, the member making the appeal may briefly state his reason for it, and the chairperson may briefly explain his or her ruling. There shall be no debate on the appeal, and no other shall participate in the discussion. The chairperson shall then submit the question, "Shall the decision of the chair be sustained?" If a majority of the members present vote "yea," the ruling of the chair is sustained; otherwise, it is overruled.

(Policy of 1-6-1977, § 10; Policy of 12-2-2008)

Sec. 2-61. - Declaration of votes; return of votes.

The chairperson of the town council shall declare all votes. However, if any member doubts a vote, he or she shall cause a return of the members voting in the affirmative and in the negative without debate.

(Policy of 1-6-1977, § 11; Policy of 12-2-2008)

Sec. 2-62. - Emergency authority.

Often, timely action is required on relatively routine matters which do not warrant convening the entire town council. Authority to take certain limited actions on behalf of the town may be delegated to the chairperson, by order of the town council adopted at a meeting duly called and held.

(Policy of 1-6-1977, § 12; Policy of 12-2-2008)

Sec. 2-63. - Secretary.

(a) The town council shall appoint a secretary to the council, who shall give notice of council meetings to its members and the public, keep accurate minutes of council meetings, and perform such other duties as are assigned to the secretary by the Charter or the council. The secretary shall furnish each council member with a copy of the minutes of the preceding meeting no less than two business days prior to a regular meeting.

(b) The town manager shall not serve as secretary to the town council.

(Policy of 1-6-1977, § 13; Policy of 1-15-1985; Policy of 12-5-1989; Policy of 12-2-2008)

Sec. 2-64. - Temporary chairperson.

In the absence of the chairperson and vice-chairperson of the town council, the secretary shall call the council to order and call the roll of the members. If a quorum is

found to be present, the council shall proceed to elect, by a majority vote of those present, a chairperson pro tem of the meeting to act until the chairperson or vice-chairperson appears.

(Policy of 1-6-1977, § 14; Policy of 1-15-1985; Policy of 12-2-2008)

Sec. 2-65. - Seating arrangement.

Members of the town council shall occupy the respective seats at the council table assigned to them by the chairperson, but any two or more members may exchange seats by joining in a written notice to the chairperson to that effect.

(Policy of 1-6-1977, § 15; Policy of 12-2-2008)

Sec. 2-66. - Rule of debate.

(a) When a question is under debate by the town council, the chairperson shall receive no motion except as follows:

- (1) To adjourn;
- (2) For the previous question;
- (3) To lay on the table;
- (4) To postpone to a day certain;
- (5) To refer to a committee or some administrative official;
- (6) To amend; or
- (7) To remove without prejudice.

(b) The several motions in subsection (a) of this section shall have precedence in the order in which they are cited.

(Policy of 1-6-1977, § 16; Policy of 12-2-2008; Policy of 11-19-2012)

Sec. 2-67. - Motions.

When a motion is made and seconded at a meeting of the town council, it shall be read by the secretary before debate. A motion may not be withdrawn by the mover without the consent of the member seconding it.

(Policy of 1-6-1977, § 17; Policy of 12-2-2008)

Sec. 2-68. - Motion to adjourn; lay on table.

The chairperson of the town council shall consider a motion to adjourn as always in order except on immediate repetition, and that motion and the motion to lay on the table or to take them from the table shall be decided without debate.

(Policy of 1-6-1977, § 18; Policy of 12-2-2008)

Sec. 2-69. - Motion for previous question.

Upon the motion for the previous question being made and seconded, the chairperson of the town council shall submit the question in the following form: "Shall the main question be put?" And all debate upon the main question shall be suspended until the motion for the previous question shall be decided. After the adoption of the motion for the previous question by a majority vote, the sense of the council shall be forthwith taken upon all pending amendments, and then upon the main question.

(Policy of 1-6-1977, § 19; Policy of 12-2-008)

Sec. 2-70. - Debate or amendment of motion for previous question.

No debate by the town council shall be allowed on a motion for the previous question; neither is it susceptible to amendment. All questions of order arising incidentally thereon must be decided without discussion, whether appeal is had from the chair or not.

