

TOWN OF SANFORD

CHARTER COMMISSION MEETING MINUTES (DRAFT)

3rd Floor Conference Room
Town Hall Annex

January 26, 2011

Present: Margaret Trowbridge, Becky Brink, Bradford Littlefield, Troy Henke, Gerald Gay, Judith Gibbs, Jonathan Mapes, Thomas Sevigny

Absent: None

1. Meeting called to order by Town Manager, Mark Green, at 6:03 p.m.

~Copies of the Sanford Town Charter, State Statutes, and member contact information distributed.
2. All Commission members sworn in by Deputy Town Clerk Sue Cote.
3. Bradford Littlefield requested that the Town Manager research if the Maine Municipal Association would provide free legal services for the purpose of the Charter Commission. The Town Manager agreed to do so.

Item IV, V, VI—*Election of Officers:*

~Becky Brink nominated as Chairperson by Margaret Trowbridge, seconded by Troy Henke. No other nominations were given for Chairperson; Becky Brink elected unanimously as Chairperson. Town Manager Mark Green then turned over control of the meeting to the Chairperson.

~Jonathan Mapes nominated as Vice-Chairperson by Gerald Gay, seconded by Bradford Littlefield. No other nominations were given for Vice-Chairperson; Jonathan Mapes elected unanimously as Vice-Chairperson.

~Judith Gibbs nominated as Secretary by Bradford Littlefield. Ms. Gibbs turned down the nomination. Margaret Trowbridge nominated Troy Henke for Secretary. No other nominations were given for Secretary; Troy Henke elected unanimously as Secretary.

Note: Bradford Littlefield noted that a Treasurer may be needed in the future, and that the Secretary has doubled in the past as both Secretary and Treasurer. Troy Henke stated that he would be able to serve as both Secretary and Treasurer if need be.

Item VII—*Establishing Schedule of Meetings*

~Jonathan Mapes stated he would like comments from the Commission Members as to the reasons they are serving on the Commission and any talking points regarding the Charter that they may have. A “round table” discussion ensued with all members stating issues that were important to them, relative to the Town Charter. Topics discussed were Town Meeting, structure of the Finance Committee, challenges to ordinances, and the importance of maintaining checks and balances in our town government

~Public Hearing was scheduled for Wednesday February 09, 2011 at 7:00 p.m. in the Town Council Chambers, 3rd floor Town Hall Annex.

~Future meetings through 04/13/2011 will be held bi-weekly on Wednesday evenings at 6:00 p.m. on the 3rd floor Town Hall Annex. Council Chambers or Conference Room TBD depending on availability.

~Bradford Littlefield suggested televising as many meetings as we could. Commission agreed.

Note: There will be no meeting on 02/23/2011 due to school vacations week. Meetings will resume on 03/02/2011 on the bi-weekly schedule.

Item VIII, IX—*Discussion on filling vacancy of Charter Commission*

~Round table discussion of any names known to the Commission members that may be interested in being appointed to serve. Three names were stated as potential Charter Commission Members:

Laura Crockett

Everard Horr

Victor DiGregorio

~Margaret Trowbridge stated that an appointment should be made at this meeting pooling from the applicants who had previously submitted applications to the Town Council for appointment.

~Bradford Littlefield suggested that the Charter Commission should advertise the position and seek new applications. Mr. Littlefield made a motion to table appointing the new member until a future meeting. Motion failed.

~Margaret Trowbridge nominated Laura Crockett to fill the vacancy; Seconded by Troy Henke.

Judith Gibbs nominated Everard Horr to fill the vacancy; Seconded by Gerald Gay.

~Vote was called by the Chairperson. Laura Crockett was appointed with Margaret Trowbridge, Becky Brink, Troy Henke, and Gerald Gay voting in the affirmative. Judith Gibbs descended.

Bradford Littlefield, Thomas Sevigny, and Jonathan Mapes abstained.

Note: As the vacancy was from the voter elected side of the Charter Commission, only those members elected by the voters were able to vote on the appointment per State Statute.

4. Motion made by Gerald Gay, Seconded by Margaret Trowbridge to limit each meeting to no more than 2 hours if possible, with the potential for 15 minute extensions over the two hour limit by majority vote of the Commission, if necessary. Motion passed unanimously.

Also discussed, and agreed to by consensus, to be as open and transparent in disseminating information to the public as possible and to structure meeting agendas in such a way that provides clear information as to what will be discussed at that meeting.

Decorum of the meetings discussed.

5. Next meeting is the scheduled Public Hearing on Wednesday February 09, 2011 at 7:00 p.m. in the Town Council Chambers, 3rd floor Town Hall Annex.

Item XII—Motion made to adjourn by Gerald Gay, Seconded by Jonathan Mapes. Motion passed unanimously.

Meeting adjourned at 7:01 p.m.

Submitted,
Troy W. Henke, Secretary
Sanford Charter Commission

**Town of Sanford Charter Commission
Minutes
Wednesday, February 9, 2011**

Members present: Becky Brink, Laura Crockett, Gerald Gay, Judith Gibbs, Troy Henke, Jonathan Mapes, Thomas Sevigny, Margaret Trowbridge

Absent: Bradford Littlefield

1. Becky Brink, Chair called the Charter Commission Public Hearing of February 9, 2011 to order at 7:00 p.m.
2. Pledge of Allegiance: Said
3. Introduction of the Charter Commission Members: Becky Brink, Chairperson; Jonathan Mapes, Vice-Chairperson; Troy Henke, Secretary; Laura Crockett, Gerald Gay, Judith Gibbs, Tom Sevigny, Margaret Trowbridge.
Not present: Brad Littlefield
4. Adjustments to the Agenda: No adjustments
5. Approval of Minutes:

~Amendments recommended for Item IX of the draft minutes made by the Chairperson and the Vice-Chairperson:

Remove the statement Bradford Littlefield, Thomas Sevigny, and Jonathan Mapes abstained.

Moved by Margaret Trowbridge: To accept the minutes as amended.
Seconded by the Vice-Chairperson. Motion Carried 8 – 0

6. Explanation of the purpose of the Charter Commission:

- Written explanation entered into the record and read aloud by the Chairperson.
- Explanation is based on the Sanford Town Charter and Maine State Statutes.
- Explanation can be found in Appendix A of these minutes.

Move by Gerald Gay: To accept the purpose of the Charter Commission as presented.

Seconded by Judith Gibbs Motion Carried 8 - 0

7. Explanation of the procedure to be followed during tonight's meeting:

Chairperson explained: Information needed to be free flowing and non-redundant, tone of discussions needed to be non-confrontational.

Moved by Margaret Trowbridge: To accept the procedure of the Public Hearing as presented by the Chairperson.

Seconded by Gerald Gay

Motion Carried 8 - 0

8. Comments from the public: No members of the public provided comment.

9. Communications:

- i. Memorandum from Town Attorney, Bryan M. Dench to Town Council Chairperson, Gordon Paul giving legal opinion allowing a Town Councilor to be appointed to the Charter Commission.
- ii. Charter commission contact Sheet
- iii. Purposed Agenda items and structure of Charter sections to be discussed at the respective meeting dates listed. This table of agenda items and meeting dates can be found in Appendix B of these minutes.

Discussion:

- The Vice-Chairperson referenced section 1008 of the Town Charter and related that he had received concerns from voters about appointing a Town Councilor to serve on the Charter Commission. Stated that concerns should be discussed with Sanford voters.
- Chairperson stated that independent legal counsel may be sought by the Charter Commission if necessary. Addressing concerns about the Town Councilor's appointment will be an agenda item at the next Charter Commission meeting, per the Chairperson.

Moved by Margaret Trowbridge: To accept the communications as presented.

Seconded by Thomas Sevigny

Motion Carried 8 – 0

10. Comments from the Commissioners:

- Margaret Trowbridge—Stated that the Charter Commission is here to review and amend the charter, not to make drastic changes to it. The public should not view the Charter Commission's purpose as one that is to abolish Town Meeting.
- The Chairperson—Where all here to do what's best for the Town.
- The Vice-Chairperson—Received suggestions from the Town Clerk to clarify items in the Town Charter relevant to write-in candidates. Voter comments to him included abolishing Town Meeting, abolishing the Finance Committee, changing our incorporation from Town to City, and restructuring our Town Government from a Town Council to a Mayor.
- The Secretary—Town Meeting is the marketed purpose to the voters as the central issue to be addressed by the Charter Commission. Town Meeting will be the most controversial subject discussed. He has seen first-hand the lack of participation and value in Town Meeting, as he was a previous Town Meeting member for three years. Stated he was ambivalent on the subject

of Town Meeting, but that his vote would reflect the will of the Sanford voters and what they want. Also stated that if Town Meeting is abolished, that it would mean the rise of the Finance Committee. If we do away with one check and balance, we need to strengthen and solidify another.

- Public Comment received from Gary Samia, Ward 4: Mr. Samia stated that he had served on the previous three Charter Commissions and on the Charter Commission in 2002 that produced our current Town Charter. Further stated that Town Meeting was the most discussed item in the previous Charter Commission. Went on to say that he would like to see Town Meeting done away with for the following reasons:
 - a. It is a hindrance to local businesses.
 - b. It is not a true representative form of governance as was intended.
 - c. Filling seats for Town Meeting has always been difficult.
 - d. Number of Town Meeting members has been reduced numerous times in the past to accommodate lack of participation.
 - e. It is a stumbling block to efficient local government operations.

Mr. Samia also stated that the Charter Commission should not rely on notice publications to encourage public participation. Suggested that each Charter Commission Member take a personal role in soliciting public comment and participation.

- Gerald Gay—The Charter Commission should get a history from the Town Clerk regarding participation and attendance of Town Meeting going back 10 or 15 years.
- Judith Gibbs—Need to get current number of vacancies on Town Meeting. Stated she wants to get to the root causes for the lack of participation in Town Government.
- Thomas Sevigny—Need to study cities and towns of a similar make up to Sanford and research how they operate. Volunteered to request and retrieve the Biddeford City Charter.
- Margaret Trowbridge—Stated that she had collected Town Charters from the towns of Wells, and Old Orchard Beach for research.

Moved by Margaret Trowbridge: To create a “chain of command” of Chairperson, Vice-Chairperson, and Secretary and established that only the Chairperson, or successive Charter Commission Officers in her absence, should be contacting an attorney for legal advice.

Seconded by Thomas Sevigny

Discussion: Gerald Gay stated that transparency with the Charter Commission Members is needed when an attorney is contacted.

Motion Carried 8 - 0

- The Chairperson reminded the Charter Commission Members that we can receive funds for research, if need be.

- The Vice-Chairperson—Reference Section 508 of the Sanford Town Charter, a voter raised concern over how the Capital Improvement Committee votes.
- The Chairperson stated that not everyone is able or comfortable to attend Public Hearings and appear on television. Therefore, voters giving their concerns to Charter Commission Members directly is a great way to get said concerns addressed.

Moved by Margaret Trowbridge: To accept the comments of the Charter Commission Members, Seconded by Laura Crockett. Motion Carried 8 – 0

11. Announce the time and place of the next meeting:

March 02, 2011 at 6:00 p.m. in the Town Hall Annex, third floor conference room. Meeting time and place will be posted on the Town Web site, and local newspapers.

12. Adjourn

Moved by Margaret Trowbridge: To adjourn the meeting at 7:32pm
Seconded by Jonathan Mapes. Motion Carried 8 – 0

**Town of Sanford Charter Commission
Minutes
Wednesday, March 02, 2011**

1. Becky Brink, Chair called the Charter Commission meeting to order at 6:06 p.m.
2. Charter Commission Members attendance: Becky Brink, Chairperson; Jonathan Mapes, Vice-Chairperson; Troy Henke, Secretary; Laura Crockett, Judith Gibbs, Tom Sevigny, Margaret Trowbridge, Bradford Littlefield.
Not present: Gerald Gay

3. Adjustments to the agenda: No adjustments

4. Approval of Minutes:

- a. February 09, 2011

~Moved by Margaret Trowbridge: To accept the minutes as written

~Seconded by Judith Gibbs: Motion carried 8-0

5. Comments from the Public:

- Public comment received from Maura Herlihy: Ms. Herlihy commented on philosophy of how charters should be thought out, the Finance Committee, Town Meeting, historical perspectives on what our charter is based upon and from what communities it is modeled after, and on other communities processes in Town Government

Moved by Margaret Trowbridge: To accept the public comments

Seconded by Judith Gibbs: Motion carried 8-0

6. Communications:

Distributed by the Chairperson, prepared by Judith Gibbs –An outline of other charter structures in municipalities throughout the State of Maine.

- Discussions about the structure of our Town Government, Council vs. Mayor
- The importance of bringing business to the Town and economic growth.
- Role of the Finance Committee

From Bradford Littlefield—Two memorandums regarding deadlines for Charter Commissions required by State statute.

- Possible Charter Commission budget –Most costs are legal and printing. Mr. Littlefield suggests using the Town Attorney for legal review, (he knows the town). Correspondence from the chair to the Town Attorney is needed, he will charge the same rate he charges the town for services.
- If there is a conflict involving language in the Charter relative to the appointment of the Town Attorney, he will recuse himself from reviewing that section of the Charter. Moved by Thomas Sevigny: To hire the Town Attorney, Brian Dench, to review any revisions we make to the Charter.
Seconded by Judith Gibbs: Carried 8-1
- The Chairperson delegated the Secretary to make correspondence with the Town Attorney.
- The Chairperson requested that everyone try to give all future communications to the chair ahead of each meeting.

7. Charter Discussion:

A request was made by the Secretary that the Commissioners provide any language they want inserted into the Charter, in writing to the Secretary the meeting that the item is to be considered.

Ms. Maura Herlihy volunteered to help with editing and formatting.

The following are listed ideas that were discussed by the Commissioners. These are discussion points only and are not adopted.

Section

101—Change our incorporation to city, remove 30,000-residency requirement and adjust language throughout the Charter to reflect this as needed.

102— Possible increase to the number of Town Councilors. Possible change in wording about Town meeting and Finance Committee, if changes are made to their structure.

201—Strike out transitional language. Runner up from previous election to fill in if a vacancy is created on the Town Council. Creation of public interviews of all candidates to fill vacancies on the Town Council.

202—Consider allowing some school employees to seek elected office.

204—

204.6 –Finance Committee structure.

204.7—Town Managers review to be conducted 60 days following the anniversary of their contract date.

204.12— Change the Town Council and School committee representatives to the Finance Committee to advisory only. Additional council/school committee reps.

205.1—Section may be struck out if Town Meeting is abolished

205.2—Should the Town Council set salaries? Should it be the Finance Committee/Town Meeting instead?

207—Insert censure rules and procedures.

208—Remove last sentence. Require elected board meetings to be rebroadcast # of times uncertain throughout the week, not just the night the meeting took place.

209—Agenda item requests must be discussed at a workshop or meeting prior to being placed on the agenda

Moved by the Vice-Chairperson: For a 15 minute extension

Seconded by Margaret Trowbridge: Motion carried 8-0

209.2— Clarify procedure for removing the Town Council chairperson.

211.1—Remove recall as a vacancy on the Town Council, which can be filled by appointment. Only a special election should fill a vacancy due to recall.

211.3—Remove “until the next annual Municipal election” and replace with 12/31 of the current year.

213—Clarify ballot questions and proposed ordinances in plain, understandable language.

213.1—Clarify that only two, 90-day extensions are allowed for an emergency ordinance, after which a permanent ordinance is to be enacted, or the emergency ordinance must expire.

Moved by Jonathan Mapes: 15 minutes extension

Seconded by Bradford Littlefield: Motion carried 8-0

301—Residency requirement should be strictly enforced for the Town Manager. Address residency of manager.

Moved by Jonathan Mapes: 15 minutes extension

Seconded by Bradford Littlefield: Motion carried 8-0

302.3—Return to having an Elected Town Clerk.

302.14—Consolidation into one business manager for both the school and the Town.

302.15 Administrative settlements reform. Require that all settlements exceeding \$4,000 must have Town Council approval before being certified.

303—Ombudsperson never implemented as intended, never been funded, language should be strengthened.

8. Comments from the Commissioners:

The Secretary—The Finance Committee, its structure and purpose. The people will have the final say on any changes we recommend, and we must be mindful to make changes that reflect what the voters want, or everything will be rejected good or bad.

Margaret Trowbridge—Misconduct of elected officials should not be investigated by the Town Attorney at tax payer expense.

9. Announce the time and place of the next meeting:

March 16, 2011

6:00 p.m.

Town Hall Chambers conference room

Topics:

Department of Education
Budget
Representative Town Meeting

10. Adjourn:

Moved by Margaret Trowbridge: To adjourn

Seconded by Judith Gibbs: Motion carried 8-0

Meeting adjourned at 9:46 p.m.

Submitted,

Troy W. Henke, Secretary
Sanford Charter Commission

**Town of Sanford Charter Commission
Minutes
Wednesday, March 16, 2011**

1. Becky Brink, Chair called the Charter Commission meeting to order at 6:01 p.m.
2. Charter Commission Members attendance: Becky Brink, Chairperson; Jonathan Mapes, Vice-Chairperson; Troy Henke, Secretary; Laura Crockett, Judith Gibbs, Tom Sevigny, Margaret Trowbridge, Bradford Littlefield.
Not present: Gerald Gay
3. Adjustments to the agenda: Removed “Charter Discussion Topics” from previous meeting on March 03, 2011 and replaced them with the correct topics for discussion based on Appendix A of the February 09 minutes.
Moved by Bradford Littlefield: To accept the agenda as amended.
Seconded by Margaret Trowbridge: Motion carried 8-0
4. Approval of Minutes: Margaret Trowbridge read a statement expressing concerns over consultants. Stated that the secretary should be the only person revising and editing the Charter based on the Commission recommendations.
Read state statutes regarding consulting
Further stated that we are a commission of 9, and that a Consultant is not a defacto member of the commission.

Maura Herlihy—Stated that she is a member of the community and as such can attend and contribute when allowed. Stated she did not volunteer to be a consultant, but was asked by the commission.

Moved by the chair: To allow any consultant, individual providing free services, or persons employed by the Commission to sit at the table and contribute with the commission.

Seconded by Judith Gibbs.

Discussion: Laura Crockett stated that everyone knows their place.

Motion carried—8-0

Secretary stated that any consultant will be working with him during any revising or editing, and will not be working on their own. They will serve in a consulting role only.

Moved by Bradford Littlefield: To accept the minutes as written.

Seconded by Margaret Trowbridge: Motion carried 8-0

5. Communications:
 - a. Attorney Communications with the Secretary.—Attorney Dench will provide his services to the Commission. He will conduct the initial

meeting free of charge. Attorney established with the Secretary that we are aware of our statute imposed deadlines.

b. From Judith Gibbs. Method of the “5 why’s”. This concept is supposed to be employed work is being done.

Moved by Bradford Littlefield: To accept the communications, and to discuss the “5 why’s” concept at the next meeting

Seconded by Laura Crocket: Motion carried 8-0

Public Comment:

Talking points and points of interest addressed to members of the public by the Chairperson.

Secretary to clarify with Sherry Lord about posting our agenda on the Town website.

Charter Discussion:

Section

401—Have a range for School Committee Members, no fewer than 5 no more than 9 with provision that it is an odd number.

Whether we increase the number on the School Committee or leave it as is, there needs to be a solid number.

403—Recall not to be a vacancy which can be filled by appointment of the School Committee.

404

.1—Change to the first regular meeting in January.

405

.4—Change role of Town Council and School Committee representative to the Finance Committee to be advisory only if Finance Committee is made a decision making body.

502.1— Change role of Town Council and School Committee representative to the Finance Committee to be advisory only if Finance Committee is made a decision making body. Appointed Finance Committee vs. freely elected Finance Committee.

The Town Council and Finance Committee have become conflicting boards.

Number of representatives from the Town Council and School Committee to Increase?

Number of Finance Committee members to increase?

Margaret Trowbridge stated that she is not here to make drastic changes to the Charter.

A budget development process could be created where the Town Council and Finance Committee work together during the budget decision process.

Comments—Helen Wilkins, Town Council and Finance Committee jointly making budget decisions destroys the check and balance. Check and balance is destroyed if the Town Council appoints the Finance Committee and then has budget making capabilities.

Jim Drummy—Town meeting has always been a good check and balance and has historically been fiscally responsible, people may be starting to get more involved. If Town Council is allowed to appoint the Finance Committee, it amounts to “stacking” of our town government. Town meeting works very well. People should have a say in budget making process.

Maura Herlihy—There is no competition for Town Meeting and Finance Committee seats.

Process of getting elected is something people don't want to go through.

There is a lot of competition with quality candidates for appointments.

Steven Bruno—Lack of participation is due to lack of education of the process amongst the public.

Jim Drummy—Old districts 1 & 2 would be filled completely, instead of the 7 wards we have now.

Helen Wilkins—Could schools educate the students town government process?

Chairperson replied that state law dictates when subjects are studied. State government is taken up in the 7th grade.

Bradford Littlefield—Not sure how much more education we can do. We are a close knit community, do we need checks & balances? LD1 is a check and balance, we have to abide by that.

Few changes have been made by Town Meeting from what is recommended by the Finance Committee and the Town Manager.

Margaret Trowbridge—Commissioners should not be attacking participants from the public

Bradford Littlefield objected to the statement by Margaret Trowbridge. Stated he is not attacking anyone, but has felt attacked by her on a number of previous occasions.

502.2—Remove transitional language, change representatives from Town Council and School Committee to advisory only.

Finance Committee Members in attendance expressed that nine members on the Finance Committee is enough.

.5—Helen Wilkins-Allow Finance Committee to meet in accordance with language in this section when ever they feel necessary.

Chairperson—Meetings need to be about information gathering for the budget develop process.

.8—Changes contingent upon whether or not we keep Town Meeting

503

.1—Change to the first regularly scheduled meeting of the year. Date to be determined.

Faith Bolanger—Check into if notary public can swear in office holders, should it be a dedimus justice?

504—Exclude recall from vacancies that can be filled by appointment.

505

.1—Move Town Meeting to July and adjust fiscal year appropriately.

.3—when practical in section b questioned.

Jim Drummy—The State changed its codes so we had to change. State supersedes local.

Jonathan Mapes—Schools should have known boilers needed to be changed 5 years ago. They came to the Town this year wanting a bond. This is an example of cost items that need to be brought before the Finance Committee.

506

.3—remove addendum B language. No longer needed.

Jim Drummy—Issues with TIF's , CIP, and enterprise accounts. Everything needs to be accounted together, and not have some accounts independent of the budget process. There should be no enterprise accounts. Enterprise account money should go into the general fund. We're in the mess we're in today because money was not in the general fund. Town Meeting approved for one year the ability for the Town Manager to budget with enterprise accounts, however, the vote was unclear as to for how long he had this prerogative and he never came back for re-approval each year.

Bradford Littlefield and Maura Herlihy provided a brief explanation of what tif's are.

Add approval process of tif spending.

508.1—Change the last sentence to Town Manager or non council designee/staff designee

508.6—Discussion of increasing % amount over and above 2 % to be applied exclusively for infrastructure.

509.1—Better visibility is needed for Town Government. More than one tv feed of meetings should be aired.

510.1—Change to not having to wait until after the public hearing to meet and discuss. However, the Finance Committee could begin to make amendments until after the public hearing.

601—Move Town Meeting to June/July and change fiscal year.

Wisdom of Town Meeting—good passion cooling.

Town Meeting is the only opportunity for citizens to stand and be heard with decision making ability

602—If Town Meeting is kept, revisit number of members or make it an open Town Meeting.

Bradford Littlefield has compiled 3 years of attendance participation history for Town Meeting.

Moved by Bradford Littlefield: 15 minute extension

Seconded by the Secretary: Motion carried 8-0

604.1—Remove transitional language.

607.1—Change to Dec. 31 of current year, not next municipal election.

607.3—Change to leaving open seats vacant if failure to elect. Or make meeting open.

608—Section would be void, other than residency requirement, if Town Meeting is opened.

609.2—Attorney is not unbiased. Is utilizing someone who is contracted by the Town to be Town Meeting Moderator in sync with the intent of this section?

Comments from the Commissioners:

The Secretary—Comments on how he would feel comfortable doing away with Town Meeting only if certain mechanisms were in place

We would adopt a process similar to County Government with the Finance Committee making all final decisions on the budget.

Finance Committee would continue to be freely elected.

Town Council and School Committee Representatives to the Finance Committee would be advisory, non-voting only.

The public would vote by referendum for the aggregate amount of the municipal budget, as they do with the school budget.

The Vice-Chairperson—People would vote to do away with Town Meeting if adequate balance is in place.

Laura Crocket—Strong check and balance needed in place if we do away with Town Meeting.

Bradford Littlefield—Little money difference between Town Council, Finance Committee, and Town Meeting. Where are the checks and balances?

Margaret Trowbridge—nothing

Judy—No checks and balances when Town manager prepares the budget, and is hired by the Town Council.

Chairperson—Comments on 0% increases. Not in support of that.

Announce time and place of next meeting:

March 30, 2011 6pm Town Hall Chambers Conference Room

7. Tax Administration
8. Municipal Development
9. Personnel System
10. Nominations and Elections

Moved by Margaret Trowbridge: To adjourn.

Seconded by Judith Gibbs: Motion carried 8-0

Meeting adjourned 8:16 p.m.

Submitted,

Troy W. Henke, Secretary

Town of Sanford Charter Commission
Minutes
Wednesday, March 30, 2011

1. Jonathan Mapes, Vice-Chair called the Charter Commission meeting to order at 6:00 p.m.
2. Pledge of Allegiance—Said
3. Charter Commission Members attendance: Jonathan Mapes, Vice-Chairperson; Troy Henke, Secretary; Laura Crockett, Gerald Gay, Judith Gibbs, Bradford Littlefield, Tom Sevigny, Margaret Trowbridge.
Not present: Becky Brink, Chairperson
4. Adjustments to the Agenda—Moved by Bradford Littlefield: To accept the agenda as presented.
Seconded by Gerry Gay: Motion carried 8-0.
5. Approval of Minutes: Moved by Margaret Trowbridge: To remove statements reflecting an exchange between her and Bradford Littlefield at the previous meeting. Motion failed due to lack of a second.
Moved by Bradford Littlefield: To approve the minutes as written.
Seconded by Gerry Gay: Motion carried 8-0.
6. Communications: There were two communications from Attorney Bryan Dench to the Secretary. One, was a timeline and history up to the present chronicling the activities of the Commission. The Secretary did not hand this out as the dates of election for the elected members were not accurate. The second was the rate agreement for the Attorney's services to the Charter Commission. This will be discussed further at our next meeting after the Commission has had time to review it and the Secretary can confirm that the Commission will not be charged for work that the Attorney has already done, or for the initial meeting he has with the Commission as he had offered to the Secretary previously.

Margaret Trowbridge distributed a letter to the editor from a Sanford resident named Virginia Spencer. This letter appeared in the Sanford News on 03/17/2011. Margaret Trowbridge feels the author of the letter is correct, that our meetings should be televised, and questioned whether or not we are violating the right-to-know laws.

Laura Crockett responded that the Commission meetings will be televised once we begin to make hard motions and decisions, but not during our brain storming sessions.

Gerry Gay stated that we are complying with the minimum notification requirements under statute.

Bradford Littlefield stated that we must list time, date, and place; that we are not obligated to post agenda or minutes. The agenda is posted on the town website and in the Town Hall. He further suggested that we attempt to get the press to cover our work.

The Vice-chair stated that he had spoken with members of the press from the various news papers circulating in Sanford, but he has not been able to meet with them as of yet.

Moved by Bradford Littlefield: To accept the communications.

Seconded by Judith Gibbs. Motion carried 8-0

7. Comment from the public: Helen Wilkins took umbrage to the portion stating that there is a lack of qualified members serving on the Finance Committee listed on the “5 why’s” communication handed out last meeting.

Judith Gibbs responded that she did not write it to be negative, but only as an example of how to use the 5 why theory. She apologized if it caused any offense. Faith Ballenger stated that she thought the statement was insulting.

Moved by Bradford Littlefield: To accept the public comment.

Seconded by Margaret Trowbridge. Motion carried 8-0.

8. Topics of Discussion:

Section

703.1—Remove transitional language.

Bradford Littlefield stated that it is unclear if we have a functioning Board of Assessment Review, and that it is rare anyone appeals an assessment.

He further stated that there has never been compensation for Board or Assessment Review members. The language about compensation was inserted based on state recommendation.

Should we reduce number of members from seven to five?

Is there a statutory requirement for seven members? Some places use county commission for assessment, York County Commissioners want nothing to do with assessment of larger towns.

Should Town Meeting/Finance Committee set compensation instead of the Town Council?

Gerry Gay interjected that based on his research, that there is an average of 114 participants at Town Meeting each year over the past 10 years.

704—What is the reason we are having difficulty filling the positions on the Board of Assessment Review?

Insert language to refer to section 703.1 for the filling vacancies to the Board of Assessment Review by the Town Council.

801—Judith Gibbs questioned what the word “regular” means in this section. Bradford Littlefield responded that it is as opposed to a consultant. The Planning Director is the permanent technical advisor to the town, versus a temporary contractor or consultant.

Does the Director of Planning fit into the economic development vision of the town?

The Vice-Chair stated that this is a “cloudy area”, that the Director of Planning has to do with infrastructure of the town, not so much with economic planning.

Should we change this position to one of Economic and Community Development?

Where does the Director of Planning fit in?

803.1—Remove transitional language.

803—Insert language about economic development authority. The Town Council funds economic development with town funds. How we appoint an individual to use citizens dollars should be in the clear domain of the Town Council.

805.1—Remove transitional language. Right now we have a full compliment on the Zoning Board of Appeals.

There are two section 805.3, change the last one to 805.4

901.2—Combining personnel offices.

There would be big savings in doing so, said Jim Drummey. Faith Bollanger stated that combining both the municipal and school personnel offices would create the biggest personnel office in the world and would be unmanageable. Bradford Littlefield stated that there are two personnel offices on the municipal side, one for negotiations and one for budgeting. How many personnel offices are at the school department? Can they be combined, will state law allow it?

Jim Drummey continued that consolidation is a good idea, and it should be looked into. Bradford Littlefield and Faith Bollanger pointed out that there is a lot more going on at the school department versus the town hall. How do we combine the personnel offices?

The Vice-chair stated that if we make too many changes, then all of our work will be voted down by the citizenry.

Bradford Littlefield stated that we should prioritize what we really want to amend after the brainstorming sessions are complete.

Hellen Wilkins asked if combining personnel offices would create conflict, making the Town Council overseer of the School Board. She further stated that the Town Council has no business telling the School Board what to do, and the School Board has no business telling the Town Council what to do.

Bradford Littlefield continued that there are other towns where the executive body oversees the school. Helen Wilkins replied that that has never been done in Sanford and that is not going to be changed over night. She does not feel that the public would accept that.

Gerry Gay questioned whether we should include language about combining purchasing between the municipal branch and the school. The Vice-Chair felt that the public would accept that, making things efficient regarding expenses they can understand.

Gerry Gay questioned why there is no mention of Police or Fire as a specific part of the charter.

Bradford Littlefield replied that in the original charter from 1935, that there was a Fire, Park, and Police Commission.

Should there be language outlining the purview of the Police and Fire Chiefs?

Police, Fire, and Recreation are not overseen by a Board, they are directly under the Town Manager. Adding language dilutes the fact that the town manager is hired to run the town. We wanted a strong Town Manager.

Faith Bollanger inquired about inserting a Public Safety Committee into the charter. Bradford Littlefield and Gerry Gay responded that there is a Public Safety Committee under the auspices of the Town Council. Faith Bollanger further questioned as to whether or not we have an independent, citizen run, Public Safety Committee. We do not.

There are several other entities throughout the charter spelling out specific functions, Police and Fire should be included as well.

1001—Town Councilors should be elected one per ward.

If we had to adjust the number of wards, a charter change would be necessary unless language is inserted to allow for it.

That kind of electoral process could pit ward against ward.

Jim Drummey stated that there has been talk about reducing the number of wards, if that were to happen and Town Councilors were elected by ward, it creates a real problem.

Bradford Littlefield continued that a process like that becomes too convoluted.

Jim Drummey further stated that the best from a group at large makes for better choices. Language regarding this topic belongs in section 702.1

1002.1—The State redistricts in 2012, so we have to look at how the state redistricts, and then draw our lines based upon that. Reduce wards, look at ward numbers and reduce personnel.

Consolidate all voting to one location, but wards are still separate.

1005—Insert language about consolidating voting locations.

1007—Insert “Unless otherwise provided by state law” regarding ballot positioning during elections.

1009—Section needs clarification.

1010—May be void if we do away with Town Meeting. Open election, no need for gathering signatures. Making Town Meeting open.

Average number of Town Meeting participants is skewed. Going back 10 years, 167 Town Meeting Members existed then, versus the 140 today.

Jim Drummey stated that we’ve never failed to have a quorum at Town Meeting.

More people are getting involved due to the economy.

Reduce the number of Town Meeting Members to 100.

Jim Drummey said that during the days of the old ward lines 1 & 2, that Springvale always had the most participation.

Bradford Littlefield questioned if mostly appointing Town Meeting Members is truly a democratic process?

1011—Change to first regular business meeting of the year.

Comments from the Commissioners:

Margaret Trowbridge stated that she is here to review the charter, not to make drastic changes to it.

The Secretary asked Thomas Sevigny about conducting an unscientific poll with the press. Thomas Sevigny said that he had talked it over with the Chairperson and that she had wanted to bring it up at one of our meetings. The poll would specifically seek the public's opinions about changing to a Mayor and doing away with Town Meeting. Both of those topics have been mentioned several times by the public.

Margaret Trowbridge stated that the press is willing to print an article about our work.

Margaret Trowbridge Moved: To accept the Commissioners Comments.
Seconded by Judith Gibbs: Motion carried 8-0.

Announce Time and Place of Next Meeting:

April 13, 2011 6pm Town Hall Chambers Conference Room.

11. Recall of Elective Officials
 12. Initiative and Referendum
 13. General Provisions
 14. Transitional Provisions
- Addendum A & B

Moved by Margaret Trowbridge: To Adjourn
Seconded by Judith Gibbs: Motion carried 8-0

Meeting adjourned at 7:10 p.m.

Submitted,

Troy W. Henke, Secretary
Sanford Charter Commission

**Town of Sanford Charter Commission
Minutes
Wednesday, April 13, 2011**

1. Jonathan Mapes, Vice-Chair called the Charter Commission meeting to order at 6:03 p.m.
2. Pledge of Allegiance—Said
3. Charter Commission Members attendance: Jonathan Mapes, Vice-Chairperson; Troy Henke, Secretary; Laura Crockett, Gerald Gay, Judith Gibbs, Bradford Littlefield, Margaret Trowbridge.

4. Adjustments to the Agenda: Gerry Gay pointed out that item 5 should read approval of the minutes from March 30, 2011 not March 16, 2011. Noted. Bradford Littlefield inquired with respect to any survey done with the press, if the Commission would want to establish a forum via the internet and invite public comment.

The Vice-Chair instructed that this would be discussed at the conclusion of the meeting.

Moved by Margaret Trowbridge: To accept the agenda as amended.

Seconded by Bradford Littlefield: Motion carried 7-0

5. Approval of Minutes: Moved by Gerry Gay: To approve the minutes as written
Seconded by Judith Gibbs: Motion carried 7-0

6. Communications: The Secretary presented the rate agreement, submitted by Attorney Bryan Dench of Skelton, Taintor, & Abbot Attorney's at Law for his services in reviewing the proposed amendments to the Town Charter. Each Commissioner was previously sent a copy of this rate agreement for their review. Margaret Trowbridge stated she did not receive the rate agreement from the Attorney, and was given a second copy from the Secretary.

Bradford Littlefield informed the Commission that the Town legal bill for March reflected no charge from the Town Attorney for work already done for the Charter Commission.

The Vice-Chair asked the Commission if they felt having the Town Attorney review our recommendations was a conflict. Further asked if the Attorney would be biased as he both works for and represents the Town Council and the Town Manager.

Bradford Littlefield reminded the Commission that the Town Attorney's services were sought for cost savings and because the Maine Municipal Association will not certify our work, they will only give guidance.

Moved by Gerry Gay: To give authorization to the Secretary to sign the rate agreement and return it to Bryan Dench accepting the rate structure and understanding set forth in the agreement for his services.

Seconded by Bradford Littlefield: Motion Carried 7-0 with the caveat that the Attorney serves at the pleasure of the Commission.

The Secretary read two letters of resignation from Becky Brink and Thomas Sevigny. Said letters are attached to these minutes at bottom.

Becky Brink was an elected member; Thomas Sevigny was an appointed member of the Commission. As such, Thomas Sevigny's resignation must be accepted at the Town Council level.

Moved by Gerry Gay: To accept the resignation of Becky Brink

Seconded by Margaret Trowbridge: Motion carried 5-0

Note: Only those Commissioners who were elected voted to accept the resignation of a fellow elected member.

Margaret Trowbridge stated that the Commission should submit an ad in the local news papers soliciting candidates for appointment to fill the vacancies.

Bradford Littlefield reminded the Commission that we are under time limits and that we must act quickly to fill these vacancies and have a full compliment of Commissioners. He then asked that Maura Herlihy be considered as she has already volunteered to be a consultant and has been active in this process. Bradford Littlefield further stated that Thomas Sevigny's resignation will be on the agenda for the Town Council meeting Tuesday evening.

Gerry Gay asked what, if any procedure the Commission was required to follow in appointing vacancies.

Bradford Littlefield stated that the Commission had already set a standard with on the spot appointments and feels the Ms. Herlihy is a logical choice.

Moved by Bradford Littlefield: To appoint Maura Herlihy to fill the vacancy of Becky Brink.

Margaret Trowbridge put forth that the previous appointment of Laura Crockett was due in part because she had previously submitted an application to the Town Council for appointment.

Maura Herlihy and Jim Drummey stated that the Commission should seek out State law and the Maine Municipal Association for guidance.

The Secretary stated that there is no State law outlining procedures for appointments of this nature.

Gerry Gay suggested that the Commission check with the Maine Municipal Association, and once we've received their recommendation, to proceed with what they suggest.

Bradford Littlefield withdrew motion

The Secretary stated that the Commission should allow him to get with the Executive Assistant to the Town Manager, Sherry Lord, to receive templates for newspaper ads as well as any guidelines generally followed in making appointments.

Margaret Trowbridge stated that she had already spoken with local media about the resignations.

Moved by Judith Gibbs: To allow the Secretary to work in conjunction with Sherry Lord to seek candidates for appointment and report back with any guidelines recommended.

Seconded by Margaret Trowbridge: Motion carried 7-0

Gerry Gay reminded the Commission that the Town Council must be notified of the resignations.

This is to be accomplished by the Secretary.

Bradford Littlefield stated that Thomas Sevigny had already forwarded his letter of resignation to the Town Council previously.

Judith Gibbs attempted clarification of the communications she had distributed at the meeting on 03/16/2011 that some members of the Finance Committee had taken umbrage with.

The Vice-Chair stated that he knew what she had intended and that we can't stop folks from getting insulted. Unless everyone wants to, the Vice-Chair was not interested in Judith Gibbs passing out any clarifications of such to the Commission.

Bradford Littlefield further said that we understood Judith Gibbs intent, and that he did not see it as necessary for her to explain herself.

Clarifications were not distributed.

7. Election of Chairperson and other new Officers if needed: Moved by Bradford Littlefield: To table until the next meeting
Seconded by Gerry Gay: Motion carried 7-0

8. Development of procedure to fill vacancies on the Charter Commission:

Previously discussed under Communications.

9. Comments from the Public: None received

10. Charter discussion on the following areas:

Section—

1101—Maura Herlihy states that appointees should be subject to recall. Wording must state that the position is normally elected but filled by appointment, so as not to subject appointees, such as the Planning Board members, to any attempted recall as those positions are not under the purview of the electorate.

Jim Drummey states that there must be an entirely new subsection created to address this. Appointees serve at the will of the appointers, while the elected serve at the will of people.

Gerry Gay pointed out that section 1108 appears to address this.

Bradford Littlefield felt that the issue is moot. Stated that usually appointments are for less than 1 year, and that there can not be a recall for at least 6 months after taking office. Elected Officials are to continue to serve in office during a recall procedure and could serve through the election they would have to run in to retain their seat anyway. Further stated that this is not to be debated tonight, only discussed.

1102—Is 5% sufficient, which is now around 750 signatures? Should it be more or less?

1103—Those elected Officials resigning voluntarily should not have a vote on who replaces them.

Gerry Gay pointed out that if a specific date is given for a resignation to become effective, technically there is no vacancy until after the resignation takes effect.

Appointments to fill vacancies should not be made until vacancy actually exists.

Judith Gibbs inquired what is the purpose of the 6 month waiting period in Section 1101.

Bradford Littlefield answered that the individual must be allowed to prove themselves and that the people must be given an opportunity to validate that they made the correct decision.

1108—Increase prohibition from office to 3 years, as terms are 3 years when elected.

Jim Drummey pointed out that what if accusations are untrue? Good people need to run for town office.

1202—Insert language to suspend ordinance if this section is invoked.
Find mechanism for us to act more quickly on putting referendums to voters.
Insert language on how long the clerk has to get petition blanks to the petitioners.
Jim Drummey stated that the reason the 30 day waiting period is in there is because people need to think out the issue.

1203—Clarify language of ballot questions.
Questions are convoluted, must be simpler. State law states that for a question to be approved, the answer must be yes.
Jim Drummey stated that we must be careful, if we can clear up wording, we should.
Ballot questions should be simple.

1205.1—Judith Gibbs inquired if days are regular straight days or business days. This is clarified under computation of time.

1205.2 –Adjust time to reflect recall or initiative petitions.
Gerry Gay stated that we must have some forethought when adjusting the Charter.
Margaret Trowbridge stated that a city designation is not going to attract jobs.

The Vice-Chair asked what's best way to get minutes of the Commissions meetings?
The Secretary responded that either he or the Town Managers Executive Assistant, Sherry Lord could provide them.
Moved by Bradford Littlefield: To formally request that the minutes of the Charter Commission be posted on the Town website.
Seconded by Gerry Gay: Motion carried 7-0

1309.1—This section is straight from state law, update if necessary and adapt.
Appearance of conflict, Town Attorney has to make clarification almost yearly due to teacher's participation.
Gerry Gay said that State law automatically supersedes where applicable.
Bradford Littlefield offered that home rule under the Maine Constitution is that if it is not specifically provided for under State statute, you can do what ever you want. State law wins.
Should require that disclosure of financial interests be promulgated by the Town Council.
Margaret Trowbridge stated that Town Meeting is corrupted, it's all school teachers and town employees, and it's a conflict when they're voting on their own budget.
Jim Drummey stated that teachers don't vote a specific line of payroll, under state law they can vote on other things. Commission can make change here.
Margaret Trowbridge stated that she is only repeating feed back that she hears.

1310.2—Conflict language to be addressed here.

1311—Section can be stricken or changed to reflect 2011

1313—Strike out transitional language

Definitions—Outside agencies need addressing, Town agencies need addressing.

1401—1405—All transitional language can be taken out.

1405—Begin charter in January, 2012 if approved. Unless major changes of numbers to the boards, Charter can take effect much sooner, don't wait a year.

1406—Keeping a copy of the Town Charter available to the public in the Office of the Town Attorney is unnecessary.

Money for printing and mailing the proposed amended Charter will be an issue. Is being worked out with the Town Manager

Addendum A & B—Both are irrelevant and can be stricken out. Give thought about what goes on the ballot to the people.

Further comments, Section 1202 should read 30 days from receipt of petition blanks to collect required number of signatures, not Council action. The citizens don't actually have 30 days to collect the required number of signatures.

11. Comments from the Commissioners: Bradford Littlefield made comments regarding his proposal for an online forum. Stated that he will administer it once it is working, if the Commission approves it.

The Secretary asked if we have someone who can build this. Bradford Littlefield responded that he will look into it and come back to the Commission, with costs.

The Secretary stated that he is disappointed in the resignations of two of the Commissioners. Stated that we must vet potential candidates to make sure they are willing and able to serve out their obligation.

Margaret Trowbridge stated that she wants all emails between Commissioners. Stated that if she did not receive them that she would attempt to invoke the Right to Know Law and have computers seized.

The Secretary inquired of Ms. Trowbridge how she could receive emails if she refuses to provide her email address. Further stated that all correspondence are sent to the Executive Assistant, Sherry Lord, and that she mails them to Ms. Trowbridge, as he will not incur any personal costs relative to his service on the Commission.

Maura Herlihy reinforced the Secretary's position.

Margaret Trowbridge alleged that there had been emails between other Commissioners that she was not privy to that purported to discuss business matters of the Commission.

The Secretary assured Ms. Trowbridge that no such emails exist or were ever sent, to his knowledge.

The Vice-Chair told Margaret Trowbridge that if she made such an attempt that she may be the only Commissioner left serving.

Gerry Gay made clear that Ms. Trowbridge would not be given access to his email.

12. Set new meeting dates: Bradford Littlefield asked if waiting 2-3 weeks would give the Commission enough time to get a full compliment of members.

Next Meeting:

May 04, 2011

6pm

Town Council Chambers Conference Room.

Will not schedule any meetings past May 04 until our meeting on that day.

Bradford Littlefield reminded the Commission that our preliminary report is due August 03, 2011.

The Secretary stated to the Commission and the public that our laid back approach to the structure of our meetings during the brainstorming sessions should be coming to an end as we begin to make decisions. The Commission must now compartmentalize its meetings with the public having specific time allotted to speak, and no more.

Bradford Littlefield told the Commission that we cannot televise our meeting on May 04, as it conflicts with the Planning Board.

Judith Gibbs asked if the Commission will be making decision at our meeting on May 04.

The Vice-Chair answered that he doubted decisions will be made at our next meeting.

We will be focusing on organizing ideas and selecting candidates to fill the vacancy.

Bradford Littlefield reiterated that we should try to get our meetings televised.

Jim Drummey and Margaret Trowbridge stated that the Finance Committee is only meeting for a couple more weeks.

Charter Commission meeting nights may change to Thursday nights.

Moved by Gerry Gay: To adjourn

Seconded by Bradford Littlefield: Motion carried 7-0

Meeting adjourned at 7:49 pm

Submitted,

Troy W. Henke, Secretary
Sanford Charter Commission

Becky Brink
1 Lakewood Drive
Sanford, Maine 04073
1-207-324-0133
bbrink@sanford.org

Memorandum

To: Charter Commissioners
Town Councilors
Mark Green

From: Becky Brink

Date: April 5, 2011

It is with mixed emotions that I announce that I will be leaving the Charter Commission Committee starting immediately.

I am enormously proud of the commissioners and will cherish my association with this team.

Thanks to all of you for your continued dedication to Sanford.



A G E N D A

Charter Commission
3rd FLOOR COUNCIL CHAMBERS
TOWN HALL ANNEX

THURSDAY, MAY 12, 2011

6:00PM

1. Call to Order
2. Roll-Call
3. If appropriate, fill vacancy on Charter Commission
4. Election of Chairperson
5. Discussion of past meeting minutes to prioritize discussion points
6. Set agenda and date for next meeting: Thursday, May 26, 2011
7. Other *Comment Box*
8. Adjourn

Posted: May 11, 2011 sal

Mr. Littlefield went on to say that the advertisement to fill the vacancy had been sent out with the expectation by the Town Managers Office that all candidates for appointment would be appearing before the Town Council. The Town Council met the Tuesday after the deadline. The Charter Commission has had an additional week to consider these applications. Rules of order set deadlines, but packets can be amended.

The Vice-Chair pointed out that with the absence of one elected member, that there was a possibility of tie a vote.

Margaret Trowbridge expressed her support of Everard Horr to fill the vacancy.

Robert Stackpole requested to read the Town Attorney's opinion that was provided at the beginning of the meeting. After reading the opinion he stated that, according to the legal opinion, we are not in violation of anything if both candidates' applications are considered for appointment. Mr. Stackpole recommended that nominations be done first, close nominations, and then have discussion.

The Secretary stated that he would like to speak with the applicants before making a decision.

The Secretary asked Maura Herlihy if she would still be diligent and positive if some of the ideas she puts forth are not recommended by the Commission—Ms. Herlihy responded that you have to give up individuality and get behind decisions made by the body at large. She further stated that she had previously served on the Charter Commission and had written in what everyone had agreed to.

She further stated that she does not serve on any town committees, she serves on a non-profit.