(Policy of 1-6-1977, § 20; Policy of 12-2-2008)

Sec. 2-71. - Motion for referral.

At a meeting of the town council, a motion for referral to a committee or administrative official, until it is decided, shall preclude all amendments of the main question.

(Policy of 1-6-1977, § 21; Policy of 12-2-2008)

Sec. 2-72. - Motion to table.

The council may table an agenda item by any of the following three (3) motions:

- (1) *Motion to lay on the table.* This motion is not debatable and not subject to amendment. The effect of this motion is to continue the agenda item until the next meeting of the council. There is no limit on the number of times an agenda item may be continued by a motion to lay on the table.
- (2) *Motion to postpone to a day certain.* This motion may be amended as to the postponement date and debate is allowed.
- (3) *Motion to remove without prejudice.* This motion is not debatable and not subject to amendment. If passed, the effect of the motion is that the principal question is deemed lost. However, that does not preclude the reintroduction of the principal question as a new agenda item for a subsequent town council meeting.

(Policy of 1-6-1977, § 22; Policy of 12-2-2008; Policy of 3-15-2011; Policy of 11-19-2012)

Sec. 2-73. - Reconsideration of vote.

When a vote is passed by the town council, it shall be in order for any member who voted in the majority, or in the negative on a tie vote, to move a reconsideration thereof at the same meeting or the next stated meeting, but not afterwards; when a motion of reconsideration is decided, that vote shall not be reconsidered. No motion to reconsider

a vote passed at a previous meeting shall be in order for consideration at the next meeting unless an item to that effect is contained on the agenda for such next meeting. A petition once presented to and finally acted upon by the town council shall not again be presented to the council in the same or substantially the same form for a period of one year next succeeding the council's final action on the original petition. A member of the town council, voting with the majority on the original petition, shall be privileged to reintroduce such a petition as an item on the agenda for a subsequent council meeting.

(Policy of 1-6-1977, § 23; Policy of 12-2-2008)

Sec. 2-74. - Manner of speaking.

When a council member desires to speak, he or she shall respectfully address the chairperson and confine him or herself to the question under debate.

(Policy of 1-6-1977, § 24; Policy of 12-2-2008)

Sec. 2-75. - Interruption of members.

No council member speaking shall be interrupted by another but by a call to order.

(Policy of 1-6-1977, § 25; Policy of 12-2-2008)

Sec. 2-76. - Question of order.

If a council member is called to order while he or she is speaking, he or she shall cease speaking immediately until the question of order is determined. If ruled to be in order, he or she shall be permitted to proceed. If ruled to be not in order, he or she shall remain silent or shall alter his or her remarks so as to comply with the action by the council.

(Policy of 1-6-1977, § 26; Policy of 12-2-2008)

Sec. 2-77. - Procedure for addressing council.

Any person wishing to address the town council will be given an opportunity to do so in accordance with the following procedures:

- (1) Persons wishing to address the council on an item which appears on the agenda shall wait until the chairperson announces the consideration of such item, at which time they may address the council on that particular item. All remarks and questions shall be addressed to the council as a whole and not to any individual member thereof. No person other than members of the council and the person having the floor shall enter into a discussion either directly or through a member of the council without the permission of the chairperson. However, once the council has begun its deliberations on an item, no person shall be permitted to address the council on such item, and any person desiring to further address the council on such item must wait to do so until all items on the agenda have been completed.

- (2) Persons wishing to address the council on an item not appearing on the agenda shall do so only under the item appearing on the agenda entitled "good and welfare."**
- (3) Any person wishing to address the council shall signify his desire by raising his or her hand. When recognized by the chairperson, such person shall thereupon request permission to address the council, giving his or her name and address and designating the subject matter on which he or she desires to address the council.**
- (4) Persons present at council meetings are requested not to applaud or otherwise express approval or disapproval of any statements made or actions taken at such meeting.**
- (5) A person addressing the council on an item prior to the start of deliberation on such item by the council shall be permitted to speak only once on an item and shall limit his or her remarks on each item to five minutes, unless permission to speak for a longer period is requested and granted by a majority vote of the council.**
- (6) Persons attending council meetings shall observe the same rules of propriety, decorum, and good conduct applicable to members of the council. Any person making personal, impertinent, and slanderous remarks or who becomes boisterous while attending the council meeting shall be removed from the room if a police officer is so directed by the chairperson.**

(Policy of 1-6-1977, § 27; Policy of 12-2-2008)

Sec. 2-78. - Determination in absence of rule.