The Vice-Chairman asked whether or not Ms. Herlihy had a strong opinion, one way or the other, about Town Meeting—Ms. Herlihy stated that she is disappointed in the number of Town Meeting Members being lowered but still not having enough participants. If people still decide that they want a vote on the budget beyond the Town Council, there are still some options—The school budget, for example, goes out to referendum every year.

Bradford Littlefield stated that the Commission must follow a time frame of deadlines; that we have approximately 10 weeks to complete our preliminary report. He asked Ms. Herlihy if she could facilitate this time frame coming in at this point.—Ms. Herlihy responded that once decisions are made on structure, writing will come quickly. So this will come fast.

Mr. Littlefield further asked what Ms. Herlihy knows about the current charter.—Ms. Herlihy responded that she has engaged in seven to eight years of interpretation of the charter. She stated that she wrote the current charter and was very conscientious and that her interpretations have most times, paralleled the Town Attorney's opinion, that she is aware of the need to fix the charter in a way that more accurately reflects the intent of Charter Commission Members. She is well versed.

Robert Stackpole asked Maura Herlihy why she wants to serve on the Commission.—Ms. Herlihy answered that she had been asked by the Commission to consult for them. She is confident in showing context, since she has been coming to meetings and can add something to the dialogue; she is experienced. Ms. Herlihy further stated that there is a good bond between the previous Charter Commission members.

Bradford Littlefield followed up by asking Ms. Herlihy if she had been appointed to be an ad hoc consultant in the drafting of this charter—Ms. Herlihy answered yes. She further stated that an Attorney will be the final word of the wording and how we want it to be interpreted.

The Secretary asked Everard Horr what issues were most important to him that the Charter Commission could have an effect on—Mr. Horr answered that he wants to be involved in the town. He thinks more people should get involved. He further stated that he has no preconceived ideas before coming here. He wants to analyze what comes before him and contribute to the discussion.

The Secretary followed up with a question as to the diligence and positive attitude of Mr. Horr if some of his ideas are not recommended by the Commission—Mr. Horr responded absolutely, he would put a lot of effort into this.

The Vice-Chair asked Mr. Horr about his opinion of Town Meeting—Mr. Horr responded that it is important to have a forum for people to contribute.

Margaret Trowbridge asked if Mr. Horr would have any kind of conflict of interest if he were to serve on the Charter Commission—Mr. Horr responded none.

Bradford Littlefield asked Everard Horr that given the pressed time frame the Commission is working under, we must have our preliminary report completed by August 3rd, with our final report due in September, what could he bring to the table to facilitate this compressed time frame.—Mr. Horr responded that it is important to listen in the beginning.

Bradford Littlefield asked Mr. Horr how well he knows the current charter—Mr. Horr responded that he does not know the Charter line by line, but that he doesn't see that as a disadvantage; he brings a different view point. Mr. Horr reiterated that he does not have any preconceived ideas.

Robert Stackpole asked Everard Horr why he wants to serve—Mr. Horr stated that he has tried many times before to get on town body's and wants to contribute to the town.

Margaret Trowbridge stated that not everyone in town has access to the charter.

Judith Gibbs nominated Everard Horr: To fill the Charter Commission vacancy.

Seconded by Margaret Trowbridge

Margaret Trowbridge stated that Laura Crocket had no knowledge of the charter before being appointed.

Bradford Littlefield stated that he has a voice in this appointment but no vote. He further stated it is unfair to bring someone in with very little knowledge of the charter and that we have all worked diligently together. Mr. Littlefield reminded the Commission that it had asked Maura Herlihy to be a consultant and that he hoped we would continue with that thought process and allow her to serve. Mr. Littlefield went on that Ms. Herlihy has more knowledge of the charter than anyone in town as she wrote the current charter.

Judith Gibbs stated that she works with Everard Horr, and that he has volunteered for several committees at work and has contributed in some very important issues to their company.

Ms. Gibbs went on that she too had no preconceived notions when she was elected to the Commission. She stated that she does not take not having preconceived notions negatively and that it did not take her long to get up to speed.

The Secretary nominated: Maura Herlihy to fill the vacancy on the Charter Commission.

Seconded by Laura Crocket.

Laura Crocket stated that the Commission is on a time constraint. She stated we need someone with knowledge of the charter. That Ms. Herlihy has attended most meetings and given insight. Ms. Crocket further stated that she knew nothing about the charter when she was appointed and that six to eight weeks ago things would have been different. It is wise to have someone with knowledge.

Margaret Trowbridge stated that getting up to speed on the charter does not take long.

Bradford Littlefield reiterated that the Commission has eight to ten weeks to get its report together. We need someone with knowledge to help complete this task.

Judith Gibbs asked if Maura Herlihy would still be willing to help the Commission if she is not appointed. Judith Gibbs further stated that she would be willing to help with writing our recommendations as well.

The nomination of Everard Horr to fill the vacancy on the Charter Commission was voted in the affirmative by Judith Gibbs and Margaret Trowbridge. Nomination was opposed by the Secretary and Laura Crocket.

Motion failed 2-2.

The nomination of Maura Herlihy to fill the vacancy on the Charter Commission was voted in the affirmative by the Secretary and Laura Crocket. Nomination was opposed by Margaret Trowbridge and Judith Gibbs.

Motion failed 2-2.

Appointment of the vacancy to be taken up on the agenda at the next meeting.

The Secretary told the candidates that they need to appear at next meeting.

Moved by Margaret Trowbridge: To table the appointment to fill the vacancy until the next meeting.

Seconded by Robert Stackpole: Motion carried 8-0.

7. Election of the Chairperson: Moved by Bradford Littlefield: To table the election of the Chairperson until the Commission's next meeting.

Seconded by Robert Stackpole: Motion carried 8-0.

8. Prioritization and discussion of Charter Amendments from previous meetings:

Bradford Littlefield suggested that the Commission make a,b,c,& d columns on white paper to facilitate the organization of ideas. Each Commissioner would prioritize a proposed amendment with an 'A' being high, through 'D' being low.

The Secretary pointed out that prioritizing potential amendments does not preclude someone from making a motion even if the priority was deemed low.

Robert Stackpole stated that any final decisions will be made by vote of the entire body.

The Vice-Chair declared a five minute recess to set up the flip chart sheets containing the proposed amendment ideas on the wall.

Once the flip chart sheets were set up, there was discussion of how the Commissioners should go about listing their priorities.

Bradford Littlefield reminded the Commission that economic development and how the Charter can best help facilitate that should be at the forefront in determining priorities.

It was decided, by consensus, that making a uniquely colored dot with the Commissioners initials next to it would be the most efficient and clear way to accomplish the prioritization.

The Charter Commission then took approximately 10 minutes to list their priorities.

The Secretary and Judith Gibbs tallied the priority votes of the Commission. The Secretary conducted the tally, Judith Gibbs verified the number.

The Secretary read the results:

Section

Those receiving three or more votes:

502.1—7

205.1—6

508.6—5

1201—5

101—4

1010—4

213—3

301—3

502.5—3

602—3

801—3

1203—3

Those receiving one or two votes:

204.12—2

302.14—2

504—2

509.1—2

102—1

201—1

202—1

211.3—1

213.1—1

502.2—1

502.7—1

508.1—1

601—1

607.3—1

901.2—1

1001—1

1005—1

1103—1

1108—1

The sections with the corresponding ideas for amendment are listed in Appendix A of these minutes.

The Secretary stated that moving forward; the Commission should under take the amendments regarding the Finance Committee and Town Meeting first, as those votes will determine so much moving forward.

Judith Gibbs expressed agreement with the Secretary, stating that if we deal with the Finance Committee and Town Meeting first, many other issues will simply be resolved. Robert Stackpole asked a question of the Commission as to what the scope of our work is. Are we to make radical changes or are we only making modest amendments and keeping the character of the Charter as it exists.

The Secretary answered Mr. Stackpole, that the Commission had this discussion at its first meeting. The Commission believes that we do not want to completely rewrite the Charter, but make amendments and fine tune it. The town citizenry and town

government would like us to look at and make recommendations regarding the Finance Committee and Town Meeting, so the Commission will be doing that.

Robert Stackpole responded that it would be an interesting conversation and that we should step back and contemplate if we are going to make radical changes to our town government.

Bradford Littlefield suggested that the Commission come back with written comments to develop a thought process in the Commission's work. No one wants to remove checks and balances.

Margaret Trowbridge stated that the towns people are set in their own ways and that Town Meeting is a hot topic.

9. Discussion of the Commissioners: Glenn Dowey, citizen, stated that he has both worked for the town and has been a Town Meeting Member all his life. He suggested the commission draw a visual outline of the town government that they envision. Sanford is the sixth largest municipality in the state, yet Sanford is the only municipality within the top ten largest communities in Maine to still be incorporated as a town. Sanford is the last municipality in the State of Maine to have representative Town Meeting.

There is not enough participation in Town Meeting.

Most cities run with a council and elect a chair or Lord Mayor as a figure head and hire a City Manager.

The Town Council is dysfunctional and not talking to the Finance Council, which is also dysfunctional. The Finance Council has not communicated with the School Committee. The School Committee is separate from other town bodies. What do you conceptually want your town government to be?

The Chairman—We need to change Sanford to a city. Town Meeting has died, and the Finance Committee needs more authority. The School Committee needs to get along with the town; we need to make one Business Manager for the school and the town.

Robert Stackpole—We're all going to come to our work with biases in beliefs. We need to park our baggage and listen to the group.

Bradford Littlefield asked Judith Gibbs how to implement the "5 why's" concept and if this is the time to do so.

The Chairman stated he wants to see where everyone stands on Town Meeting.

Robert Stackpole stated that he wants to see what we do with the Finance Committee before making a decision on Town Meeting.

Maura Herlihy—Sanford is trying to hold on to small town form of government. Small town government does not work in larger municipalities.

Moved by Bradford Littlefield: To extend the meeting by 15 minutes.

Seconded by Margaret Trowbridge: Motion carried 8-0.

Glenn Dowey—Sanford has four elected legislative bodies. The structure doesn't work. Sanford only needs one legislative body with sub-committees.

Maura Herlihy—Checks and balances has to be the voter. We cannot tell seven people to move the town forward and not have control of the purse strings. Going to a York County like structure is very adversarial.

Bradford Littlefield stated his background as a Town Councilor, Charter Commission member and extensive experience in Town Government. The process is not working; Sanford citizens look to the Town Council to make the best decisions. Budget decisions now are so complicated and the average Town Meeting member does not contemplate

that. The municipal budget is scrutinized thoroughly, while the school budget is rubber stamped. Compromise, gives the town confidence that they still have a say in the budget. Mr. Littlefield further stated that he would like to keep the Finance Committee, but that they be appointed not elected.

Under Mr. Littlefield's plan, each Town Councilor would appoint one Finance Committee Members from the general populous, totaling seven.

The Town Council as a whole would then appoint four additional Finance Committee Members at large.

The Finance Committee would receive the budget from the Town Council, prepared by the Town Manager. The Finance Committee would vote on the presented budget and there decision becomes the budget, unless it is sent back to the Town Council. If the Town Council objects to the Finance Committee budget, a 2/3 majority of the Town Council would be needed to overrule the Finance Committee.

The budget would be validated by municipal vote as we do for the school budget.

Mr. Littlefield believes this plan can be sold to the public.

Margaret Trowbridge—With all of the changes being proposed, we should go with a mayor. Ms. Trowbridge further stated that she does not agree with giving appointment power of the Finance Committee to the Town Council. We are at a point where we should have a mayor.

Everard Horr—The Town Council will appoint people who see things their way and it won't be a check and balance.

Robert Stackpole—It is important that the Charter have a mechanism in creating accountability for actions of elected officials. Too many people in government who are not accountable for their decisions. There is no way for the Charter to make these bodies work together. It's time for a change and the Commission needs to research other forms of government. The Commission can not make radical changes the public will not accept.

Moved by Robert Stackpole: To extend the meeting by 15 minutes.

Seconded by Bradford Littlefield: Motion carried 8-0.

Glenn Dowey—It is the charge of the Finance Committee to look for synergies. There is no need for two budgets, two Business Managers, or two Personnel Managers. Old ways don't work anymore; we need to be looking to the future. People will complain about change no matter what.

The Secretary—The Commission needs to move forward with making decisions, we've done enough brain storming. The Commissioners need to write down what their intentions are and present them to the Secretary the night they make the motion.

Bradford Littlefield—When we appoint the Planning Board, for example, we appoint people who can build consensus with other members. This is not seen with the Finance Committee. The controversy over the Walgreen's plan is a good example. Down Town Legacy, the Planning Board, and the Town Council all compromised in the end. It can work. Give authority to the legislative body of the town, and let them make wise decisions. Recall and elections are the best check and balance we have.

Judith Gibbs—Consensus means everyone agrees, not just a majority of the board.

Moved by Robert Stackpole: To review forms of municipal government at the Commissions next meeting.

Seconded by Judith Gibbs: Motion carried 8-0.

We need to come to a consensus on a model to move the town ahead.

Maura Herlihy—Don't create stagnation. Look for repetition in forms of government that work from community to community.

Bradford Littlefield stated that he will retrieve back up information given to the previous Chairperson. He will get that back from her for distribution regarding municipal government structures.

The Chairman asked Judith Gibbs and Robert Stackpole to coordinate in researching municipal government structures.

Request of the Chairman approved by the Commission 8-0.

10. Announcement of the next Charter Commission Meeting:
Thursday May 26, 6:00 p.m.
Town Council Chambers

Moved by Robert Stackpole: To adjourn
Seconded by Margaret Trowbridge: Motion carried 8-0

Meeting adjourned at 8:29 p.m.

Submitted,

Troy W. Henke, Secretary
Sanford Charter Commission

Town of Sanford Charter Commission
Minutes
Thursday, May 26, 2011

6:00 pm

Note: Meeting held in the Town Council Chambers, Sanford Town Hall Annex, 919 Main Street, Sanford, Maine.

1. Troy Henke, Acting Chairperson, called the Charter Commission meeting to order at 6:04 pm.
2. Marge Trowbridge informed the Commissioners that she will be recording the meeting as of 6:05 pm.
3. Pledge of Allegiance – Said

4. Charter Commission Members attendance:

Troy Henke, Acting Chairperson (appointed by Jonathan Mapes, Vice-Chairperson at May 12, 2011 meeting)

Judith Gibbs, Acting Secretary (appointed by Troy Henke as Secretary pro-tem).

Laura Crockett

Gerald Gay

Margaret Trowbridge

Robert Stackpole

Bradford Littlefield

Absent: Jonathan Mapes, Vice-Chairperson

5. Approval of Minutes: Moved by Margaret Trowbridge: To approve the minutes of the previous meeting as written. Seconded by Robert Stackpole. Motion carried 7-0.
6. Adjustments to Agenda:
Robert Stackpole indicated there is an option for the Charter Commission to have internet presence. This item to be discussed under Communications.
Moved by Margaret Trowbridge: To accept the agenda as presented.
Seconded by Gerald Gay. Motion carried 7-0.
7. Communications:
Troy Henke handed out a list of charter sections that require amending due to transitional language with a request that the Commission address these items if time allowed.

Robert Stackpole handed out a document that outlines several forms of municipal government.

Bradford Littlefield spoke about the option for the Sanford IT department to create a website for Charter Commission communications. Access will be through Sanfordmaine.org with a link to the Charter Commission. Minutes may be posted to this site. Will also include a comments box. Bradford Littlefield volunteered to be the approver of comments prior to posting for the

general public to view, to filter out any inappropriate language or personal attacks. This site will allow access to information to all Commissioners regardless of e-mail status. Judith Gibbs asked if documents can be posted to the site. The answer was yes. Troy Henke commented that this site will increase participation.

Robert Stackpole agreed that a moderator or approver is required to review comments prior to posting on the web. However, Bradford Littlefield commented that if chosen as the approver, he will print and hand out hard copied of the "raw" information prior to any editing. Items such as inappropriate language or personal comments will be amended prior to posting.

Moved by Bradford Littlefield: To approve the on-line communication site to be developed by the Sanford IT department and to appoint Bradford Littlefield as the "approver".
Seconded by Robert Stackpole. Motion carried 7-0.

Other Communication – E-mailed PDF documents from Judith Gibbs on forms of municipal government.

8. Filling the vacancy on the Charter Commission:

Last meeting Everard Horr and Maura Herlihy were nominated for the open position. Opened to discussion.

Robert Stackpole asked if there are any other nominees. Troy Henke responded that Mr. Horr and Ms. Herlihy were the only 2 applicants and the submission of an application was determined to be a requirement for nomination.

Margaret Trowbridge motioned to nominate Everard Horr; however, nomination still valid from the previous meeting and re-nomination not required. Troy Henke indicated that the elected Charter Commissioner members just need to vote. Margaret informed the Commission that the last vote was 2-2.

Everard Horr asked permission to comment. He indicated that although Maura Herlihy has been part of a previous Charter Commission and is very well qualified, he believes there is an opportunity for both himself and Maura to participate on the Commission – one as a Commissioner and one as a consultant. He asked that the Commissioners take this into consideration when voting.

Vote Taken:

Everard Horr	2 votes
Maura Herlihy	3 votes

Maura Herlihy appointed to the Charter Commission and sworn in by Susan Cote, Town Clerk.

Margaret Trowbridge directed comments to Everard – informing him not to give up his efforts to be an elected official.

Gerald Gay asked if the Commission could vote to appoint Everard Horr to the Commission if another "elected" member vacancy should occur. Troy Henke indicated that if the Commission does so, the vote would be non-binding. Robert Stackpole asked about by-laws. Troy Henke indicated that the procedure to appoint is open to the Commission's discretion; however, the Commission has been following the process used by the Town Council. Margaret Trowbridge asked if Everard Horr could be appointed as a Consultant – as Maura Herlihy was. Bradford Littlefield indicated that Maura Herlihy was asked to be a consultant due to her past experience on a Charter Commission – experience that Everard Horr does not have.

Robert Stackpole indicated that to be a voting member, one must be on the Commission; however, the public may participate. He indicated that it would be hard for him to support Everard Horr as a consultant based on the fact that consultants typically bring a specific set of knowledge or experience to a team.

Move by Robert Stackpole: To fill any future "elected" member vacancy on the Commission with Everard Horr.

Seconded by Margaret Trowbridge. Bradford Littlefield restated that this appointment could only be made for a position vacated by an elected position – not Town Council appointed – member of the Commission. Motion carried 8-0.

9. Election of the Chairperson:

Margaret Trowbridge motioned to table this agenda item due to the absence of Jonathan Mapes. Motion not seconded.

Moved by Bradford Littlefield: To nominate Robert Stackpole as Chairman and indicated that Jonathan Mapes has expressed a desire to remain as Vice-Chairperson. Robert Stackpole indicated that Jonathan Mapes contacted him to indicate that he (Jon) was in favor of Robert Stackpole being elected Chairperson.

Seconded by Margaret Trowbridge. Robert Stackpole elected Chairperson 8-0.

Troy Henke then turned the meeting over to Robert Stackpole; however Robert Stackpole offered that Troy Henke continue leading the meeting. Troy Henke accepted the offer.

10. Comments from the Public: none

11. Moved by Robert Stackpole: To accept a written statement as to the intent of the Charter Commission.

Bradford Littlefield seconded the motion but requested that the statement be amended.

Original Statement and Amendment (amendment is underlined).

"We, the members of the Sanford Charter Commission, find fault with the current town government structure as dictated by the existing town charter. We find it inefficient, resistant to change, and lacking in accountability. Therefore, we resolve that in order for the citizenry of Sanford to prosper in the 21st century, a modern government structure must be designed and implemented via this charter revision process that brings efficiency, expediency, and accountability to the municipal business of the town and its educational responsibilities and to facilitate increased economic opportunities and striving for a better quality of life for all citizens of Sanford."

Troy Henke indicated that he does not agree that the Charter is resistant to change or that a lack of accountability is not included in the existing charter. Robert Stackpole explained that "resistant to change" is a reflection on how getting something done takes a long time because there are so many people involved. Checks and balances are OK, but people will go elsewhere if discouraged by too many hoops to go through. Robert Stackpole further explained that "accountability" refers to "who leads this town?" and the answer is nobody. So many people are involved and once decisions are made, the decision makers can walk away with no accountability. Need to have a more streamlined decision making process with accountability by those who set and enforce policy. Example: Town Manager asked for 5 cruisers – decision was for 4 cruisers – however

the people who decided are not responsible for police response time. If the Town Council makes a decision, the townspeople will know who to work with if an issue arises.

Maura Herlihy commented that the last Charter Commission did not anticipate that any decision maker would not be accountable and take a hands off approach.

Troy Henke commented that the items above are already in place and the question is how do we make the current charter work to increase accountability. Maura Herlihy indicated that accountability is not in the current charter and we need one true legislative body. Troy Henke commented that how we restructure will drive accountability. Bradford Littlefield commented that he sees the issues as being a broken budget process and how do we fix it. Robert Stackpole commented that there is a sense that some of these items need to be fixed, and Bradford Littlefield commented that we just need to smooth the rough edges.

Seconded by Maura Herlihy: To accept the statement as amended. Motion carried 8-0.

12. Activity – Map out Basis Municipal Government Structures on flip charts (Robert Stackpole and Judith Gibbs) & Map out Individual Visions for the Town of Sanford (Bradford Littlefield and Troy Henke).

Judith Gibbs presented the 6 basic structures. Commissioners Henke and Littlefield each presented their visions. See attachments. Note that Troy Henke's vision is similar to York County. Bradford Littlefield commented that there are similarities between his and Mr. Henke's visions. Troy Henke commented that the main difference is that in his proposal the Finance Committee is elected and is a decision making body versus Mr. Littlefield's vision of an appointed Finance Committee.

Other comments:

Gerald Gay – per Troy Henke's vision – "How do we establish the Finance Committee"? Troy Henke – elected at large.

Bradford Littlefield – There are not enough people running for Finance Committee to be competitive.

Robert Stackpole – "He who has the gold rules". Can't back up policies without control of the budget.

Maura Herlihy – Suggested we look at standard structures first. Pick a standard structure and tack on budget variations.

Margaret Trowbridge – Asked "where would we get the money for a mayor?" People are set in their ways and not ready for a mayor.

Bradford Littlefield commented that he is part of a family that has been in Sanford for 8 generations and he wants to see change and is ready for a change. We can be better in the future.

Judith Gibbs – Feedback from people she has talked to is that change is needed.

Bradford Littlefield noted that a weak mayor is a no additional cost option.

Maura Herlihy – We should find out if a weak mayor can be elected at large rather than appointed.

Bradford Littlefield – We need to progress slowly and not change all at once.

Troy Henke agreed that change needs to come slowly – not be drastic. He suspects that the Town will not vote to allow the Town Council to appoint all Finance Committee members.

Margaret Trowbridge – Town Meeting has a right to vote on the budget.

Maura Herlihy – Townspeople will recognize the standard forms of government that work for many communities. We have never picked a standard – may be time to do so.

Robert Stackpole – Cautioned the Commissioners to be cognizant of personal attacks. We are all on the same side and should not be too assertive when making points. We can agree to disagree.

Margaret Trowbridge – Agreed with Robert Stackpole and commented that she wanted to thank the Finance Committee for going a good job with the budget (2011-2012). And we are not here to sit and be judges.

Bradford Littlefield – Commented that we can have the Town Attorney come to a meeting to talk to the Commission.

Robert Stackpole commented that we may benefit from this, but does not want to get corralled by this activity. We need to decide the best time to reach out to legal. Suggested that our next meeting start as a workshop (not televised) for first hour and end with a public meeting (televised) for 2nd hour.

Maura Herlihy – We should sketch out what we want first before contacting the Town Attorney. Attorney will not comment on our choices – just advise to what we should not miss.

Robert Stackpole – We will want to involve legal when we firm up our ideas – after the first draft. Margaret Trowbridge commented that the Commission has determined that at a previous meeting we voted that only the Secretary can contact the Town Attorney. Robert Stackpole is OK with this decision.

13. Transitional Language

Is it too early to tackle this action? New transitional language may be required based on the Commissions recommended changes to the Charter.

Moved by Maura Herlihy: To table this item.

Seconded by Margaret Trowbridge. Motion carried 8-0.

Moved by Robert Stackpole: To extend the meeting by 15 minutes.

Seconded by Maura Herlihy. Motion carried 8-0.

Process for next Meeting

Robert Stackpole – We need to decide on essential criteria. List Criteria – eliminate government structures that will obviously not work to narrow down structures. Judith Gibbs suggested that we use a process to weigh each of the criterion. All agreed.

14. Incorporation as a City:

Article 1, section 101—

Moved by Maura Herlihy: To change Sanford from a Town to a City and amend charter accordingly.

Seconded by Brad Littlefield. Troy Henke clarified that all references in the charter that indicate Town will be changed to City and the verbiage of changing Sanford to a City when the town population exceeded 30,000 will be struck out.

Margaret Trowbridge expressed concern about the effect of this change on the naming of the Village of Springvale. Bradford Littlefield clarified that the name will be City of Sanford, Village of Springvale.

Final language in the charter will be completed by Troy Henke and Maura Herlihy. Maura Herlihy also commented that it is difficult to properly position Sanford due to its designation as a Town.

Motion carried 7-1

15. Final Comments by Commissioners

Gerry Gay – Asked for schedule of next meeting. (June 2, 2011 at 6:00 pm)

Bradford Littlefield – Cautioned that if the changes to the Charter go the voters in November 2011, the election may be local only. No major elections are currently planned for this date. Adoption of changes to the Charter requires a 30% voter turnout. Question as to whether we need to move the vote to 2012.

Robert Stackpole – no further comments

Laura Crocket – no further comments

Margaret Trowbridge – reiterated that she will be recording all Charter Commission meetings. Also expressed a concern that we will be headed to a downfall if we change Sanford to a City. She knows that the townspeople will not accept this change. Also commented that we need to work together. Since she has not disclosed her e-mail address she expects other Commissioners to call her for her opinion – since she is of the mind that the Commission was formed to not make drastic changes to the Charter – just minor tweaks. Maura Herlihy responded that there was an overwhelming vote in favor of becoming a City at the last vote on the Charter.

Robert Stackpole commented in response to Ms. Trowbridge's comment on communication that public business needs to be conducted in public. Mr. Stackpole indicated that he will call Ms. Trowbridge to keep her informed and will ensure that documents get to her in a timely manner.

Trot Henke – no further comments

Judith Gibbs – no further comments

16. Announcement of the date, time, and place of our next meeting

Thursday, June 2, 2011

6:00 pm.

Sanford Town Hall Annex

Town Council Chambers

17. Moved by Gerald Gay: To Adjourn.

Seconded by Maura Herlihy. Motion carried 8-0.

Meeting adjourned at 8:16 pm.

Town of Sanford Charter Commission
Minutes
Thursday, June 02, 2011

1. Robert Stackpole, Chairman called the Charter Commission meeting to order at 6:03 p.m.
2. Pledge of Allegiance—Said
3. Charter Commission Members attendance: Robert Stackpole, Chairman; Jonathan Mapes, Vice-Chairman; Troy Henke, Secretary; Gerry Gay, Judith Gibbs, Bradford Littlefield, Margaret Trowbridge.
Absent: Laura Crockett
4. Adjustments to the agenda: Items 11 and 12 were switched at the Chairman's request, without objection.
Add one item, 14, to allow Commissioners to request items that are to be placed on the following meetings agenda.
5. Approval of minutes: Revision in one of the flow charts attached from the previous meeting—4 members of the Finance Committee to be appointed, not elected, at-large. Also change wording in the flow chart to 7 members of the Finance Committee appointed by the Town Council, with nothing in between the Town Council and the Finance Committee. Flow chart is an idea of Bradford Littlefield.

Insert **Article 1, Section 101** under item 14 of the May 26 minutes.

Moved by Bradford Littlefield: To approve the minutes as amended.

Seconded by Margaret Trowbridge: Motion carried 7-0

Note, The Vice-Chairman abstained due to his absence at the previous meeting.

6. Communications: The Chairman stated now that the Commission meetings are being televised, recorded, and archived that the minutes would be streamlined to only contain the bare essentials; i.e. list out agendas, motions, votes, amendments, exclude discussions. The statement "For the record" made by a Commissioner or other meeting participant will mean that the statement/discussion being made is to be included in the minutes.

Discussed press releases to area News Papers, making sure the agenda gets to Margaret Trowbridge in a reasonable amount of time each week, and reiterated that comments from the new online forum will go to Bradford Littlefield then to the Chairman and Commission as a whole and then be filtered for inappropriate content before being posted.

7. Comments from the public for items that are not on the agenda: None

8. Comments from the Commissioners: Comments made by the Chairman, Vice-Chairman, Secretary, Maura Herlihy, and Bradford Littlefield.

At 6:35 pm Gerry Gay was called out and left the meeting.

9. Introduction by the new Chairman: The Chairman made comments concerning the Commissions task, focus, business guidelines, meeting order, conduct, and communications from the press.

Further stated that we never know where a good idea is going to come from and to keep an open mind.

10. Internet Communications via Face Book and Twitter: The Chairman spoke on the positive use of social media for the Commissions task such as Face Book and Twitter.

11. Establishment of milestones for the decision analysis process: There are to be four milestones for the Commission in manifesting its analysis process. The milestones are flexible. 1. Choose a model for municipal government. 2. Word smith the charter to match our chosen model of government. 3. Community information and educational nights; make final adjustments based on public input. 4. Place our recommended Charter on a ballot referendum and execute a typical campaign to assure its adoption.

08/08/2011 is mandated by statute as the Commissions deadline to complete its preliminary report or the Commission has to ask for a one year extension from the Town Council. By the second week of July, the Commission must make a decision as to whether we put the recommendations for Charter amendments on the 2011 ballot or ask for a one year extension for the 2012 ballot.

July 15, 2011 will be a review of where the commission is vis a vis the milestones.

Moved by Maura Herlihy: To except the proposed milestones.

Second by Bradford Littlefield: Motion carried 7-0

At 7:05 pm. Gerry Gay returned to the meeting.

12. Introduction to the Decision Analysis Process: Analysis Process presented, explained, and facilitated by Judith Gibbs.

13. Begin the decision analysis process: The Commission applied this analysis process in developing ideas, determining if they were a “must” or a “want, and rating them based on the analysis process presented by Judith Gibbs.

Moved by Robert Stackpole: 15 minute meeting extension

Seconded by Bradford Littlefield: Motion carried 8-0

14. Set agenda items for the next meeting: Plans for Town Government Structure by Bradford Littlefield.

The Chairman stated that there will be more efficient, streamlined agenda items after tonight's meeting.

15. Set the date, time, and place of the next meeting:

Thursday June 09, 2011
6:00 pm.
Town Hall Annex, Town Council Chambers

16. Moved by Gerry Gay: To Adjourn
Seconded by Bradford Littlefield: Motion carried 8-0

Meeting adjourned at 8:13 pm.

Submitted,

Troy W. Henke, Secretary
Sanford Charter Commission

7 Communications

TRANSITIONAL LANGUAGE

SECTION:

201

401

502.2

505.3

506.3

604.1*

703.1

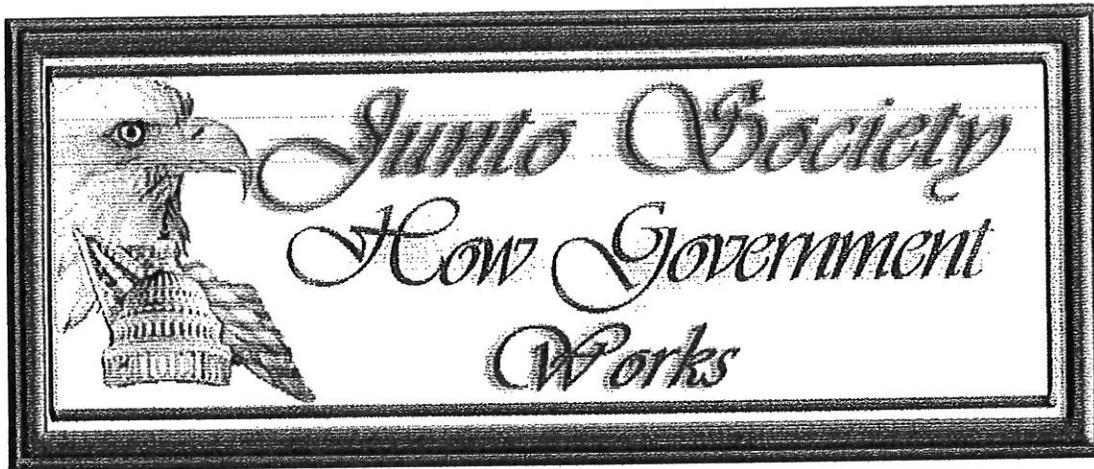
803.1

805.1

1403

1405

Addendum A/B



Municipal Government

by Monty Rainey, Junto Society

Throughout the United States, many different forms of local government are implemented. Though all forms of municipal government may exercise the same basic power structure, there are a variety of different relationships between the legislative (alderman/trustee/councilman) and executive (mayor/president) branches, within these different forms of government.

Individual state constitutions allow for City charters to adopt a constitutional "home-rule" whereby, the citizens of a City may decide which form of municipal government they wish to implement. Some states, may however, impose certain restrictions. For example, a state may not allow a city with a population below 5,000 to perform any actor organize themselves in any fashion not expressly allowed by the state.

Hardly all-inclusive, there are primarily 3 forms of municipal government used in the United States. Anything else is some type of derivative of the basic 3 types. For example, in the state of New Jersey, 12 different types of municipal government are recognized. Illinois recognizes 5 basic forms of municipal government (six when you add incorporated towns), while Texas, only two.

Three basic forms of Municipal Government

Council Manager

The newest of the three major forms of city government, the council-manager form quickly gained acceptance among cities of all sizes and continues to be the most popular form in American cities of more than 10,000 population. This form of home-rule cities operates with a city council as a policy body and a city manager as

the chief executive-administrative officer of city government. Today, most city managers have graduate degrees in public or business administration.

In the council-manager form of government, the council is the governing body of the city elected by the public, and the manager is hired by council to carry out the policies it establishes. The council usually consists of five to nine members including a mayor (or council president) who is either selected by the council or elected by the people as defined in the city charter. The size of the council is generally smaller than that of a mayor-council municipality, and council elections are usually nonpartisan.

The council provides legislative direction while the manager is responsible for day-to-day administrative operation of the city based on the council's recommendations. The mayor and council as a collegial body are responsible for setting policy, approving the budget, and determining the tax rate. The manager serves as the council's chief advisor. Managers also serve at the pleasure of the council and are responsible for preparing the budget, directing day-to-day operations, and hiring and firing personnel.

Typically, the mayor is recognized as the political head of the municipality, but is a member of the legislative body and does not have the power to veto legislative actions.

The Council-Manager Form

Mayor

Council

Manager

Department Heads

Mayor Council

A mayor-council city government consists of a mayor and a number of council members or aldermen. The mayor is elected at large, and the aldermen may be elected at large but generally are chosen from wards or aldermanic districts. The mayor presides at council meetings and is the chief executive officer of the city. He is properly the head of the police force and the budgetary officer of the city. The council is the legislative agent; the proposals and appointments of the mayor are or may be subject to its approval.

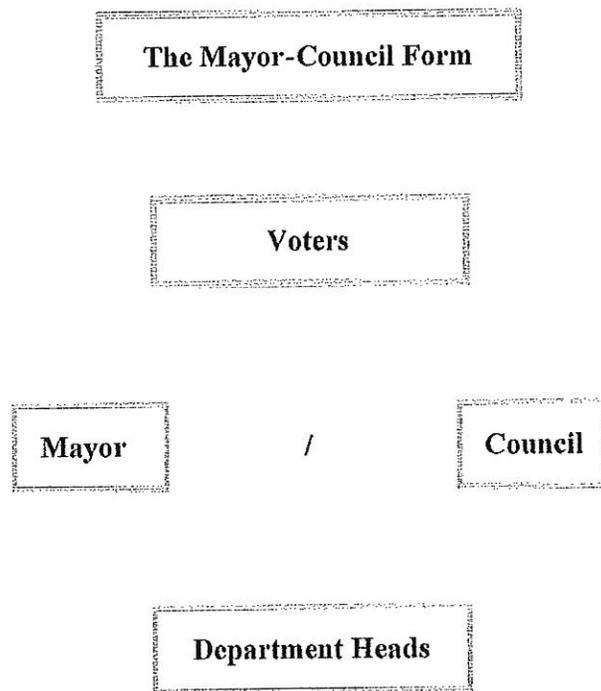
This form of city government has assumed two types. A mayor elected at large and a council elected either by wards, at large, or by a combination of the two, characterize both the weak mayor-council and the strong mayor-council. In the weak mayor-council type, the mayor is not a chief executive in the true sense. His powers are limited in appointments and removals, as well as veto, and there are a large number of elected officials and boards. Many legal powers of the council

prevent him from effectively supervising city administration. In the strong mayor-council form, the mayor has the power to appoint and remove most department heads, and only a few officials are elected. In addition, he prepares the budget for the council's consideration and has an effective veto power. In the 1990s this form of government continued to be the most popular in general-law cities and towns but steadily declined in favor among home-rule cities.

The mayor-council form of government is the form that most closely parallels the American federal government, with an elected legislature and a separately elected executive.

The mayor or elected executive is designated as the head of the city or county government. The extent of his or her authority can range from purely ceremonial to functions to full-scale responsibility for day-to-day operations. But the mayor's or elected executive's duties and powers generally include the following: hiring and firing department heads, preparation and administration of the budget, and veto power (which may be overridden) over acts of legislature. The legislature has the following responsibilities: adoption of the budget, passage of resolutions with legislation, auditing the performance of the government, and adoption of general policy positions.

In some communities the mayor or executive may assume a larger policy-making role, and responsibility for day-to-day operations is delegated to an administrator appointed by and responsible to the chief executive.



Commission

The commission form of city government, also known as the Galveston Plan, was

devised in Galveston, TX in 1901 and became one of the three basic forms of municipal government in the United States. Under the commission plan voters elect a small governing commission, typically five or seven members, on an at-large basis. As a group the commissioners constitute the legislative body of the city responsible for taxation, appropriations, ordinances, and other general functions. Individually, each commissioner is in charge of a specific aspect of municipal affairs, e.g., public works, finance, or public safety. One of the commissioners is designated chairman or mayor, but his function is principally one of presiding at meetings and serving in ceremonial capacities. Thus the commission plan blends legislative and executive functions in the same body.

The invention of the commission plan was a direct result of the Galveston hurricane of 1900. An estimated 6,000 lives were lost, and millions of dollars worth of property was swept away. Fearful that the island city might never recover its prosperity under the leadership of the incumbent city council, a group of wealthy businessmen known as the Deep Water Committee devised a plan to have the governor appoint a commission to govern the city during the rebuilding period. To appease opponents who contended that appointed government was undemocratic, the plan was altered to provide for popular election of two of the five commissioners. This plan went into operation one year after the great storm. Court challenges to the constitutionality of the partially appointive government led the legislature to make the office of all five commissioners elective, and in this form the commission plan became popular across Texas and the nation.

Galveston's apparent success with the new type of government inspired Houston to adopt the plan in 1905 and Dallas, Fort Worth, El Paso, Denison, and Greenville to follow in 1907. By then sometimes referred to as the Texas Idea, the commission plan began to be noticed nationally and to be regarded as a progressive reform. Des Moines, Iowa, was the first city outside Texas to adopt the commission plan. The Des Moines version included nonpartisan balloting, merit selection of employees, and the direct-democracy devices of initiative, referendum, and recall. Although Dallas, Fort Worth, and some other Texas cities also used direct democracy, Des Moines was able to take credit for making commission government a package of reforms often billed as the Des Moines Plan.

Usually supported by chambers of commerce and other businessmen's groups, the commission plan spread rapidly from 1907 to 1920. In this period about 500 U.S. cities adopted commission charters. (Exact figures are not available because of poor reporting and imprecise definitions.) Leading figures of the Progressive Era, including Theodore Roosevelt and Woodrow Wilson, endorsed the plan. Reformist periodicals such as *Outlook* and *McClure's* praised the idea. Historians have generally regarded the Galveston-Des Moines plan as an important aspect of the progressivism thrust toward expertise and efficiency. Some progressive reformers, however, questioned the plan because they viewed it as an effort by business interests to take influence away from the working class.

To a significant extent the commission plan served as a precursor to the popular council-manager form of city government. Richard S. Childs, often called the father of the city manager plan, worked through the Short Ballot Organization and the National Municipal League to make the manager plan rather than the commission plan the progressive idea of choice for business-minded reformers. Childs and

others pointed out that the specific departmental interests of commissioners often caused internal squabbling and that the absence of a chief executive could result in a lack of leadership. Manager charters, many argued, could retain the beneficial aspects of the Galveston-Des Moines system, such as the short ballot, at-large voting, nonpartisanship, the merit system, and direct democracy, but could replace leaderless bickering with businesslike management in the corporate model.

Indeed, after World War I very few cities adopted the commission plan, and many existing commission cities shifted to the manager system; a few reverted to mayor-council charters. From a peak in 1918 of about 500, commission plan cities had dwindled to only 177 by 1984. In contrast, there were 3,776 mayor-council and 2,523 council-manager cities in that year. Even Galveston abandoned its own child when the island city adopted manager government in 1960. Because at-large balloting is intrinsic to the commission concept and since at-large elections may dilute minority voting strength, some southern cities, including Shreveport, Jackson, and Mobile, have dropped the commission plan because of suits brought under the Voting Rights Act of 1965 and subsequent amendments. In Texas as of May 1993 there were no true commission forms of government. Twenty-seven cities had manager-commission governments, but they were more like mayor-council government than the original commission form.

Variations

Town Meeting

All qualified voters of the town gather on a given day (usually once a year, but more often if necessary) to elect a board of officers (selectmen) and to make policy decisions. The board of selectmen has the responsibility for carrying out the policy set by the citizens. In some towns a manager or administrator is appointed to carry out the administrative operations of the town.

Representative Town Meeting

The representative town meeting form of government is structured in much the same way as the town meeting form, with the exception that a large number of citizens are chosen by the general electorate to represent them in voting. All citizens can attend the meetings and participate in debates, but only those chosen as representatives have a direct vote.

Township

Generally speaking, a township will consist of Mayor and 3 to 5 elected committee members. The committee members will act as the legislative body and assumes all legislative responsibilities not placed on the office of mayor. The Township Committee may delegate, by ordinance, all or a portion of executive responsibilities to an appointed administrator.

Borough

Mayor and 6 Council, all elected at large. The Mayor presides over the Council and

votes only to break ties. Subordinate officers are appointed by the Mayor. Again, the Council serves as the legislative body.

Village

Generally, a Village governing body will consist of a Board of Trustees, usually 5, who are elected at large. One of these board members will serve as the Board President and is granted all of the powers given a Mayor by general law. The Board of Trustees serves as the legislative body of the municipality.

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11

Gibbs, Judy

From: robertstackpole@rsu57.org on behalf of Robert Stackpole [rstackpole@aol.com]
Sent: Wednesday, May 25, 2011 4:31 PM
To: blittlefield@sanfordmaine.org; cricketsplmb@gwi.net; IAFFLOCAL1624@yahoo.com; jon@hamapes.com; salord@sanfordmaine.org; Gibbs, Judy; tkhenke@metrocast.net
Cc: rstackpole@aol.com

Subject: Suggested motion

I have put together a brief motion for tomorrow evening's meeting. I intend make this motion at the beginning of item #9 on the Agenda. My thinking is that if we are going to move ahead with an evaluation of governmental structures (which is our task under Item 9) then logically we have to have a reason to do so. The intent of this motion is simply a declaration for change. It doesn't pigeon hole the Commission into anything but change. And, I think we had a great deal of consensus on that at the last meeting. I doesn't define in any way what that change will look like. I hope everyone understands my logic. I'm just trying to lay a solid foundation for us to build on.

It will be a motion and therefore subject to all of Robert's Rules. I hope you will support it. If you have any questions or need any clarifications please do not hesitate to contact me by email or call my cell phone 608-9073.

Motion as follows:

We, the members of the Sanford Charter Commission, find fault with the current town governmental structure as dictated by the existing town charter. We find it inefficient, resistant to change, and lacking in accountability. Therefore, we resolve that in order for the citizenry of Sanford to prosper in the 21st century, a modern governmental structure must be designed and implemented via this charter revision process that brings efficiency, expediency, and accountability, to the municipal business of the town and its educational responsibilities.

5/26/2011

11

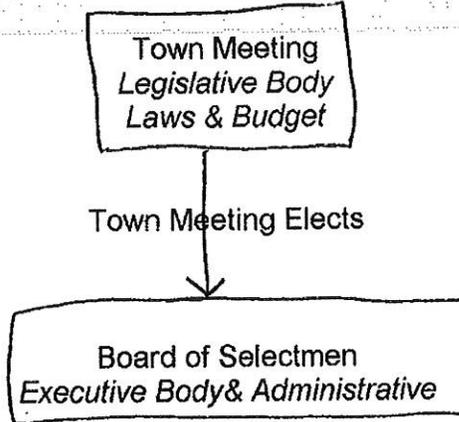
at the end of paragraph.

and to facilitate increased economic opportunities, and striving for a better quality of life for all citizens of San Francisco.