In the absence of a rule to govern a point or procedure at a meeting of the town council, it shall be determined by a majority of the members of the council present.

(Policy of 1-6-1977, § 28; Policy of 12-2-2008)

Sec. 2-79. - Suspension, amendment or repeal.

The rules of the town council shall not be dispensed with or suspended unless a majority of the members of the council present consent thereto. No rule or order shall be amended or repealed unless in conformance with the rules and regulations pertaining to such revisions.

(Policy of 1-6-1977, § 29; Policy of 12-2-2008)

Sec. 2-80. - Executive sessions.

The town council may recess into a closed or executive session, provided that such session may be called only by a public, recorded voted of 3/5 of the members present and voting and that a motion to go into executive session shall indicate the nature of the business of the executive session and that no other matter may be considered in that particular executive session. Executive sessions shall be conducted on those conditions specified in 1 M.R.S.A. § 404, as may be amended from time to time, and no others. No ordinances, rules, resolutions, regulations, contracts, appointments or other official

action shall be finally approved at such executive session. All discussions in executive session are confidential. Members of the council shall not disclose or communicate the contents or nature of an executive session discussion to any person not present at the executive session.

(Policy of 1-6-1977, § 30; Policy of 1-15-1985; Policy of 12-2-2008; Policy of 12-15-2009(1); Policy of 1-15-2013)

Sec. 2-81. - Hearings.

Hearings of the town council shall be conducted in accordance with the procedures adopted by the town council governing hearings.

(Policy of 1-6-1977, § 31; Policy of 12-2-2008)

Sec. 2-82. - Voting.

Voting of the town council shall be by roll call according to the seating arrangement at the council table as provided in section 2-65, and the yeas and nays shall be recorded in the official minutes of the meeting. The roll call vote may be alternated from the left to right and right to left, providing the chairperson votes last.

(Policy of 1-6-1977, § 32; Policy of 1-15-1985; Policy of 12-2-2008)

Sec. 2-83. - Tie votes.

If a tie in votes occurs on any proposal of the town council, the proposal shall be declared lost.

(Policy of 1-6-1977, § 33; Policy of 12-2-2008)

Sec. 2-84. - Manner of voting.

In all meetings of the town council, the vote on all matters passed upon shall be taken by "yeas" and "nays," and such individual "yea" and "nay" votes shall be entered upon the records of the meeting of the council, which records shall be open to the public.

(Policy of 1-6-1977, § 34; Policy of 12-2-2008)

Sec. 2-85. - Form of enactments.

The town council shall act only by ordinance, order, or resolve. All ordinances, orders, and resolves, except orders and resolves making an appropriation of money, shall be confined to one subject, which shall be clearly expressed in the title of the item cited on the agenda. An order or resolve involving an appropriation shall be confined to the subject of appropriations only.

(Policy of 1-6-1977, § 35; Policy of 12-2-2008)

Sec. 2-86. - Division of question.

Any member of the town council may require the division of a question when the sense will admit it.

(Policy of 1-6-1977, § 36; Policy of 12-2-2008)

Sec. 2-87. - Ordinance style.

In all votes of the town council on ordinances, the enacting form shall be: "Be it ordained by the Town Council of the Town of Old Orchard Beach, Maine, in Town Council assembled that ..."

(Policy of 1-6-1977, § 37; Policy of 12-2-2008)

Sec. 2-88. - Style of orders and resolves.

- (a) In all votes of command of the town council, the enacting form shall be: "Be it ordered that ..."
- (b) In all votes of opinions, principles, facts, or purposes, the enacting form shall be: "Be it resolved that ..."

(Policy of 1-6-1977, § 38; Policy of 12-2-2008)

Sec. 2-89. - First reading of ordinance, order or resolve.