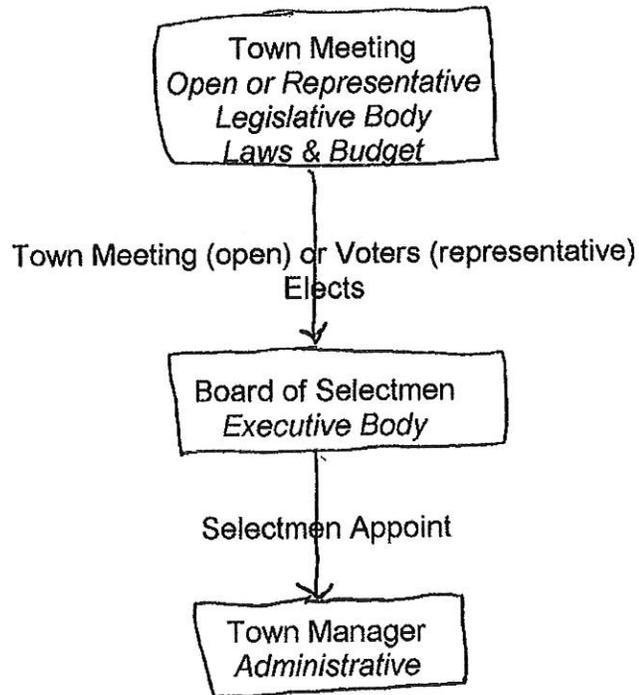
12

Six basic Town Government Structures

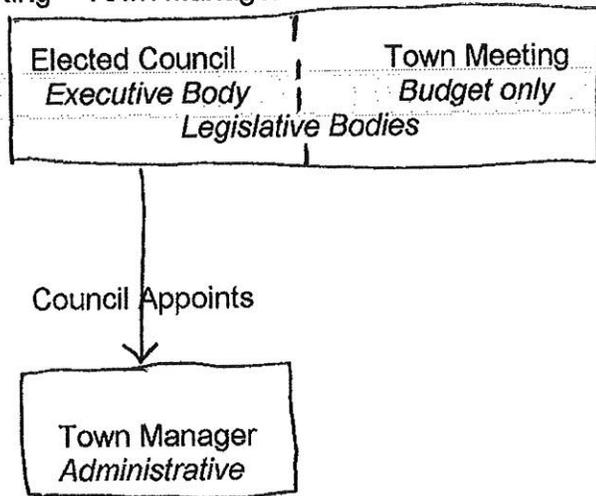
1. Town Meeting – Selectmen



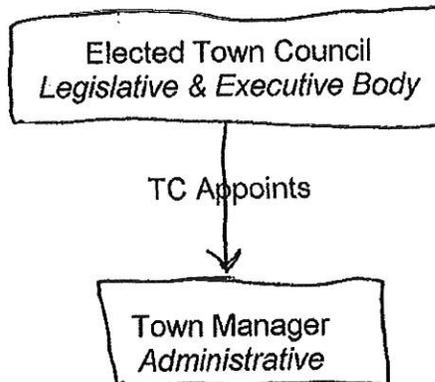
2. Town Meeting – Selectmen – Town Manager



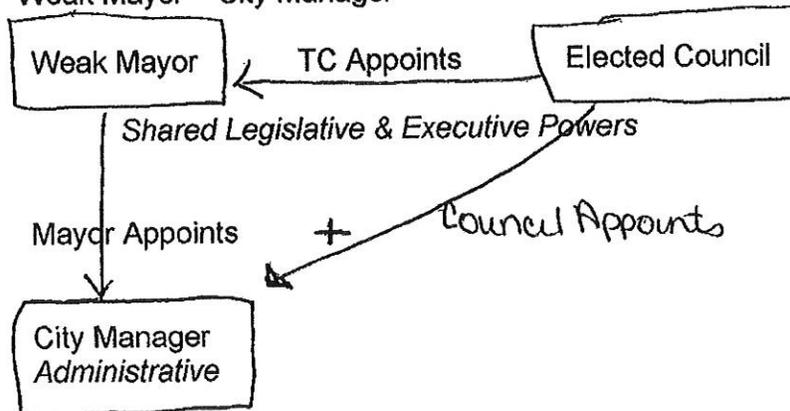
3. Council – Town Meeting – Town Manager



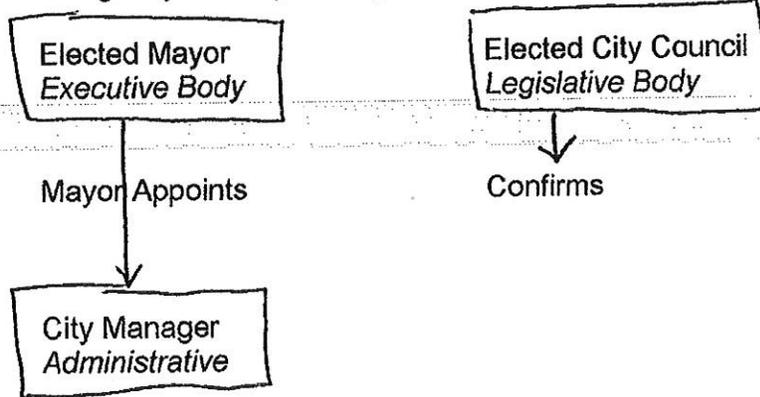
4. Town Council – Town Manager



5. Council – Weak Mayor – City Manager

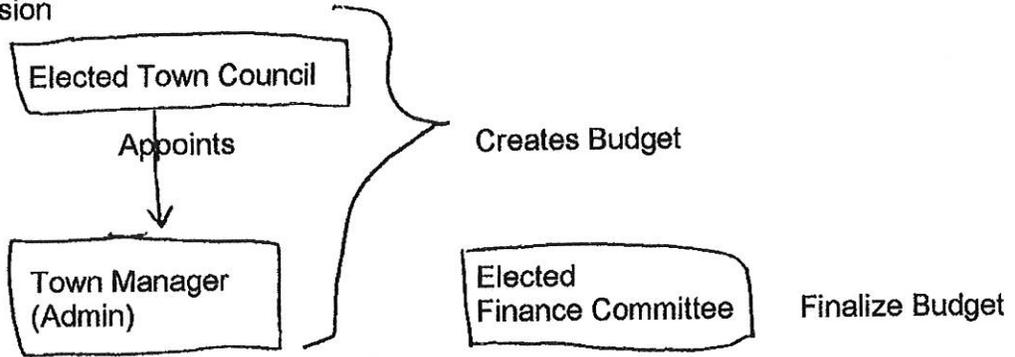


6. Council – Strong Mayor – City Manager



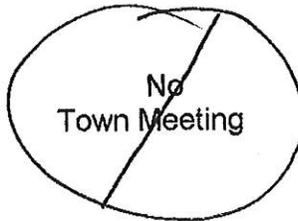
VISIONS

1. Troy's Vision



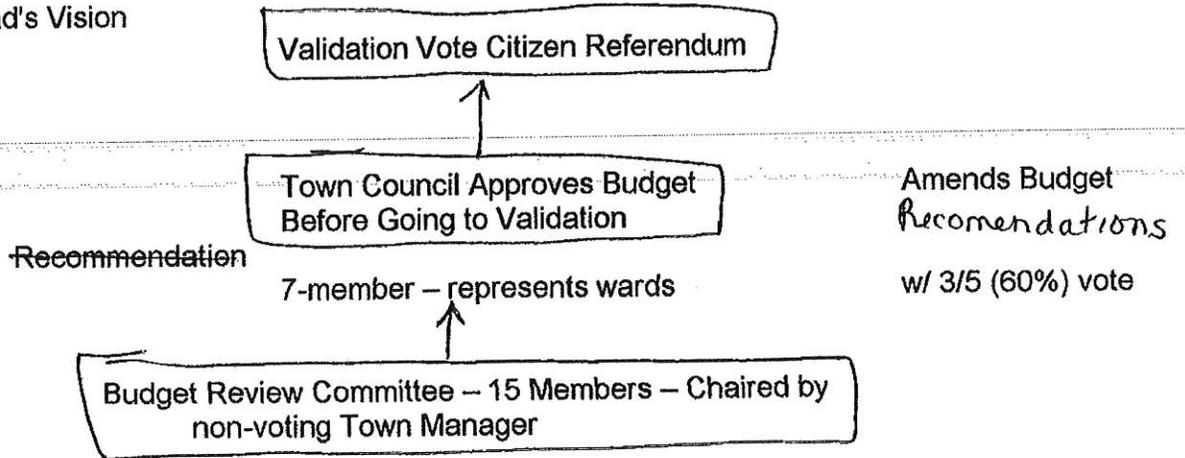
reference 30-A Art. G-A
chapter 4

Only majority vote of both can
increase or decrease budget items
after FC decision



Referendum Validation of
Budget

2. Brad's Vision



Annual Appointment

7 members appointed by TC

4 members elected at large

4 members
2 - TC (majority/minority)
2 - SC (majority/minority)

Budget Developed by Town Manager & Staff
Forward to Budget Review Committee
forward to Town Council Approval

Build Checks and Balances

Town of Sanford Charter Commission
Minutes
Thursday, June 23, 2011

1. Robert Stackpole, Chairman called the Charter Commission meeting to order at 6:03 p.m.
2. Pledge of Allegiance—Said
3. Charter Commission Members attendance: Robert Stackpole, Chairman; Jonathan Mapes, Vice-Chairman; Troy Henke, Secretary; Laura Crockett; Gerry Gay; Judith Gibbs; Bradford Littlefield; Maura Herlihy; Margaret Trowbridge.
4. Adjustments to the agenda: None
5. Approval of Minutes: The Vice Chairman requested that the minutes of 06/09/2011 reflect that he was only tardy under item 3, not completely absent.
Moved by Bradford Littlefield: To approve the minutes as amended.
Seconded by Gerry Gay: Motion carried 8-0.
Note: Maura Herlihy abstained.
6. Communications: Mention was made of the Secretary's outline for a proposed municipal government structure which had been previously distributed by the Commission.
Maura Herlihy distributed a matrix of the 12 largest communities in Maine reflective of their budget development process versus Sanford's.
7. Comments from the public for items that are not on the Agenda: None
8. Comments from the Commissioners: None
9. Completion of Milestone One: Poll was taken to gauge the government structure that the Commission wanted for Sanford. Weak Mayor, City Council, City Manager was selected 8-1.
Bradford Littlefield stated that he wanted to clear the record in response to concerns from Margaret Trowbridge that Commissioners were having side meetings, and corresponding inappropriately through emails and telephone calls. Bradford Littlefield responded that there have been no meetings between he and any other Commission member, that there was discussion between he, the Secretary, and the Chairman about having a meet up to develop ideas to be presented to the Commission for government structure with full disclosure. It was decided, however, not to meet and instead to have all discussions in

open meeting with the full Commission, and the contents of the discussion were fully disclosed to the Commission. Mr. Littlefield went on that there have been no violations of the Charter or inappropriate conduct, and that membership on the Commission does not preclude he or any member from exercising their rights in speaking with constituents. The Chairman also expressed his belief that there was nothing improper occurring between Commissioners and that Commissioner Trowbridge was not being cut out of the process in any way.

Point of order was called three times during the discussion by Bradford Littlefield, Gerry Gay, and the Secretary.

Moved by Bradford Littlefield: To adopt the Weak Mayor, City Council, City Manager form of government.

Seconded by Gerry Gay: Motion carried 8-1

10. Next Steps (Milestone 2): A poll was conducted to gauge the Commissions views on the structure and function of the Finance Committee. 8-1 resulted to change the structure/function of the Finance Committee.

Decision Analysis of Bonds over a certain amount going to the voters to be approved via referendum. Agreed to by consensus, 9-0.

Decision Analysis of the budget development process. 7-2 in favor of the City Council having the final determination.

Further analysis produced consensus of 9-0 of having a voter validation by referendum of the municipal budget after approval by the City Council.

Moved by Bradford Littlefield: 15 minute extension

Seconded by Gerry Gay: Motion carried 9-0

Further Decision Analysis produced consensus 9-0 for a Budget Committee to produce a budget before being presented to the City Council for approval.

Summarization of the budget development process agreed to by consensus:

City Manager/Superintendent of Schools presents their respective budgets to the Budget Committee.

The Budget Committee develops the municipal/school budget and presents it to the City Council for approval.

Once approved, both the municipal and school budgets are presented to the voters for validation authorization via ballot referendum.

Moved by Bradford Littlefield: 15 minute extension

Seconded by Gerry Gay: Motion carried 9-0

11. Items for the Next Agenda: The items on the “top 10 list” from top to bottom.

12. Set date, time, and place for the next meeting:

Thursday June 30, 2011
6:00 pm.
Town Hall Annex, Town Council Chambers

13. Moved by Gerry Gay: To adjourn
Seconded by Judith Gibbs: Motion carried 9-0

Meeting adjourned at 8:24 pm.

Submitted,

Troy W. Henke, Secretary
Sanford Charter Commission

**Town of Sanford Charter Commission
Minutes
Thursday, June 09, 2011**

1. Robert Stackpole, Chairman called the Charter Commission meeting to order at 6:02 p.m.
2. Pledge of Allegiance—Said
3. Charter Commission Members attendance: Robert Stackpole, Chairman; Jonathan Mapes, Vice-Chairman*; Troy Henke, Secretary; Laura Crockett; Gerry Gay, Judith Gibbs, Bradford Littlefield, Margaret Trowbridge.
Absent: Maura Herlihy
*Tardy: Jonathan Mapes
4. Adjustments to the agenda: None
5. Approval of Minutes: Moved by Gerry Gay: To approve the minutes as written.
Seconded by Bradford Littlefield: Motion carried 7-0.
6. Communications: Comments made by the Chairman. Monday noon time was agreed by consensus to be the deadline for adding new documents to the meeting agenda.

At 6:05 pm. The Vice-Chairman, Jonathan Mapes, joined the meeting.

7. Comments from the public: None
8. Comments from the Commissioners: None
9. Continue Decision Analysis: Administered by Judith Gibbs. A review of the analysis process was conducted.
Commissioners rated musts and wants on a scale of 1,3,5,7, or 9. 1 being lowest, 9 being highest.
6:57 pm. The Chairman called a brief recess while Judith Gibbs tallied the ratings based on the analysis criteria for each category.
7:08 pm. The Chairman reconvened the meeting.
Category totals were as follows:
Town Council, Town Meeting, Town Manager—182
Town Council, Town Manager—604
Town Council, Town Manager, Weak Mayor—630
City Council, City Manager, Strong Mayor—556

Commissioners Henke, Littlefield, Mapes, Crockett, Gay, and Gibbs gave comment following the decision ratings.

Councilors weighed risks, threats, and mitigation for each municipal government option, and gave comment.

10. Review details of Bradford Littlefield's Government Model: Item tabled until the next meeting per the Chairman.

11. Items for the next meeting: None

12. Set date, time, and place for the next meeting:

Thursday June 23, 2011

6:00 pm.

Town Hall Annex, Town Council Chambers

13. Moved by Gerry Gay: To adjourn

Seconded by Margaret Trowbridge: Motion carried 8-0

Meeting adjourned at 8:00 pm.

Submitted,

Troy W. Henke, Secretary
Sanford Charter Commission

Town of Sanford Charter Commission

Agenda

Thursday, June 30, 2011

6:00 pm

Note: Meeting will be held in the Town Council Chambers; Sanford Town Hall Annex, 919 Main St., Sanford, ME.

1. Call to Order: Time: _____
2. Pledge of Allegiance:
3. Charter Commission Member attendance: Robert Stackpole, Chairman;
Jonathan Mapes, Vice-Chairperson; Troy Henke, Secretary; Laura Crockett,
Gerald Gay, Judith Gibbs, Maura Herlihy, Bradford Littlefield, Margaret
Trowbridge.
4. Adjustments to the Agenda:
 - a. Discussion:
 - i. Motion: _____ Second: _____ Vote: Yes _____ No _____
5. Approval of Minutes:
 - a. June 23, 2011
 - i. Discussion:
 - ii. Recommendation: To approve the minutes as written
 - iii. Motion: _____ Second: _____ Vote: Yes _____ No _____
6. Communications:

a. Discussion:

b. Recommendation:

i. Motion: _____ Second: _____ Vote: Yes ___ No ___

7. Comments from the public for items that are not on the Agenda:

8. Comments from the Commissioners:

9. Continue Charter revision following "top 12" list.

10. Items for the next agenda:

11. Set the date, time, and place of the next meeting:

12. Adjourn:

Motion: _____ Second: _____ Vote: Yes ___ No ___

Town of Sanford Charter Commission
Minutes
Thursday, June 30, 2011

1. Jonathan Mapes, Vice-Chairman called the Charter Commission meeting to order at 6:00 p.m.
2. Pledge of Allegiance—Said
3. Charter Commission Members attendance: Jonathan Mapes, Vice-Chairman; Troy Henke, Secretary; Laura Crockett; Gerry Gay; Judith Gibbs; Bradford Littlefield. Absent: Margaret Trowbridge; Robert Stackpole, Chairman
Tardy: Maura Herlihy
4. Adjustments to the agenda: None
5. Approval of Minutes: Moved by Gerry Gay: To approve the minutes as written. Seconded by Laura Crockett: Motion carried 6-0.
6. Communications: The Secretary's distributed proposal for amendments to section 1202.
7. Comments from the public for items not on the agenda: None
8. Comments from the Commissioners: Bradford Littlefield and the Secretary offered comment on notifying the Town Council of the Commissions decisions thus far, previous comments regarding the Finance Committee, and the Budget Development process we had agreed to at the previous meeting.

6:12 pm. Maura Herlihy enters the meeting.

9. Continue Charter Revisions using "Top 12" List: After some discussion, and removal of Emergency Ordinance language to the proposed amendments to section 1202 proposed by the Secretary, Appendix A of these minutes; Moved by Judith Gibbs: To adopt the amendments to section 1202. Seconded by Maura Herlihy: Motion carried 7-0.

Section 508.6—Moved by Bradford Littlefield: To increase the percentage from 2% to 4% reserves for the Capital Improvement program, at a minimum, from the previous years budget. 2% of which to be allocated for transportation infrastructure, and 2% of which to be allocated for discretionary Capital Improvements.

Seconded by Gerry Gay: Motion carried 7-0.

Section 1203—Discussion about assuring simplicity in referendum ballot questions. Proposed language to be developed by the Secretary and discussed at the next meeting.

Section 301—Moved by Judith Gibbs: To strike out all language requiring the Town Manager to reside in the Town of Sanford and leave the residency of the Town Manager to the discretion of the City Council when hiring.

Seconded by Maura Herlihy: Motion failed 3-4.

Moved by Maura Herlihy: To strike out “The Town Manager shall not reside outside of the Town of Sanford”. And replace it with “The Town Manager shall not reside outside of York County, Maine”.

Seconded by The Secretary: Motion carried 4-3.

Gerry Gay stated for the record that he does not believe the tax payers should be providing a stipend for fuel and vehicles, if the Town Manager decides to live outside of Sanford.

Section 801—Discussion about conflict of merging the office of Planning Director with the Director of Economic Development. Due to the Charter not recognizing a Director of Economic Development, it was decided that no action was necessary.

10. Items for the next agenda: Article VI, Section 1203, follow up discussion of budget development process.

11. Set the date, time, and place of the next meeting:

Thursday July 07, 2011
6:00 pm.
Town Council Chambers

12. Moved by Maura Herlihy: To adjourn.

Seconded by Judith Gibbs: Motion carried 7-0

Meeting adjourned at 7: 49 pm.

Submitted,

Troy W. Henke, Secretary
Sanford Charter Commission

**Town of Sanford Charter Commission
Minutes
Thursday, July 07, 2011**

1. Robert Stackpole, Chairman called the Charter Commission meeting to order at 6:04 p.m.
2. Pledge of Allegiance—Said
3. Charter Commission Members attendance: Robert Stackpole, Chairman; Jonathan Mapes, Vice-Chairman; Troy Henke, Secretary; Laura Crockett; Gerry Gay; Judith Gibbs; Maura Herlihy; Bradford Littlefield; Margaret Trowbridge.
4. Adjustments to the agenda: None
5. Approval of Minutes: Moved by Bradford Littlefield: To approve the minutes as Written.
Seconded by Gerry Gay: Motion carried 8-0
The Chairman abstained.
6. Communications: Language from the Secretary for Article VI and Section 1203 motions.
7. Comments from the public for items not on the agenda: None
8. Comments from Commissioners: Margaret Trowbridge offered comment.
9. Article VI: Moved by the Secretary: To strike out Article VI, Representative Town Meeting, sections 601-610 in its entirety and adjust the language throughout the entire Charter that references Town Meeting accordingly.
Seconded by The Vice-Chairman: Motion carried 8-1.
10. Section 1203: Discussion was conducted and minor amendments were made to the Secretary's distributed language in item 6.

6:40 pm the Chairman called a five minute recess to give the Secretary the opportunity to amend the language of the proposed motion.

6:44 pm—Meeting reconvened.

Moved by the Secretary: To strike out the word “substantially” from the first paragraph.

Strike out “a copy of which is printed herein or attached hereto”

To change the wording of ballot referendum questions to read: “Shall the proposed ordinance (resolution, or order with its number) (description of ordinance, resolution, or order) be adopted (repealed)?”

Insert: **Example**—Shall the proposed ordinance, number 1234, which establishes..., be adopted (repealed)?

Insert: All referendum ballot questions shall be basic, brief, clear to intent, worded simply as possible, and in accordance with state law.

Insert a paragraph 4 to read *A copy of the item(s) being voted upon at referendum shall be printed and made available within each of the voting places, libraries, and City Hall on the election day that it is being decided.*

Seconded by Judith Gibbs: Motion carried 9-0.

11. Budget Development Approval Process: Eight possible options were discussed regarding the structure of the Budget Committee:

Options—

1. Leave existence of the budget committee optional within the discretion of the City Council.
2. Standing budget Committee mentioned in the Charter and appointed by the City Council. To be made up of one City Councilor, one School Committee member, and five citizens at-large. Total of seven.
3. Total of seven members. One public safety (police/fire), three City Councilors, one School Committee member, one Growth Council member, one member from Public Works.
4. Nine elected members at-large, one City Councilor, one School Committee member. Totaling 11.
5. A Sub-Committee of the City Council consisting of three City Councilors. To be a standing sub-committee dealing with financial issues year round.
6. Nine members elected at-large. City Council and School Committee representatives to be advisory only
7. Total of seven members. One public safety (police/fire), three City Councilors, one School Committee member, one Growth Council member, one member from Public Works, but would also include citizens at-large who would be appointed or elected.
8. A Standing Committee with five members. Two City Councilors, three elected at-large.

Terms of the Budget Committee members and Responsibilities of the Budget Committee to be decided at a later meeting.

Options 1 and 5 were eliminated by consensus.

Agreed to by consensus that the City of Sanford will have a Budget Committee that is recognized and required by the Charter.

Moved by Gerry Gay: 15 minute extension.

Seconded by the Vice-Chairman: Motion carried 9-0

Moved by Maura Herlihy: To change the name of the Finance Committee to the Budget Committee. The Budget Committee will be a standing, year round committee and will be made up of four members appointed by the City Council and three members elected at-large. No serving City Councilors or School Committee members shall be eligible for appointment or election to the Budget Committee. Appointees to be reviewed annually for reappointment.

Seconded by Bradford Littlefield: Motion carried 8-1

Moved by Gerry Gay: 15 minute extension.

Seconded by Bradford Littlefield: Motion carried 9-0

12. Establish a time line for completion of the Commissions work: Moved by the Chairman: To table item 12 until the next meeting.
Seconded by Maura Herlihy: Motion carried 9-0
13. Items for the next agenda: Term limits for committee members, responsibilities of the budget committee, time line for completion of the Commission's work. Draft review of the Commission's work up to now, to be completed by Maura Herlihy.
14. Announce the date, time, and place of the next meeting:

Thursday July 14, 2011
6:00 pm
Town Council Chambers
15. Moved by Gerry Gay: To adjourn
Seconded by Margaret Trowbridge: Motion carried 9-0

Meeting adjourned at 8:25 pm

Submitted,

Troy W. Henke, Secretary
Sanford Charter Commission

Town of Sanford Charter Commission
Minutes
Thursday, July 14, 2011

1. Robert Stackpole, Chairman called the Charter Commission meeting to order at 6:10 p.m.
2. Pledge of Allegiance—Said
3. Charter Commission Members attendance: Robert Stackpole, Chairman; Jonathan Mapes, Vice-Chairman; Troy Henke, Secretary; Laura Crockett; Gerry Gay; Judith Gibbs; Maura Herlihy; Bradford Littlefield; Margaret Trowbridge.
4. Adjustments to the agenda: None
5. Approval of Minutes: Moved by Gerry Gay: To approve the minutes as written from the Charter Commission meeting on 07/07/2011.
Seconded by Margaret Trowbridge: Motion carried 9-0
6. Communications: Draft wording of Charter language for decisions the Commission has already made, was distributed by Maura Herlihy.
7. Comments from the Public for Items not on the Agenda: None
8. Comments from the Commissioners: The Chairman made comment on the importance of getting agendas, minutes, and communications to Margaret Trowbridge in a timely manner and stated that the matter had been addressed. The Chairman returned the envelopes, paper, and \$5.00 to Margaret Trowbridge that she had given to him for the purpose of sending Commission items to her, at the previous meeting.
Margaret Trowbridge made comment on the recent news paper article in the Sanford News concerning the Charter Commission.
The Chairman made comment concerning future public hearings of the Charter Commission.
9. Responsibilities of the Budget Committee: Discussion was held concerning authority granted to the Budget Committee versus being advisory only. Bonds, Municipal budget, and School budget all to be voted upon by the voters at referendum voter validation.
How the City Council will receive the budget developed by the Budget Committee, and the feasibility of having one joint public hearing with the City

Council and the Budget Committee before the budget development process begins, instead of having two separate public hearings. The importance of a "chain of command" for the Budget Committee and establishing a time line for budget completion was also discussed.

6:50 pm. Margaret Trowbridge exited the meeting.

12. Timeline: Moved ahead of items 10 and 11 per the Chairman.

Moved by Maura Herlihy: 15 minute extension

Seconded by Gerry Gay: Motion carried 8-0

Moved by the Chairman: To request a one year extension from the Town Council for the completion of the Commissions work, as per State Statute.

Seconded by Judith Gibbs: Motion carried 6-2

10. Terms of Elected Officials: Moved by the Chairman: To alter the terms of City Councilors from three years to two years.

Seconded by Judith Gibbs: Motion failed 1-7

Moved by Maura Herlihy: To establish a standard three year term for all Committees.

Seconded by the Vice-Chairman: Motion carried 8-0

Moved by Gerry Gay: To establish a term limit for all Committees of three, three year terms in a row.

Seconded by Laura Crockett: Motion failed 2-6

Moved by Gerry Gay: 15 minute extension

Seconded by the Vice-Chairman: Motion carried 8-0

11. Review Working Draft of the Charter: Moved by Maura Herlihy: That the City Council shall set the compensation of City Councilors. **Section 205.1**

Seconded by Gerry Gay: Motion carried 8-0

Moved by Maura Herlihy: To change the meeting requirement of the City Council from meeting regularly at least once every two weeks, to meeting regularly at least twice per month. **Section 208**

Seconded by Bradford Littlefield: Motion carried 8-0

Moved by Maura Herlihy: That the School Committee shall set the compensation of School Committee members. **Section 407**

Seconded by the Vice-Chairman: Motion carried 8-0

13. Items for the next agenda: Flow Chart of the Budget Development process we have agreed to. Authority of the Budget Committee. Administrative Fines,

Section 302.14. Vacancies of City Council positions and the wisdom of the departing Councilor voting to appoint their own successor.

14. Set the date, time, and place of the next meeting:

Thursday July 21, 2011

6:00 pm.

Town Council Chambers

15. Moved by Maura Herlihy: To adjourn
Seconded by Gerry Gay: Motion carried 8-0

Submitted,
Troy W. Henke, Secretary
Sanford Charter Commission

Town of Sanford Charter Commission
Minutes
Thursday, July 21, 2011

1. Robert Stackpole, Chairman called the Charter Commission meeting to order at 6:03 p.m.
2. Pledge of Allegiance—Said
3. Charter Commission Members Attendance: Robert Stackpole, Chairman; Jonathan Mapes, Vice-Chairman; Troy Henke, Secretary; Laura Crockett; Gerry Gay; Judith Gibbs; Maura Herlihy; Bradford Littlefield; Margaret Trowbridge.
4. Adjustments to the agenda: Per the Chairman, a checklist of items the Commission has accomplished up to now, what needs to be revisited, and what has yet to be done. Inserted as new item 13; existing items 13, 14, and 15, on the agenda adjusted down one.
5. Approval of Minutes: Margaret Trowbridge requested that her leaving the Charter Commission Meeting on 07/14/2011 be reflective of the fact that she had to leave due to an emergency. The Secretary agreed to the request.
Moved by Bradford Littlefield: To approve the minutes as amended from the Charter Commission Meeting on 07/14/2011.
Seconded by Gerry Gay: Motion carried 9-0
6. Communications: From Bradford Littlefield—A memorandum from the Town Attorney giving legal opinion on the Charter Commission asking for a one year extension for the completion of their work. This item will be on the agenda at the next Town Council Meeting on 08/02/2011.
Also distributed a synopsis of the budget development process for communities in Maine of similar size, and a history of the Sanford budget development process figures going back to 2005.
From Maura Herlihy—A first draft wording of amendments that the Charter Commission has made up to now.
7. Comments from the public for items not on the agenda: None
8. Comments from the Commissioners: Laura Crockett and Margaret Trowbridge offered comment.
9. Develop a Flow Chart of the Budget Development Process: The process is as

Follows:

1. Goals/Objectives set by the City Council
2. City Manager and Department heads develop the proposed municipal budget. School Superintendent and Department heads develop the proposed school budget.
3. City Manager and School Superintendent present their budgets to the Budget Committee.
4. Budget Committee reviews and adjusts the presented budgets and develops the City Budget.
5. The Budget Committee presents the City Budget to the City Council.
6. The City Council approves the budget as presented or makes adjustments
7. The City Council forwards the approved budget to the voters at referendum voter validation.

Section 502.4

Moved by the Secretary: That the language of this section shall read--Each City Budget article developed by the Budget Committee shall be presented in one document to the City Council for authorization, and worded in a manner which specifies the amount that may be raised or appropriated. The City Budget developed by the Budget Committee may be changed or adjusted only by a vote of the City Council in which a *minimum five (5) Councilors* have voted for the change or adjustment.

The authorization of the municipal and school budgets by the City Council shall be the final budgets that are to be presented to the voters in their aggregate amounts for final authorization at voter referendum.

Seconded by Bradford Littlefield: Motion failed 3-6

Moved by the Secretary: That the language of this section shall read-- Each City Budget article developed by the Budget Committee shall be presented in one document to the City Council for authorization, and worded in a manner which specifies the amount that may be raised or appropriated. The City Budget developed by the Budget Committee may be changed or adjusted only by a vote of the City Council in which a *majority of the Councilors* have voted for the change or adjustment.

The authorization of the municipal and school budgets by the City Council shall be the final budgets that are to be presented to the voters in their aggregate amounts for final authorization at voter referendum.

Seconded by Gerry Gay: Motion carried 8-1

10. Administrative Fines:

Section 302.15

Moved by Bradford Littlefield: To insert language into this section that reads—The City Council must be consulted when amounts to be paid or settled exceed \$15,000 for administrative fines.

Seconded by the Secretary: Motion failed 3-6

The issue of Administrative fines will be addressed to the attorney during his legal review of the Commissions recommendations. Administrative fines will also be placed as an item on a future meeting agenda.

11. The Wisdom of a City Councilor appointing their own successor due to their pending vacancy:

Section 211.3

Moved by Bradford Littlefield: To insert language into this section that reads—
No resigning City Councilor may vote on their own successor.
Seconded by Margaret Trowbridge: Motion carried 8-1

12. Discussion About Special Elections: Moved by Margaret Trowbridge: To hold a special election in a timely manner after the presentation of the Charter Commission's final report to the City Council.
Seconded by Bradford Littlefield: Motion failed 1-8

13. Chairman's Checklist:

Section 204.4—Moved by Bradford Littlefield: That there be no changes to this section and that the language be left as is.
Seconded by the Chairman: Motion carried 9-0

Section 204.5—Moved by Gerry Gay: That the language of this section be changed to—
The City Council shall perform an annual performance review of the City Manager within 60 days of the anniversary of their hire date.
Seconded by Bradford Littlefield: Motion carried 9-0

Section 204.8—Moved by Bradford Littlefield: That there be no changes to this section and that the language be left as is.
Seconded by the Secretary: Motion carried 8-1

Section 204.10—Moved by Judith Gibbs: That there be no changes to this section and that the language be left as is.
Seconded by the Secretary: Motion carried 9-0

Section 209.1—Moved by the Chairman: To change the word Chairperson to the word Mayor.
Seconded by Bradford Littlefield: Motion carried 8-1

Section 209.2—Moved by the Chairman: To change the word Chairperson to the word Mayor
Seconded by Judith Gibbs: Motion carried 8-1
This section will need revisiting as to how we will select the Mayor.

Section 211.1—Moved by the Secretary: To remove the word recall from this section
Seconded by Maura Herlihy: Motion carried 8-1

Section 211.2—Moved by Bradford Littlefield: That there be no changes to this section
and that the language be left as is.
Seconded by Judith Gibbs: Motion carried 9-0

Section 211.3—Moved by Maura Herlihy: To change the language to read--
Appointments to fill vacancies shall be through 12/31 of the year of appointment.
Seconded by Gerry Gay: Motion carried 8-1
Item will need revisiting.

Section 212—Moved by Bradford Littlefield: That there be no changes to this section
and that the language be left as is.
Seconded by the Secretary: Motion carried 9-0

Section 302.14—Needs revisiting

Section 303—Moved by Bradford Littlefield: That there be no changes to this section
and that the language be left as is.
Seconded by Judith Gibbs: Motion carried 9-0

14. Items for the Next Agenda: Article IV, Article V. Commissioners to prepare
language to make in the form of a motion.

15. Set the Date, Time, and Place for the Next Meeting:

Thursday
July 28, 2011
6:00 pm.—9:00 pm.
Town Council Chambers

16. Moved by Gerry Gay: To adjourn
Seconded by the Secretary: Motion carried 9-0

Meeting adjourned at 8:52 pm.

Submitted,

Troy W. Henke, Secretary
Sanford Charter Commission

Town of Sanford Charter Commission
Minutes
Thursday, July 28, 2011

1. Robert Stackpole, Chairman called the Charter Commission meeting to order at 6:08 p.m.
2. Pledge of Allegiance—Said
3. Charter Commission Members Attendance: Robert Stackpole, Chairman; Troy Henke, Secretary; Laura Crockett; Judith Gibbs; Maura Herlihy; Bradford Littlefield; Margaret Trowbridge.
Excused: Jonathan Mapes, Vice-Chairman
Gerry Gay
4. Adjustments to the agenda: None
5. Approval of Minutes: Moved by Bradford Littlefield: To approve the minutes as written from the Charter Commission meeting of July 21, 2011.
Seconded by Judith Gibbs: Motion carried 7-0
6. Communications: Bradford Littlefield—Opinion from the Town Attorney that with a one years extension, the Charter Commission’s preliminary report will be due on 08/08/2012, and the final report will be due 35 days prior to the 2012 election.
The Chairman—The request for one years extension is the only item on the Town Council’s agenda for its meeting on 08/02/2011. Requests all Charter Commissioners who are able to please attend.
7. Comments from the public for items that are not on the agenda: Sue Cote, Town Clerk gave comment regarding the following:
Budget validation has to be the second Tuesday in June.
Budget validation and school budget should read “To be held within 30 days after City Council approval”.
The City Council must approve the city budget no later than the second week of May.
The Budget Committee must present the city budget to the City Council within 30 days of City Council approval.
Write in candidates for town offices should be required to register with the City Clerk, as is required of state office candidates.
The wording of Article X can be simplified to read “Local elections shall be conducted in the same manner as Title 21A of Maine State Statutes.”
Appointments to any vacant elected office should end 12/31 of the year of appointment.

The percentage of voter participation history at elections.
The legal wording of validation ballot questions.

8. Comments from the Commissioners: Maura Herlihy gave comment on her prepared amended language for Articles 5-14 of what the Commission has decided already.
9. Process for Electing Mayor: Moved by Bradford Littlefield: To table this item until the Commissions meeting on 08/11/2011.
Seconded by Maura Herlihy: Motion carried 7-0

Moved by Bradford Littlefield: That the wording of Section 209.2 should read “The Mayor may be removed from office only by recall, as set forth in Article XI of this Charter.”

Seconded by Maura Herlihy: Motion carried 7-0

7:30 pm—A five minute recess was called per the Chairman

7:35 pm—Meeting reconvened

10. Charter review Article 4 - 401, 403, 404.2, 404.3, 405, 406:
Revise Section 405.2 to read in part “As provided for in Section 204.11.”
Strike out Section 405.4 in its entirety.
Moved by the Chairman: To accept article 4 in its entirety as revised
Seconded by Judith Gibbs: Motion carried 6-1
11. Charter review Article 5 - 502, 503, 504, 505, 506, 508, 508.7, 509, 510, 512, 517, 517.4:
It was agreed to by consensus that the title of Article V, Budget, should remain unchanged.

Moved by Maura Herlihy: That the wording of Section 502.1 read as follows:

“There shall be a Budget Committee of seven (7) members; three (3) to be elected at large by the voters of the City in a manner as hereinafter Defined: four (4) members to be appointed by the City Council.”

Seconded by Judith Gibbs: Motion carried 6-1

Moved by Maura Herlihy: That the wording of Section 502.2 read as follows:

“The terms of the three (3) elected members of the Budget Committee shall be staggered three (3) year terms, which shall commence at the first meeting of the Budget Committee in January following their election, at which time the Committee members-elect shall be sworn to the faithful discharge of their duties by the City Clerk or by any other person authorized by law to administer an oath. At the first regular election under

the 2011 Sanford City Charter, the candidate receiving the greatest number of votes shall be in office for a term of three (3) years, the candidate receiving the next greatest number of votes shall be in office for a term of two (2) years, and the candidate receiving the next greatest number of votes shall be in office for a term of one (1) year. The elected members of the Budget Committee shall then be elected as the terms of their office expire for a term of three (3) years. The terms of appointed members of the Budget Committee shall be for one (1) year and shall commence at the first meeting of the Budget Committee following their appointment.”

Seconded by Judith Gibbs: Motion carried 6-1

Section 502.3—Duties of the Budget Committee will be:

1. Review the city budget
2. Propose, initiate, and/or review bond recommendations
3. Present a quarterly or some regularly scheduled budget/spending review with the City Council and the School Committee
4. Review and recommend to the City Council a reallocation of C.I.P. funds
Needs rewriting and revisiting

Section 502.4—Partially amend the wording to read “The City Council on an annual basis shall develop a budget format at its second meeting in January”. Change the word “article” to “cost center/department”. Needs revisiting.

502.5—Moved by Maura Herlihy: To strike the original wording of this section, to be replaced with future language

Seconded by Bradford Littlefield: Motion carried 6-1

502.8—Moved by Maura Herlihy: That the wording of this section shall read “No Municipal Official or employee of the City of Sanford, or any person employed in any capacity by the Sanford School District, shall serve as one of the seven (7) elected or appointed members of the Budget Committee”.

Seconded by Judith Gibbs: Motion carried 6-1

It was agreed to by Consensus that the title of Section 503, Organization; Qualifications; Quorum, would remain unchanged.

Section 503.1—Moved by Maura Herlihy: To change the wording of this section to read “ Shall meet no later than February 1”.

Seconded by Judith Gibbs: Motion carried 6-1

Section 503.2—Moved by Maura Herlihy: To change the word Finance to Budget in this section, and to change the number required for affirmative votes from six to four.

Seconded by Judith Gibbs: Motion carried 6-1

It was agreed to by consensus that the title of Section 504, Vacancies; Forfeiture of Office; Filling of Vacancies, will remain unchanged.

Moved by the Chairman: To table all items from Section 504-517.4 and New Article 6
Seconded by Bradford Littlefield: Motion carried 6-1

13. Items for the next agenda: Draft review of articles up to Section 504; tabled items from this meeting.

14. Set the date, time, and place of the next meeting:

Thursday
August 04, 2011
6:00 pm—9:00 pm
Town Council Chambers

Moved by Maura Herlihy: To Adjourn
Seconded by Bradford Littlefield: Motion carried 7-0

Meeting adjourned at 9:00 pm.

Submitted,

Troy W. Henke, Secretary
Sanford Charter Commission

To: CharterCommision
Subject: City government

Hello All,

My name is Matthew Treadwell, I live in the town of Sanford and I've sat on the Finance Committee and as a town meeting member. I'm contacting you today to share my input on what appears to be some very distinct changes in the form of government being proposed by the charter commission. As a former finance committee member I had to consider the following for a long time, as generally I find more layers of government arrive at a decision that better represents the wishes of that government's populace.

That being said I don't think the form of government we have now is particularly effective given the few people in Sanford who are willing to participate in town events. The Finance committee is comprised of largely the same individuals every year, as is town meeting. Seats for these positions are usually uncontested, and in Town Meetings case, often go vacant. The Town Council has for the most part been the same group of people since I've lived in town, as few people follow politics, and it's relatively easy to get elected if you have any kind of name recognition or if you already sit on the council. Although I like the system of checks and balances this system provides, it has created a leaderless void in town with no accountability for poor decisions, or even worse...no decisions.

If a City form of government is to be adopted, as it appears this will inevitably be the case, then I want Councilors held to the highest level of accountability. One suggestion I would put forward is to elect not seven, but nine councilors (I haven't had time to review all the meeting minutes, this may have been suggested already, if so...then please just bare with me), one per ward, and then 2 open citywide seats. Right now I believe we have 4 or 5 councilors who live in Springvale, while the rest of Sanford has almost no representation at all. I'm a two minute walk from downtown, I want a ward representative that I can complain to about the complete lack of investment in downtown infrastructure...if that ward rep. can't get funding for improved roads and sidewalks, then I want him/her removed.

There is absolutely no excuse for much of our Downtown looking the way it does....if we're going to a form of government that essentially gives one council all the power, then that council needs to be held to a higher standard than it's been in the past. Portland and Biddeford both elect by wards, there's no reason we couldn't do the same.

Best Regards,

Matthew Treadwell
Insurance Coordinator
CIEE: Council on International Educational Exchange
300 Fore Street
Portland, ME 04101 USA
Tel: +1.207.553.4162
Fax: +1.207.553.5162
Email: mtreadwell@cieee.org
Web: www.cieee.org

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7/21/2011

Sherry A. Lord

From: Bradford J. Littlefield
Sent: Thursday, July 21, 2011 12:39 PM
To: Sherry A. Lord
Subject: FW: City government

Sherry,

Ran out of ink at house, would you mind printing 2 copies of this....(I only need a copy for Marge and myself)....thanks

Regards,

Brad

From: Bradford J. Littlefield
Sent: Tuesday, July 19, 2011 1:53 PM
To: Bradford J. Littlefield; Robert Stackpole; robertstackpole@rsu57.org; Jon Mapes
Cc: tkhenke@metrocast.net; gibbsj@corning.com; maherlihy91@gmail.com; Gerry P. Gay; Gerry Gay
Subject: RE: City government

FYI

Commissioners,

Just so the record is clear and the Charter Commission does not fall into debating these comments from Mr. Treadwell....I will forward the clarifications at the request of the Charter Commission if that is the sense of the Commission

1.) Town Council same group of people elected over and over again*...FALSE
following is a list of former Councilors

- Herb Stone
 - Roland Cote
 - Laura Nickerson
 - Gary Lamb
 - Kevin Chabot
 - Alan Walsh (left and then came back 2 years later to become elected again)
 - Maura Herlihy
- * only once since 2003 has there not been a contested race.....every year on the Council level there are more than enough candidates to choose from

2.) Most Councilors on the current Town Council are from Springvale....FALSE

Gordon Paul, Sanford
Joe Hanslip, Sanford
Richard Wilkins, Sanford
Ann Marie Matriaccio Sanford

Brad Littlefield, Springvale
Alan Walsh, Springvale
Ken Burgess, Springvale

3.) "complete lack of investment" in Downtown...TOTALLY UNTRUE

Currently a \$132,000 planning grant for the Midtown Mall complex...recommendations submitted to Town Council 30K grant from the town to the Downtown Legacy came from the \$500K Rivers Front grant for the Mill Yard....I can't even begin to tell you how much Brownfields monies have been spent in the Mill Yard....and like it or not...the Mill Yard is part of the downtown and the Town Council considers it such...those monies are in excess of \$1,000,000 combined with an ongoing market study and a Bartram & Cochran Study, plus the monies put into purchase of Sanford Mills and the old Aerofab mill with the cost of it's teardown.
Downtown sinking fund to date has been \$329,000 from the Walmart/Lowes TIF
Downtown Legacy is a creation of the Sanford Town Council and its continue survival as a Main Street organization will need continued support from the Town.

4.) Roads and Sidewalks complaint....a half-truth....(however, as I write this, Deering Neighborhood Rd is being rebuilt as is Branch Rd in South Sanford near the Wells line)...but many of the roads that are need of improvement, need total reconstruction and that is not the responsibility of Sanford...it is the State's.....but seeing they have no money either the Town Council is attempting to reconstruct some streets. Oak St for example, \$250K has been set aside to reconstruct from Whipple St to the DOT compact line, currently in negotiations with State to leverage that \$250K and have the entire street rebuilt to the top of the hill at Hanson's Ridge, Pleasant St/Rt 224, from Rt 202 (John Deere equip store) to Rt 109 (Springvale Sq)...again we are in negotiations with the State to leverage funds from the community. All of Main St as well, from Sanford (approx, from the A frame to Springvale near the Sherwin Williams Store). Once again the Town is in discussions to consider Town of Sanford monies to set aside and leverage with the State. Also, Rt 202 from Hospital to River St....again in discussions with State. The additional 2% in the new CITY charter will help, however informally some members of the Council would like to consider a bond to leverage the funds with the State....and perhaps that 2% infrastructure could be used to pay the bond down.

Regards,

Brad

again this is for the Commissions consumption, it was not forward to Mr. Treadwell....I will do so if the Commission so desires.

From: Bradford J. Littlefield
Sent: Tuesday, July 19, 2011 12:29 PM
To: Robert Stackpole; robertstackpole@rsu57.org; Jon Mapes
Cc: tkhenke@metrocast.net; gibbsj@corning.com; maherlihy91@gmail.com; Bradford J. Littlefield; Gerry P. Gay; Gerry Gay
Subject: FW: City government

Fellow Charter Commission members,

Following citizen input via our website page for the Charter Commission,

Brad

From: Matthew Treadwell [MTreadwell@ciecee.org]
Sent: Tuesday, July 19, 2011 10:04 AM

7/21/2011

Town of Sanford Charter Commission
Minutes
Thursday, August 04, 2011

1. Robert Stackpole, Chairman called the Charter Commission meeting to order at 6:08 p.m.
2. Pledge of Allegiance—Said
3. Charter Commission Members Attendance: Robert Stackpole, Chairman; Troy Henke, Secretary; Laura Crockett; Gerry Gay; Judith Gibbs; Maura Herlihy; Bradford Littlefield.
Excused: Jonathan Mapes, Vice-Chairman
Margaret Trowbridge
4. Adjustments to the agenda: None
5. Approval of Minutes: Amend the word absent to the word excused for item 3.
Moved by Bradford Littlefield: To approve the minutes as amended from the meeting on 07/28/2011.
Seconded by Gerry Gay: Motion carried 7-0
6. Communications: Judith Gibbs made copies of the Chairman’s checklist and distributed them.
7. Comments from the public for items not on the agenda: None
8. Comments from the Commissioners: The Chairman—Thanked the Town Council for their granting of the one year extension for the Commission to complete its work, and Bradford Littlefield for his role as liaison between the Commission and the Town Council.
Selection of mayor to be discussed next week.

Bradford Littlefield—Rules of procedure and conduct over the next year.
Marketing the charter. Wait for final document before being too positive or negative about it. Mayor to perhaps be called “council mayor” in the charter.

The Chairman—community forums.
9. Charter review draft Article 5 - 501, 502, 503: Previous work on sections 501-503 was reviewed.
10. Charter review Article 5 - 504, 505, 506, 508, 508.7, 509, 510, 512, 517, 517.4:
Moved by Maura Herlihy: That the language of section 504 shall read “If for any reason a vacancy shall exist in the elected membership of the Budget Committee,

the vacancy shall be filled by an appointment of a majority of the full Budget Committee. Appointments shall expire December 31 of the year of appointment”.
Seconded by Bradford Littlefield: Motion carried 7-0

Section 505.1—Moved by Maura Herlihy: To change the wording of this section To the revised wording that was read as the motion.
Seconded by Bradford Littlefield: Motion carried 7-0

Section 505.2—Moved by Maura Herlihy: To strike “ and except as required by law or this Charter, shall be in such form as the Finance Committee shall require.”
Seconded by Judith Gibbs: Motion carried 7-0

Section 505.3 a—Moved by Maura Herlihy: To leave unchanged.
Seconded by Bradford Littlefield: Motion carried 7-0

Section 505.3 b— Moved by Maura Herlihy: To leave unchanged.
Seconded by Bradford Littlefield: Motion carried 7-0

Section 505.3 c— Moved by Maura Herlihy: To leave unchanged.
Seconded by Bradford Littlefield: Motion carried 7-0

Section 505.3 d—Moved by Maura Herlihy: To strike in its entirety.
Seconded by Gerry Gay: Motion carried 6-1

Section needs revisiting to make sure that the school and town requirements are the same.

Section 506.1—Moved by Maura Herlihy: That the wording of this section shall read as the revised language read as the motion.
Seconded by Bradford Littlefield: Motion carried 7-0

Section 506.2—Moved by Maura Herlihy: To strike this section in its entirety
Seconded by Judith Gibbs:

Maura Herlihy and Judith Gibbs withdrew their motion and second.

Moved by the Chairman: To table section 506.2 for two weeks, until August 18, 2011.
Seconded by Bradford Littlefield: Motion carried 7-0

Section 507: Moved by Maura Herlihy: To leave unchanged.
Seconded by Bradford Littlefield: Motion carried 7-0

Section 508.1—Moved by Maura Herlihy: To strike in its entirety
Seconded by Judith Gibbs: Motion carried 7-0

Section 508.2— Moved by Maura Herlihy: To strike in its entirety
Seconded by Gerry Gay: Motion carried 7-0

Section 508.3— Moved by Maura Herlihy: To strike in its entirety
Seconded by Judith Gibbs: Motion carried 7-0

Section 508.4 becomes 508.1—Moved by Maura Herlihy: To adjust the terminologies of town to city, and Capital Improvement Committee to Budget Committee.
Seconded by Judith Gibbs: Motion carried 7-0

Section 508.5 becomes 508.2—Moved by Maura Herlihy: To adjust the terminologies of town to city, and Capital Improvement Committee to Budget Committee.
Seconded by Gerry Gay: Motion carried 7-0

8:06 pm.--10 minute recess per the Chairman

8:16 pm—Meeting reconvened

Section 508.6 becomes 508.3—Moved by the Secretary: That the wording of this section shall read “The city shall annually create reserves for the capital improvement program by a minimum percentage of the previous years combined city and school budgets as set forth in this section. All amounts to be placed in a capital reserve account with any and all balances at the end of any fiscal year to be retained in said account. Carryover reserves will be added to the annual appropriation for future capital improvement projects.

In the first fiscal year following the approval of the 2012 Sanford City Charter, the minimum allocation for capital improvements shall be 2.5%, and shall increase at a rate of .5% each fiscal year until the percentage has reached 4%, which shall then be the minimum percentage allocated for the capital improvement program for each subsequent city budget.

50% of the total capital improvement program budget shall be allocated for non rolling stock transportation infrastructure.