Every ordinance, order, or resolve of the town council shall have a first reading, unless the reading is dispensed with by the unanimous vote of those members of the council present, in which case the reading shall be by title only.

(Policy of 1-6-1977, § 39; Policy of 12-2-2008)

Sec. 2-90. - Second reading of order or resolve.

Any order or resolve of the town council may be passed after a first reading, which may be by title only if no member of the council present objects, unless on motion a majority of those members present vote in favor of a second reading at a subsequent meeting.

(Policy of 1-6-1977, § 40; Policy of 12-2-2008)

Sec. 2-91. - Effective date of orders or resolves.

All orders or resolves of the town council shall take effect immediately after passage.

(Policy of 1-6-1977, § 41; Policy of 12-2-2008)

Sec. 2-92. - Effective date of ordinances.

Ordinances of the town council shall take effect immediately and shall be in full force until amended or repealed, subject to their suspension upon petition pursuant to section 301 of the Charter.

(Policy of 1-6-1977, § 42; Policy of 12-5-1989; Policy of 12-2-2008)

Sec. 2-93. - Town manager's attendance at meetings.

The town manager shall attend all regular and special meetings of the town council, except when his or her removal is being considered, having the right to take part in discussions but not to vote.

(Policy of 1-6-1977, § 43; Policy of 12-2-2008)

Charter reference— Town manager to attend meetings, § 502.5.

Sec. 2-94. - Town attorney's attendance at meetings.

The town attorney shall, at the request of the chairperson or the town manager, attend specific regular and special meetings of the town council. The chairperson, other members of the council, or the town manager may at any time call upon the town attorney for an oral or written opinion to decide any question of law. He or she may be asked to state his or her opinion upon any rule or parliamentary procedure, which opinion shall not be binding on the council.

(Policy of 1-6-1977, § 44; Policy of 3-15-2005, § 3; Policy of 12-2-2008)

Sec. 2-95. - No-action letter.

The town council will issue a "no-action" letter indicating that the town will take no enforcement action concerning an existing building located in violation of the setback requirements of the Old Orchard Beach Zoning Ordinance, under the following conditions:

- (1) The no-action letter is requested by or on behalf of a property owner who is selling, financing or refinancing the subject property;
- (2) The setback violation has not been the subject of any prior notice of violation or other enforcement activity by the code enforcement officer;
- (3) The code enforcement officer agrees with the issuance of the no-action letter;
- (4) The building has existed in its current location for at least 20 years prior to the date of the no-action letter; and
- (5) No portion of the building extends into the right-of-way of a public road or onto abutting property.

(Policy of 1-6-2009)

Sec. 2-96. - Cell phone use prohibited.

There will be no use of cell phones either by voice or text messaging by any member of the council during any council meetings. This includes executive sessions, workshops and regularly scheduled council meetings.

(Policy of 12-15-2009(1))

Sec. 2-97. - Revisions to rules.

The rules of procedure set forth in this division 2 are a town council policy adopted in order to facilitate the conduct of the council's business. They are not an ordinance, and they may be revised by majority vote of the town council at any time, provided the proposed revision is filed in compliance with section 2-54 ("Filing of items for meetings").

(Policy of 3-15-2011)

Secs. 2-98—2-125. - Reserved.

CHAIR THORNTON: I will ask for a Motion to Accept the Code of Ethics – Standard of Conduct for Town of Old Orchard Beach Officials and Employees.

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, its 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/she 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/she has in any matter of public business to be transacted before him/her.
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 Tousignant motioned and Councilor Blow seconded to accept the Code of Ethics as read into the Minutes.

VOTE: Unanimous.

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

MOTION: Councilor Tousignant motioned and Vice Chair O'Neill seconded to Establish the Town Council Meetings at 6:30 p.m. on the first and third Tuesdays of the month as the Regular Meeting of the Council.

VOTE: Unanimous.

MOTION: Councilor Tousignant motioned and Councilor Blow seconded to Adjourn the Special Town Council Meeting at 7:15 p.m.

Thank you again.

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 fifteen (15) pages is a copy of the original Minutes of the Special Town Council Meeting (Certification of Election) of November 19, 2018.

V. Louise Reid