Seconded by Bradford Littlefield: Motion carried 7-0

8:26 pm—Maura Herlihy exits the meeting

Informal discussion about the selection of the Mayor

8: 37 pm—Maura Herlihy returns to the meeting

Section 508.7 becomes 508.4—Moved by the Secretary: To insert “debt reduction shall not be funded with capital improvement program funds”.
Seconded by Maura Herlihy: Motion carried 7-0

Section 509—Agreed to by consensus, no changes to the title

Section 509.1—Moved by Maura Herlihy: That the wording of this section shall read “Within fourteen (14) days after receiving the municipal and school budgets, the City Council, Budget Committee, and School Committee shall hold a joint public hearing on the proposed budgets which shall be presided over by the Chairperson of the Budget Committee. The City Manager shall post notice of the public hearing as soon as possible by publishing in one or more newspapers of general circulation in the City a notice stating:

A. The time and places where copies of the municipal and school budgets and budget messages are available for inspection by the public;

B. The time, place and purpose of the public hearing which is to be held not less than two weeks after such publication;

C. A statement that all residents interested in speaking on the proposed municipal and school budgets shall have an opportunity to be heard at the public hearing.

Seconded by Maura Herlihy: Motion carried 7-0

Section 510.1—Moved by Maura Herlihy: That the wording of this section shall read “ Following the initial public hearing, the Budge Committee shall meet to consider whether to amend and what amendments to include in the proposed municipal and school budgets. The Budget Committee may meet as many times as necessary to do so provided all meetings are open to the public and should be televised when feasible. The Budget Committee is to meet as a committee of the whole.

Seconded by Gerry Gay: Motion carried 7-0

11. Preview and discussion Article 6 - Budget Referendum: Tabled per the Chairman until August 11, 2011
12. Items for the next agenda: Charter Review: Article 5 continuing; New Article 6: Voter Validation; Selection of the Mayor.
13. Set the date, time, and place of the next meeting:

Thursday
August 11, 2011
6:00 pm. – 9:00 pm.
Town Council Chambers

14. Moved by Gerry Gay: To Adjourn
Seconded by the Chairman: Motion carried 7-0

Meeting Adjourned 9:00 pm.

Submitted,

Troy W. Henke, Secretary
Sanford Charter Commission

**Town of Sanford Charter Commission
Minutes
Thursday, August 11, 2011**

1. Robert Stackpole, Chairman called the Charter Commission meeting to order at 6:01 p.m.
2. Pledge of Allegiance—Said
Moment of Silence for the passing of Arthur Alair.
3. Charter Commission Members Attendance: Robert Stackpole, Chairman; Jonathan Mapes, Vice-Chairman; Troy Henke, Secretary; Laura Crockett; Gerry Gay; Judith Gibbs; Maura Herlihy; Margaret Trowbridge
Tardy: Bradford Littlefield
4. Adjustments to the agenda: None
5. Approval of Minutes: Moved by Maura Herlihy: To approve the minutes as written.
Seconded by Gerry Gay: Motion carried 6-0, 2 abstentions.
6. Communications: None
7. Comments from the public for items not on the agenda: None
8. Comments from the Commissioners: None
9. Determination of final title for Mayor's position: Moved by the Chairman: That the title of the Mayor's position shall be Mayor.
Seconded by Maura Herlihy: Motion carried 7-1
10. Determination of how Mayor will be elected: Moved by the Secretary: That the office of the Mayor shall be elected by the voters of Sanford at-large.
Seconded by Gerry Gay: Motion carried 4-3, 1 abstention

Section 211, Vacancies within the Office of Mayor, needs revisiting.

6: 35 pm.—Bradford Littlefield enters the meeting
Bradford Littlefield stated for the record that he supported the vote which established an at-large election for the office of Mayor.

Moved by Maura Herlihy: That the Mayor shall be elected to a term of 2 years.

Seconded by Gerry Gay: Motion and second withdrawn respectively by Commissioners Herlihy and Gay

Moved by Bradford Littlefield: That a sitting City Councilor wishing to run for the office of Mayor, must resign their City Council seat in order to be eligible to run for Mayor.

Seconded by the Secretary: Motion failed 2-6, 1 abstention

Point of order was called by Bradford Littlefield, stating that Commissioners needed to vote affirmatively or negatively unless there is a conflict of interest. Margaret Trowbridge stated that she does not support the establishment of a Mayor in Sanford and that she wanted the record to show that as an American she can vote or not vote any way that she chooses.

7:10—A five minute recess was called per the Chairman.

7:16—Meeting reconvened

Moved by the Secretary: That the transitional language within the Charter regarding the election of the Mayor shall read “Upon adoption of the 2012 Sanford City Charter, the City Council shall select a Chairperson to serve in their current form through December 31, 2013.

In November 2013, the mayor shall be elected for a base three year term. At the end of the base term, the mayor shall be elected to a two year term for each subsequent election. The election of the mayor shall occur on the same cycle as the State Legislative elections”.

Seconded by Judith Gibbs: Motion carried 8-1

Moved by Bradford Littlefield: That the mayor shall be elected without party Affiliation.

Seconded by the Secretary: Motion carried 8-1

Moved by Gerry Gay: That the Mayor shall serve no more than 3 consecutive terms for a total of no more than 7 consecutive years.

Seconded by Maura Herlihy: Motion carried 8-1

11. Review Current Charter Articles; 510.2, 512, 517, 517.4:

Revisit allowing some paid city employees to serve in elected positions.

Section 504.2—Proposed language to be reviewed by Ronnie Lynn Champlin and Maura Herlihy.

Moved by the Chairman: To remove Section 508.3 d in its entirety.

Seconded by Maura Herlihy: Motion carried 8-1

Section 512—No change

Section 516—Shall read “The registered voters of the City shall adopt the budget for the next fiscal year on or before the last day in June of the current fiscal year. If the voters fail to adopt a municipal budget or school budget by this date for any reason, the amounts appropriated for the current operation for the current fiscal year shall be deemed adopted for the following fiscal year on a month-to-month basis, with all items in the respective budget prorated accordingly until such time as the voters adopt a budget for the following fiscal year”.

Section 519.1—Change the word “town” to the word “city”.

Section 508.2 should mirror Section 507.2. To be revisited at the Commissions next meeting after August 18, 2011.

12. Preview and Discussion new Article 6, Budget Referendum:
No preview available. Item tabled to August 18, 2011 per the Chairman

13. Items for the next Agenda:
Article 6, Budget Referendum
Review all sections referencing the Mayor
Section 209
Vacancies within the Office of the Mayor
Article 7
Article 8
Rules of Conduct and Procedure

14. Set the date, time and place of the next meeting:

Thursday
August 18, 2011
6:00 pm.
Town Council Chambers

There will be no meeting August 25, 2011 or September 01, 2011
Meetings to reconvene on September 08, 2011 with Ronnie Lynn Champlin possibly in attendance.

15. Moved by the Secretary: To adjourn
Seconded by Maura Herlihy: Motion carried 9-0

Meeting adjourned at 8:57 pm.

Submitted,

Troy W. Henke, Secretary
Sanford Charter Commission

Town of Sanford Charter Commission Minutes Thursday, September 08, 2011

1. Robert Stackpole, Chairman called the Charter Commission meeting to order at 6:05 p.m.
2. Pledge of Allegiance—Said
3. Charter Commission Members Attendance: Robert Stackpole, Chairman; Jonathan Mapes, Vice-Chairman; Troy Henke, Secretary; Laura Crockett; Gerry Gay; Judith Gibbs; Bradford Littlefield; Margaret Trowbridge
Tardy: Maura Herlihy

6:07 pm—Maura Herlihy enters the meeting

4. Adjustments to the agenda: None
5. Approval of Minutes: Moved by Margaret Trowbridge: To approve the minutes as written.
Seconded by Bradford Littlefield: Motion carried 9-0
6. Communications: Judith Gibbs distributed a color chart of the election cycle for our proposed municipal government model. Chart was made by Maura Herlihy.
7. Comments from the public for items not on the agenda: None
8. Comments from the Commissioners: None
9. Charter Commission Rules (Discussion limited to 20 minutes):
Moved by Gerry Gay: For Bradford Littlefield to take back the proposed Rules of Procedure as presented, cut out the extraneous and re-present the revised rules so they are reflective of the Charter Commission's work.
Seconded by The Vice-Chairman: Motion carried 9-0
10. Item # 9 tabled from the previous agenda—All Articles related to the Mayor:
It was agreed to by consensus that the transitional language in Article II, section 201 would be placed in its own Transitional Language section within the Article.
Moved by Gerry Gay: That section 209 shall be accepted as read and presented.
Seconded by Judith Gibbs: Motion carried 7-2

Section 301

7:12 pm.--8 minute recess per the Chairman

7:20 pm.—Meeting reconvened

Moved by the Chairman: That Section 301 be accepted as read, with the modifications of the word “base” being changed to “initial” three (3) year term, and that 18 months be changed to 14 months.

Seconded by Bradford Littlefield: Motion carried 8-1

Moved by Maura Herlihy: That the proposed section for removal of the Mayor by the City Council due to being charged and/or convicted of crimes be left up to the legal review.

Seconded by Gerry Gay: Motion carried 9-0

Section 302.2—Moved by Maura Herlihy: To accept the proposed section as read.

Seconded by Gerry Gay: Motion carried 9-0

Section 302.3, Vice-chair— To accept the proposed section as read.

Seconded by Gerry Gay: Motion carried 9-0

Section 303—Moved by Maura Herlihy: That the Mayor and City Council be sworn into office at the first meeting after their term begins.

Seconded by the Secretary: Motion carried 9-0

Moved by Bradford Littlefield: 15 minute extension

Seconded by Maura Herlihy: Motion carried 9-0

Section 304—Moved by Bradford Littlefield: To accept the proposed section as read.

Seconded by Gerry Gay: Motion carried 9-0

Section 305—Moved by Maura Herlihy: To accept the proposed section as read.

Seconded by Gerry Gay: Motion carried 8-1

Items 11 through 14 tabled per the Chairman

15. Items for next agenda:
Items 11 through 14 tabled at this meeting, revised rules of procedure.

Note: Article 5 to be forwarded to Ronnie Lynn Champlin for review and recommendation.

16. Set date, time, and place for the next meeting:

Thursday
September 15, 2011
6: 00 pm.
Town Council Chambers

Meeting declared adjourned by the Chairman at 8: 15 pm.

Submitted,

Troy W. Henke, Secretary
Sanford Charter Commission

Town of Sanford Charter Commission Minutes Thursday, September 15, 2011

1. Robert Stackpole, Chairman called the Charter Commission meeting to order at 6:10 p.m.
2. Pledge of Allegiance—Said
3. Charter Commission Members Attendance: Robert Stackpole, Chairman; Maura Herlihy; Laura Crockett; Judith Gibbs; Bradford Littlefield;
Excused: Troy Henke, Jonathan Mapes, Margaret Trowbridge, Gerry Gay
4. Adjustments to the agenda: None
5. Approval of Minutes: Moved by Bradford Littlefield: To table approval of the Minutes from the meeting on 09/08/2011 until the next meeting.
Seconded by the Chairman: Motion carried 5-0
6. Communications: Budge and Budget Validation draft articles distributed.
7. Comments from the public for items not on the agenda: None
8. Comments from Commissioners: None
9. Charter Commission Rules (20 minute limit):

Moved by the Chairman: To table
Seconded by Bradford Littlefield: Motion carried 5-0
10. Eligibility:

Moved by the Chairman: To table
Seconded by Bradford Littlefield: Motion carried 5-0
11. Article 5:

Moved by the Chairman: To accept as presented with no changes
Seconded by Bradford Littlefield: Motion carried 5-0

12. Article 6:

Moved by the Chairman: To table pending further research
Seconded by Bradford Littlefield: Motion carried 5-0

13. Article 7:

703.1—Moved by Bradford Littlefield: Minimum of 3, maximum of 5
Seconded by Judith Gibbs: Motion carried 5-0

703.2 –Moved by Maura Herlihy: A minimum of 3 members shall”
Seconded by Bradford Littlefield: Motion carried 5-0

703.3—Moved by Maura Herlihy: Strike last sentence
Seconded by Judith Gibbs: Motion carried 5-0

Moved by the Chairman: To approve as amended
Seconded by Bradford Littlefield: Motion carried 5-0

14. Article 8:

Moved by Maura Herlihy: Move article 1a to article 4 in section 801 and 802
Seconded by Bradford Littlefield: Motion carried 5-0

Moved by Bradford Littlefield: Approved Municipal Development Article
Seconded by Judith Gibbs: Motion carried 5-0

15. Items for the next agenda: Tabled items from this meeting

16. Set the date, time, and place of the next meeting:

Thursday
September 29, 2011
6: 30 pm
Town Council Chambers

17. Adjourn

Meeting declared adjourned by the Chairman at 8: 00 p.m.

Submitted,

Troy W. Henke, Secretary
Sanford Charter Commission

Town of Sanford Charter Commission Minutes Thursday, September 29, 2011

1. Robert Stackpole, Chairman called the Charter Commission meeting to order at 6:08 p.m.
2. Pledge of Allegiance—Said
3. Charter Commission Members Attendance: Robert Stackpole, Chairman; Jonathan Mapes, Vice-Chairman; Troy Henke, Secretary; Gerry Gay; Maura Herlihy; Laura Crockett; Judith Gibbs; Bradford Littlefield; Margaret Trowbridge
4. Adjustments to the agenda: None
5. Approval of Minutes: Moved by the Chairman: To approve the minutes as written from the meeting on September 08, 2011.
Seconded by Margaret Trowbridge: Motion carried 9-0

Moved by Bradford Littlefield: To approve the minutes as written from the meeting on September 15, 2011.
Seconded by the Chairman: Motion carried 5-0
The Secretary, Vice-Chairman, Gerry Gay, and Margaret Trowbridge abstained
6. Communications: Bradford Littlefield introduced a letter into the minutes written by Sanford resident Virginia Spencer.
Discussion of communications techniques facilitated by Judith Gibbs.
7. Comments from the public for items not on the agenda: None
8. Comments from Commissioners: Bradford Littlefield and the Chairman gave comment.
9. Rules (time limit 20 min): Section 16, strike out “as well as the names of the Commissioners casting positive and negative votes.” Section 13, insert “conflict” in front of interest.
Moved by Maura Herlihy: To accept the Rules of Procedure as amended.
Seconded by Bradford Littlefield: Motion carried 9-0
10. Eligibility: Moved by Gerry Gay: To table the item.

Seconded by the Chairman: Motion carried 9-0

11. Personnel System: Moved by the Secretary: To accept the revisions to Article IX, Personnel System, as presented.

Seconded by Judith Gibbs: Motion carried 8-1

12. Nominations and Elections:

Section 1002.4

Insert “The City Council shall have the authority to consolidate voting places for Municipal and special municipal elections only.”

Section 1005

Reduce voting wards from 7 to 3 and have them reflect the State Representative Districts.

A legal review will be required for redistricting the voting wards.

7: 21 p.m.—Margaret Trowbridge exits the meeting

7: 21 p.m.—Recess called per the Chairman

7: 25 p.m.—Meeting reconvened

Section 1002

Moved by Bradford Littlefield: To reduce the number of signatures required for nomination papers for an elected member of the Budget Committee from 50 signatures to 25 signatures.

Seconded by Judith Gibbs: Motion carried 8-0

Section 1009

Moved by Bradford Littlefield: That write-in candidacy’s shall reflect State Law, in that such write-in candidates for any municipal office shall register a filing of intent with the City Clerk within the time frame prior to the election stated in State Statutes, for write-in votes to be counted.

Seconded by the Vice-Chairman: Motion carried 8-0

Section 1009

Moved by Bradford Littlefield: That elected members to the Budget Committee shall not be elected unless they receive at least 25 votes.

Seconded by Maura Herlihy: Motion carried 8-0

Moved by Maura Herlihy: To give tentative approval to the revisions of Article X,

Nominations & Elections , with the question of ward redistricting needing revisiting.

Seconded by Bradford Littlefield: Motion carried 8-0

13. Budget validation concerns: Moved by the Chairman: In the event of Budget Validation failure, the Budget Validation process shall continue and mirror state law as it pertains to Regional School Units.

Seconded by Bradford Littlefield: Motion carried 8-0

Moved by the Secretary: That pursuant to the language of Maine State Statutes Section 1487, that this language be adopted for the purposes of the tax commitment in the event of failed Budget Validation, and, when the voters have approved the municipal budget, that the tax commitment be adjusted to reflect what has been approved by the voters.

Seconded by Maura Herlihy: Motion carried 8-0

14. Items for the next agenda:

Eligibility.

Recall of elected officials

Initiatives and referendums

General provisions

Addendum a/b.

Removal of any elected official.

15. Set the date, time, and place of the next meeting:

Thursday

October 06, 2011

6:00 pm

Town Council Chambers

16. Adjourn: Moved by Gerry Gay: To adjourn

Seconded by Bradford Littlefield: Motion carried 8-0

Meeting adjourned at 8:06 pm.

Submitted,

Troy W. Henke, Secretary
Sanford Charter Commission

APT. 101
20 MAYFLOWER DRIVE
SANFORD, MAINE

SEPTEMBER 12, 2011

Dear Brad,

Thank you for referring to my recent letter to the editor in the Sanford news.

I very much appreciate the Charter Commission meetings being televised. Altho I have slowed down due to health issues, I still pay attention as to what is going on.

You are doing important work. Some time ago the members talked about the importance of education and information for the voters. This is an excellent idea.

By holding those meetings at different times - i.e. morning, afternoon, and evening - it would be easier for some of us to attend.

Thank you all.

Sincerely
Virginia A. Spencer

Town of Sanford Charter Commission

Minutes

Thursday, October 06, 2011

1. Robert Stackpole, Chairman called the Charter Commission meeting to order at 6:04 p.m.
2. Pledge of Allegiance—Said
3. Charter Commission Members Attendance: Robert Stackpole, Chairman; Jonathan Mapes, Vice-Chairman; Troy Henke, Secretary; Maura Herlihy; Laura Crockett; Judith Gibbs; Bradford Littlefield; Margaret Trowbridge
Excused: Gerry Gay
4. Adjustments to the agenda: None
5. Approval of Minutes: Moved by Bradford Littlefield: To table approval of the minutes from the meeting on September 29, 2011.
Seconded by Maura Herlihy: Motion carried 8-0
6. Communications: Bradford Littlefield distributed a letter from Attorney Bryan Dench from 2004 giving opinion on employed municipal employees holding elective municipal office.
Revised Commission Rules of Procedure.
Maura Herlihy distributed Maine revised Statutes; Chpt. 9 SS 3
7. Comments from the public for items not on the agenda: None
8. Comments from Commissioners: None
9. Eligibility: Tabled until October 13, 2011 per the Chairman
10. Article 11, Recall of Elected Officials:

Section 1106

Change the word “recall” to “remove” both in section and in title

Section 1108

Change the time limit for a recalled official from being appointed to any city office from two (2) years to three (3) years.

Moved by Maura Herlihy: To accept the changes to Article 11, Recall of Elected

Officials as presented and stated.

Seconded by Bradford Littlefield: Motion carried 8-0

11. Article 12, Initiative and Referendum: Moved by the Chairman: To remove Section 1205; Petition for Repeal of Town Meeting Action, in its entirety.

Seconded by the Secretary: Motion carried 8-0

12. Article 13, General Provisions: Changes:

Strike the word "Town Meeting Member" from the entire article

All references to the year 2002 be changed to 2012

Define the terms:

Mayor—The seventh member of the City Council elected at-large, as defined in Article two (2) of this charter, and has no other administrative duties.

Cost Center—To be given to the Town Manager and Budget Director for a definition.

1903—Recess declared by the Chairman

1910—Meeting reconvened

Budget Validation—Municipal and School; As read

Section 1310

Shall read "All regular meetings of the City Council, School Committee, and Budget Committee should be televised when technically feasible".

Section M under definitions

To be removed in its entirety

Moved by Bradford Littlefield: To accept the changes to Article 13, General Provisions, as stated.

Seconded by the Chairman: Motion carried 7-1

13. Removal of Elected Officials: Moved by Bradford Littlefield: To use the draft language for purposes of suspension and removal referencing the Augusta City Charter provisions, subject to legal review.

Seconded by the Secretary: Motion carried 8-0

14. Items for next meeting's agenda:

Eligibility

Minutes from September 29

Article 14, Transitional Provisions

Addendum A/B

15. Adjourn: Meeting declared adjourned by the Chairman at 8:13 pm.

Submitted,

Troy W. Henke, Secretary
Sanford Charter Commission

Town of Sanford Charter Commission Minutes Thursday, October 13, 2011

1. Jonathan Mapes, Vice-Chairman called the Charter Commission meeting to order at 6:01 p.m.
2. Pledge of Allegiance—Said
3. Charter Commission Members Attendance: Jonathan Mapes, Vice-Chairman; Troy Henke, Secretary; Gerry Gay; Judith Gibbs; Bradford Littlefield
Excused: Robert Stackpole, Maura Herlihy, Laura Crockett, Margaret Trowbridge
4. Adjustments to the agenda: None
5. Approval of Minutes:

September 29, 2011

Moved by Bradford Littlefield: To approve the minutes as written from the meeting on September 29, 2011.
Seconded by Gerry Gay: Motion carried 5-0

October 06, 2011

Moved by Bradford Littlefield: To approve the minutes as written from the meeting on October 06, 2011.
Seconded by Judy Gibbs: Motion carried 5-0
6. Communications: None
7. Comments from the public for items not on the agenda: None
8. Comments from Commissioners: None
9. Eligibility: Moved by Bradford Littlefield: To keep the requirements prohibiting any paid municipal employees from being eligible for elective municipal office.
Seconded by the Secretary: Motion carried 4-1

10. Article 14, Transitional Provisions:

Section 1403

Strike "On the effective date of the 2002-Sanford Town Charter, the Town Administrator shall become the Town Manager, pursuant to and for the term provided in the Town Administrator's contact."

Section 1405

Change November 2002 to November 2012

Change November 2003 to the day after the November 2012 election

Section 1404

Transitional Language for the Budget Committee to be determined for the next Meeting.

Section 1406

Strike "Electronic copies of the revised Charter shall also be kept in the Town Clerk's office, the Library, the Town Attorney's Office"

Moved by Bradford Littlefield: To accept the changes to Article 14

Seconded by Judith Gibbs: Motion carried 5-0

11. Addendum A/B: Moved by the Secretary: To strike Addendum's A and B in their entirety.

Seconded by Judith Gibbs: Motion carried 5-0

Moved by the Secretary: To strike the transitional language referencing the 2002 Sanford Town Charter from sections 401, 703.1, 803.1, 805.1

Seconded by Judith Gibbs: Motion carried 5-0

12. Items for next agenda:

Section 1404 Language and vote
Process Communication Plan

13. Announce date, time, and place of next meeting:

Thursday
October 27, 2011
6:00 pm.
Town Council Chambers

14. Moved by the Secretary: To adjourn
Seconded by Judith Gibbs: Motion carried 5-0

Meeting adjourned at 7:25 pm.

Submitted,

Troy W. Henke, Secretary
Sanford Charter Commission

Town of Sanford Charter Commission

Minutes

Thursday, October 27, 2011

1. Robert Stackpole, Chairman called the Charter Commission meeting to order at 6:02 p.m.
2. Pledge of Allegiance—Said
3. Charter Commission Members Attendance: Robert Stackpole, Chairman; Jonathan Mapes, Vice-Chairman; Troy Henke, Secretary; Laura Crockett; Maura Herlihy; Gerry Gay; Judith Gibbs;
Tardy: Bradford Littlefield
Excused: Margaret Trowbridge

6:07 pm Bradford Littlefield enters the meeting.

4. Adjustments to the agenda: Write-in candidate time period for registration with the City Clerk's Office.
5. Approval of Minutes: Moved by Bradford Littlefield: To approve the minutes of the meeting on October 13, 2011 as written.
Seconded by Gerry Gay: Motion carried 5-0
The Chairman, Laura Crockett, and Maura Herlihy abstained due to their absence from the meeting on October 13, 2011.
6. Communications: Hand out from Judy Gibbs for Communication Process and Budget Committee election cycle.
Memorandum from the Town Manager regarding proposed budget development process, Distributed by Bradford Littlefield.
7. Comments from the public for items not on the agenda: None
8. Comments from Commissioners: None

Moved by Bradford Littlefield: To amend our previous vote regarding write in candidates registering with the City Clerk from 10 days to not less than 35 days prior to the election that the candidate is seeking office for.
Seconded by the Vice-Chairman: Motion carried 8-0
9. Section 1404—Transitional Provisions—Language and Vote: Moved by the

Secretary: That this section shall read “Upon approval of the 2012 Sanford City Charter any candidates on the 2012 ballot for the offices of Finance Committee and Town Meeting Member shall not take office in January 2013”
Seconded by Judith Gibbs: Motion carried 8-0

Moved by the Secretary: That this section shall further read “Upon approval of the 2012 Sanford City Charter, elected Finance Committee members currently in office shall continue to serve on the Budget Committee until December 31, 2013. The City Council shall appoint additional Budget Committee members for 2013 so that the total membership of the Budget Committee is equal to seven persons”

Seconded by Judith Gibbs: Motion carried 8-0

Discussion of restriction of charter commission members seeking elective office at the first regular election under the 2012 Sanford City Charter, if approved.

No action taken.

Moved by the Secretary: To affirm the vote of the previous Charter Commission Meeting upholding the prohibition of paid municipal employees seeking elected Municipal office.

Seconded by Judy Gibbs: Motion carried 7-1

6: 58 pm—5 minute recess declared by the Chairman

7: 07 pm—Meeting reconvened

10. Process Communications Plan: Discussed percentage ratio of the community who may be proponents of, opponents of, or undecided in regards to the proposed charter.

Stakeholders in the process listed as follows:

- Current town council
- School board
- Finance committee
- Active town meeting members
- Chamber of commerce
- Civic groups
- Planning board
- Growth council
- Other elected officials
- Influences
- Taxpayers
- Non profits providing services
- Voters w/ kids in school
- Voters-retired
- Businesses not part of Chamber

Unemployed
Contractor/builders/ developers
Realtors
Public safety
School employees

11. Items for the next agenda:

Town Manger
Town Clerk
Communications Process

12. Set the date, time, and place of the next meeting:

Thursday
November 03, 2011
6:00 pm
Town Council Chambers

13. Adjourn: Meeting declared adjourned by the Chairman at 8:00 pm

Submitted,

Troy W. Henke, Secretary
Sanford Charter Commission

Town of Sanford Charter Commission

Minutes

Thursday, November 03, 2011

1. Robert Stackpole, Chairman called the Charter Commission meeting to order at 6:08 p.m.
2. Pledge of Allegiance—Said

Moment of Silence for the passing of Armand Talbot.

3. Charter Commission Members Attendance: Robert Stackpole, Chairman; Troy Henke, Secretary; Laura Crockett; Maura Herlihy; Judith Gibbs; Margaret Trowbridge
Excused: Jonathan Mapes, Gerry Gay
4. Adjustments to the agenda: Flexibility with the agenda will be needed for this meeting per the Chairman, due to Town Officials possibly wanting to address the Commission.
5. Approval of Minutes: Moved by Judy Gibbs: To approve the minutes from the meeting on October 27, 2011 as written.
Seconded by Maura Herlihy: Motion carried 6-0, Margaret Trowbridge abstained due to her excused absence from the meeting on October 27.
6. Communications: Memorandum from Town Manager, Mark Green, outlining the budget and Town Meeting schedule for 2011.
7. Comments from the public for items not on the agenda: None
8. Comments from Commissioners: None
9. Comments from Town Manager: The Town Manager Mark Green, and Town Treasurer Paula Simpson, gave comment on the budget process amendments to the charter, and reviewed the memorandum from Mr. Green regarding his observations of the Charter amendments, which was distributed on October 27. Per the Chairman, if a motion is made based on a recommendation from the Town Manager, action will be taken at a later time for reconsideration.
Section 508.2 –Bradford Littlefield requested reconsideration due to a possible contradiction of terms.
Town Clerk Sue Cote enters the meeting at 7:25 pm. She agreed to meet with the Commission sometime after the election to discuss her observations.

Bradford Littlefield requested that the Town Clerk provided something to the Commission in writing for review.

Significant observations by the Town Manager:

If Voter Validation fails for the budget, it costs \$5,000--\$6,000 per election.

Possibly consider a longer time period to increase the capital improvements

Appropriation to 4%

Where should the final authorization come from for the budget; The City Council or the Voters?

The Budget has to be sold three times; Budget Committee, City Council, Voters.

10. Communications Plan: Tabled per the Chairman until November 10, 2011.
11. Items for the next agenda: Communications and Presentation plan development
12. Set date, time, and place for our next meeting:

Thursday
November 10, 2011
6:00 pm
Town Council Chambers
13. Adjourn: Meeting declared adjourned by the Chairman at 8:00 pm

Submitted,

Troy W. Henke, Secretary
Sanford Charter Commission

Town of Sanford Charter Commission Minutes Thursday, November 10, 2011

1. Robert Stackpole, Chairman called the Charter Commission meeting to order at 6:08 p.m.
2. Pledge of Allegiance—Said
3. Charter Commission Members Attendance: Robert Stackpole, Chairman; Troy Henke, Secretary; Laura Crockett; Maura Herlihy; Judith Gibbs
Excused: Jonathan Mapes, Gerry Gay, Margaret Trowbridge
Tardy: Bradford Littlefield
4. Adjustments to the agenda: None
5. Approval of Minutes: Moved by Maura Herlihy: To approve the minutes for 11/03/2011 as written.
Seconded by Judy Gibbs: Motion carried 5-0
6. Communications: None
7. Comments from the public for items not on the agenda: None
8. Comments from Commissioners: The Secretary gave comment
9. Development of Communications and Presentation Plan:
Administered by Judy Gibbs. Plan and problem analysis conducted.

6:50 pm—Bradford Littlefield enters the meeting

7:12—Recess declared by the Chairman

7:25—Meeting reconvened

Moved by Bradford Littlefield: 15 minute extension until 8:15 pm

Seconded by Maura Herlihy: Motion carried 6-0

10. Items for next agenda:
Continuation of Presentation Plan
Sections 204.11, 608.2, 604.2

11. Set date, time, and place for next meeting:

Thursday
November 17, 2011
6:00 pm
Town Council Chambers

12. Adjourn: Meeting declared adjourned by the Chairman at 8:17 pm.

Submitted,

Troy W. Henke, Secretary
Sanford Charter Commission

Town of Sanford Charter Commission Minutes Thursday, November 17, 2011

1. Robert Stackpole, Chairman called the Charter Commission meeting to order at 6:00 p.m.
2. Pledge of Allegiance—Said
3. Charter Commission Members Attendance: Robert Stackpole, Chairman; Jonathan Mapes, Vice-Chairman; Troy Henke, Secretary; Laura Crockett; Gerry Gay, Maura Herlihy; Judith Gibbs, Bradford Littlefield, Margaret Trowbridge
4. Adjustments to the agenda: None
5. Approval of Minutes: Moved by Maura Herlihy: To approve the minutes for The meeting on 11/10/2011 as written.
Seconded by Bradford Littlefield: Motion carried 6-0. Commissioners Trowbridge, Gay, and Mapes abstained due to absence at the meeting on 11/10/2011.
6. Communications: Margaret Trowbridge distributed a list of items which will appear on the ballot in 2012. Judy Gibbs distributed items for the presentation plan and stakeholders list.
7. Comments from the public for items not on the agenda: None
8. Comments from Commissioners: Bradford Littlefield, Judy Gibbs, Maura Herlihy, and Margaret Trowbridge gave comment.
9. Comments from Town Clerk, Sue Cote:
Town Clerk Sue Cote and Town Treasurer Paula Simpson gave comment and to the Charter Commission regarding the proposed revisions.
The Town Clerk's suggestions are as follows:

Section:

1102.2—Municipal Elections, sentence regarding maps and names of voters should be in Section 1105, Voting Places.

1103—Mayor and Council Nomination, petitions to be signed by no less than 50 and no more than 75 valid signatures.

Budget Committee, no less than 25 and no more than 50 valid signatures.

1109.2--Write in candidates: Candidate must meet all other requirements for the office being sought.

The city council may choose to lower the number of voting places for municipal elections.

1108—Restrictions on offices: City Clerk, City Treasurer, and Tax Collector.
(402.3)

Do not restrict ability for one person to serve in more than one capacity under the Town Managers appointments.

211.3—Vacancies, forfeiture of office:

503—Dept of Education Vacancies

606—Budget Committee Vacancies

Appointments to end on 12/31/2011—assure consistency throughout.

302.3—Mayor. In the event of a special election for the mayor, is the newly elected mayor to take office right away or on 01/01.

214—City clerk: Version of her duties at present is too condensed.
Insert the word “appointed” into the last sentence.

618—Adoption: The tax commitment must be in by 07/31 each year.

Article XIII Rewording oath of office: I (name) swear that I will support the Constitution of the Unites States, and of the State of Maine; that I will in all respects, observe the provisions for the Charter and ordinances of the City of Sanford, so long as I shall continue a citizen thereof, I swear that I will faithfully discharge, to the best of my ability, the duties encumbent on me as (name of office and Municipality)

7:05 pm—Recess declared per the Chairman

7:16 pm—Meeting reconvened

7:20 pm—Town Clerk and Town Treasurer exit the meeting.

10. Charter review Article 204.11: Moved by Bradford Littlefield: That the timeline for budget development is to be vested to the City Council. That the language of section 204.11 regarding 4 week time line be mirrored and made into a budget article.

Seconded by the Secretary: Motion carried 7-2

11. Charter review Article 604.2, 608.2: Discussion centering on the City Council's format for the budget needs to be consistent throughout the budget development process for each body tasked with developing the budget.
Definitions of cost center choice 1 ready by Maura Herlihy.

Moved by Bradford Littlefield: To void the motion and vote made under item 10.
Seconded by Gerry Gay: Motion carried 8-1

12. Continue the development of the presentation plan.: Problem Analysis of The structure of the Budget Committee and the elimination of Town Meeting.

Moved by Bradford Littlefield: For a 15 minute extension.
Seconded by Maura Herlihy: Motion carried 8-1

13. Items for the next agenda:

Continuation of Presentation Plan
Time Line Development

Discussion was conducted regarding the presence of two Town Councilors on the Charter Commission.

Moved by the Vice-Chairman: To request the resignation of Maura Herlihy on 12/31/2011 as a Charter Commissioner.
Seconded by Maura Herlihy: Motion carried 9-0

14. Set the date, time, and place of the next meeting:

Thursday
December 01, 2011
6:00 pm
Town Council Chambers

15. Adjourn: Meeting declared adjourned by the Chairman at 8:16 pm.

Submitted,

Troy W. Henke, Secretary
Sanford Charter Commission

Town of Sanford Charter Commission Agenda

Thursday December 22, 2011

6:00 pm

Location: Town Council Chambers; Sanford Town Hall Annex, 919 Main St., Sanford, ME.

1. Call to Order: Time: _____
2. Pledge of Allegiance
3. Attendance Announcement
4. Additions or Adjustments to the Agenda
5. Approval of Minutes for December 15, 2011
6. Communications
7. Comments from the public for items that are not on the Agenda
8. Comments from the Commissioners
9. Appointments to the Charter Commission to fill vacant seats
10. Selection of new Commission Secretary
11. Continuation of Presentation planning (non-televised)
12. Items for the next agenda
13. Set the date, time, and place of the next meeting
14. Adjourn

The meeting was not televised and was held in the Annex conference room.

Robert Stackpole, Chairman called the Charter Commission meeting to order at 6:08 pm.

Pledge of Allegiance--said.

Attendance--Robert Stackpole, Chairman; Jonathan Mapes, Vice-Chairman; Laura Crockett; Judy Gibbs; Gerry Gay; Maura Herlihy; Bradford Littlefield.

Excused: Margaret Trowbridge

Action: Begin the process of developing a "Presentation Plan"

Set date, time, and place for next meeting--

Thursday

December 22, 2011

6:00 pm

Third Floor Conference Room, Town Hall Annex.

Meeting declared adjourned by the Chairman at 8:15pm.

Submitted,

Robert Stackpole

Sanford Charter Commission

Minutes 12012011

tkhenke@metrocast.net [tkhenke@metrocast.net]

Sent: Sunday, December 04, 2011 10:06 PM

To: Bob Stackpole [rstackpole@aol.com]

Cc: Bradford J. Littlefield; Maura Herlihy [maherlihy91@gmail.com]; Laura Crockett [cricket splumbing@metrocast.net]; Gerry Gay [IAFFLOCAL1624@YAHOO.COM]; Judy Gibbs [gibbsj@corning.com]; Sherry A. Lord

Robert Stackpole, Chairman called the Charter Commission meeting to order at 6:08 pm.

Pledge of Allegiance--said.

Attendance--Robert Stackpole, Chairman; Jonathan Mapes, Vice-Chairman; Troy Henke, Secretary; Laura Crockett; Judy Gibbs; Gerry Gay; Maura Herlihy; Bradford Littlefield.

Excused: Margaret Trowbridge

Adjustments to the Agenda--None

Approval of Minutes--Moved by Bradford Littlefield: To accept the minutes from the meeting on 11/17/2011 as written. Seconded by Maura Herlihy--Motion carried 8-0

Communications--Resignation of Commissioner Troy Henke

Comments from the public for items not on the agenda--None

Comments from Commissioners--Robert Stackpole and Troy Henke gave comment.

Continuation of the Presentation Plane--Problem Analysis:

CIP Amount

Concerns with the Budget Development condensed timeline

Timeline--Discussion of forwarding for legal review and submission of the preliminary report and final draft.

Moved by Bradford Littlefield: To submit the draft of the Charter revision in its present form for legal review now. Seconded by Jonathan Mapes. Motion carried 8-0

Items for next agenda: Continuation of presentation plan

Further discussion of Timeline

Set date, time, and place for next meeting--

Thursday

December 15, 2011

6:00 pm

Third Floor Conference Room, Town Hall Annex. Untelevised

Meeting declared adjourned by the Chairman at 7: 29 pm.

Submitted,

Troy W. Henke, Secretary

Sanford Charter Commission

Town of Sanford Charter Commission Minutes

Thursday, January 26, 2012

6:00 PM, Sanford Town Council Chambers

1. Robert Stackpole, Chairman called the Charter Commission meeting to order at 6:32 p.m. (meeting not televised, TV video technician note duly notified...meeting was audio recorded)
2. Pledge of Allegiance—Said
3. Charter Commission Members Attendance: Robert Stackpole, Chairman; Jonathan Mapes, Vice-Chairman; Laura Crockett; Judith Gibbs, Bradford Littlefield, Secretary; Margaret Trowbridge, Gerry Gay
(Commission's charter reviser Maura Herlihy arrived beginning at 7PM, Commission's legal counsel Bryan Dench present)
4. Adjustments to the agenda: None
5. Appointment of E.Lenny Horr to Charter Commission: Mr. Horr nominated by Commissioner Gay with a second by Commissioner Trwobridge. Only elected membership voting. Commissioner Crockett, Gay, Gibbs, and Trowbridge unanimously approve. (Commissioner Trowbridge challenged the qualifications of Commissioner Crockett's ability to vote to fill an elected member position as Commissioner Crockett was appointed to the elected position. Discussion of Commissioner Crockett's qualification to vote as an elected member...minutes of 1 year ago on January 26, 2012 stated that Commissioner Crockett was appointed to fill the elected seat left vacant after the November 2010 election. Legal Counsel Dench gave an oral decision and stated that although appointed to the elected position Commissioner Crockett is an "elected member" and therefore qualified to vote to fill by appointment an open elected position
6. Approval of Minutes of January 05, 2012 minutes: Moved by Commissioner Trowbridge; seconded by Commissioner Gibbs to approve the minutes for the meeting on January 5, 2012 as with the following amendments...date change to reflect the proper year and signature of Bradford J. Littlefield Commission Secretary to replace the former secretary.
7. Communications: Opinion presented to Charter Commission from MMA regarding the Charter Commission exempt status from FOA certification training.

Request presented to Sherry Lord, Town Manager's Assistant by Commissioner Trowbridge for legal costs, legal opinions to date, who is Commission's contact with legal counsel and who may sit at the Commission table during voting sessions.

7. Comments from the public for items not on the agenda: None
8. Comments from Commissioners: Commissioner Gibbs distributes another draft of "presentation plan" for review for next meeting
9. Attorney's draft compared charter as presented discussion and subsequent changes are to be this item of the minutes (See attached Compared Charter Draft #4)
10. Motion to extend for 15 minutes made by Commission Secretary, seconded by Commissioner Gay. Motion passed unanimously
11. Next meeting February 9, 2012, 6pm in Town Hall Annex 3rd Floor Council Chambers
12. Meeting ends at 8:03pm
13. Continuation of presentation planning
14. Adjourn at 8:00 PM
15. Set the date, time, and place of the next meeting:

Thursday
February 9, 2012
6:00 pm
Town Council Chambers
15. Adjourn: Meeting declared adjourned by the Chairman at 8:16 pm.

Submitted,

Bradford J. Littlefield, Secretary
Sanford Charter Commission

YEAR & WARD #	# OF VACANT (term exp 12/31)	# FILLED BY NOV ELECTION (yr term exp)	# FILLED BY APPOINTMENT (for next year)	# ATTENDING TOWN MEETING
---------------	---------------------------------	--	---	-----------------------------

2001 WARD 1				Special: Apr 01
2001 WARD 2				105 out of 133
2001 WARD 3				
2001 WARD 4				Regular: May 01
2001 WARD 5				112 out of 133
2001 WARD 6				Regular: Nov 01
2001 WARD 7				99 out of 133

2002 WARD 1				Regular Meeting
2002 WARD 2				May-02
2002 WARD 3				121 out of 132
2002 WARD 4				
2002 WARD 5				Regular Meeting
2002 WARD 6				Nov-02
2002 WARD 7				98 out of 132

2003 WARD 1				Regular Meeting
2003 WARD 2				May-03
2003 WARD 3				87 out of 114
2003 WARD 4				
2003 WARD 5				Regular Meeting
2003 WARD 6				Nov-03
2003 WARD 7				82 out of 114

2004: Charter Revision reduced # of TM members to 105 (15 per ward)



2004 WARD 1				Regular Meeting
2004 WARD 2				May-04
2004 WARD 3				73 members
2004 WARD 4				out of 86 elected
2004 WARD 5				(full would be 105)
2004 WARD 6				
2004 WARD 7				

2005 WARD 1	10	6		Regular Meeting
2005 WARD 2	12	4		May-05
2005 WARD 3	12	2		81 members
2005 WARD 4	10	7		out of 93
2005 WARD 5	10	5		
2005 WARD 6	12	5		
2005 WARD 7	13	2		

YEAR & WARD #	# OF VACANT (term exp 12/31)	# FILLED BY NOV ELECTION (yr term exp)	# FILLED BY APPOINTMENT (for next year)	# ATTENDING TOWN MEETING
2011 WARD 1	9	9	Organizational	Regular Meeting
2011 WARD 2	15	3	Meeting to	May-11
2011 WARD 3	10	1	fill vacancies	73 out of 87
2011 WARD 4	12	2	has not been	
2011 WARD 5	13	3	held yet	
2011 WARD 6	11	4	for 2011	
2011 WARD 7	10	0		

YEAR & WARD #	# OF VACANT (term exp 12/31)	# FILLED BY NOV ELECTION (yr term exp)	# FILLED BY APPOINTMENT (for next year)	# ATTENDING TOWN MEETING
---------------	---------------------------------	--	---	-----------------------------

2006 WARD 1	6	6		Regular Meeting
2006 WARD 2	11	2		May-06
2006 WARD 3	11	4		75 out of 84
2006 WARD 4	7	2		
2006 WARD 5	10	3		Special Meeting
2006 WARD 6	9	4		Oct-06
2006 WARD 7	12	2		53 out of 84

2007 WARD 1	4	4	N/A	Regular Meeting
2007 WARD 2	9	2	3	May-07
2007 WARD 3	9	1	2	75 out of 91
2007 WARD 4	6	1	5	
2007 WARD 5	8	1	5	
2007 WARD 6	6	2	4	
2007 WARD 7	8	2	2	

2008 WARD 1	5	5	N/A	Regular Meeting
2008 WARD 2	12	2	0	May-08
2008 WARD 3	10	3	5	77 out of 89
2008 WARD 4	12	10	2	
2008 WARD 5	11	8	3	
2008 WARD 6	10	6	1	
2008 WARD 7	12	1	4	

2009 WARD 1	6	4	2	Regular Meeting
2009 WARD 2	11	0	1	May-09
2009 WARD 3	11	3	7	70 out of 82
2009 WARD 4	5	2	0	
2009 WARD 5	7	1	1	
2009 WARD 6	7	2	5	
2009 WARD 7	12	2	6	

2010 WARD 1	6	2	4	Regular Meeting
2010 WARD 2	13	0	4	May-10
2010 WARD 3	11	2	10	71 out of 80
2010 WARD 4	3	1	2	
2010 WARD 5	7	1	3	
2010 WARD 6	7	3	4	
2010 WARD 7	12	4	3	

Maximum
147 members

YEAR & WARD #	# OF VACANT (term exp 12/31)	# FILLED BY NOV ELECTION (yr term exp)	# FILLED BY APPOINTMENT (for next year)	# ATTENDING TOWN MEETING
1996 to 2003: TM membership is 147 (21 per Ward)				
1996 WARD 1				Regular Meeting
1996 WARD 2				May-96
1996 WARD 3				115 out of 147
1996 WARD 4				
1996 WARD 5				Regular Meeting
1996 WARD 6				Nov-96
1996 WARD 7				114 out of 147
1997 WARD 1				Regular Meeting
1997 WARD 2				May-97
1997 WARD 3				126 out of 147
1997 WARD 4				
1997 WARD 5				Regular Meeting
1997 WARD 6				Nov-97
1997 WARD 7				96 out of 147
1998 WARD 1				Special: Feb 98
1998 WARD 2				105 out of 145
1998 WARD 3				Regular: May 98
1998 WARD 4				113 out of 145
1998 WARD 5				Special: June 98
1998 WARD 6				105 out of 145
1998 WARD 7				Regular: Nov 98
				99 out of 145
1999 WARD 1				Special: Feb 99
1999 WARD 2				104 out of 134
1999 WARD 3				Regular: May 99
1999 WARD 4				112 out of 134
1999 WARD 5				Special: Oct 99
1999 WARD 6				94 out of 134
1999 WARD 7				Regular: Nov 99
				94 out of 134
2000 WARD 1				Regular Meeting
2000 WARD 2				May-00
2000 WARD 3				109 out of 128
2000 WARD 4				
2000 WARD 5				Regular Meeting
2000 WARD 6				Nov-00
2000 WARD 7				103 out of 128

RE: Sanford-(atten Mike Stultz) mandatory FOA training

Legal Services Department [Legal@memun.org]

Sent: Monday, January 23, 2012 4:56 PM

To: Bradford J. Littlefield

Cc: robertstackpole@rsu57.org; Robert Stackpole [rstackpole@aol.com]

Councilman Littlefield:

Good afternoon. As we discussed earlier today, I am not aware of any provision within Maine law that obligates members of a charter commission to take the public records and proceedings training. According to Maine law (1 MRSA § 412(4)(F)), course training in the Freedom of Access laws is required for the following elected municipal officials, and no others: Municipal officers, clerks, treasurers, assessors and budget committee members. We discuss this in two separate Legal Notes from the Maine Townsman, the October 2008 and June 2010 issues.

I trust this is responsive. Please contact me if you have additional questions.

Kind regards,

MLS

Michael L. Stultz

Legal Services Department

Maine Municipal Association

60 Community Drive, Augusta, ME 04330

1-800-452-8786 (in state)

207-623-8428

FAX 207-624-0187

legal@memun.org

From: Bradford J. Littlefield [mailto:blittlefield@sanfordmaine.org]

Sent: Monday, January 23, 2012 12:17 PM

To: Legal Services Department

Cc: robertstackpole@rsu57.org; Robert Stackpole

Subject: Sanford-(atten Mike Stultz) mandatory FOA training

Mr. Stultz,

As we discussed today please consider this email a request for MMA legal advice on the following:

Is the Sanford Charter Commission exempt from the "list of elected officials" required to take the Freedom of Access State of Maine mandatory training course?

Kindest regards,

Bradford J. Littlefield

Sanford Town Council and council appointee to the Charter Commission

Sanford Charter Commission, Secretary

Town of Sanford Charter Commission Minutes

Thursday, February 9, 2012
6:00 PM, Sanford Town Council Chambers

1. Robert Stackpole, Chairman called the Charter Commission meeting to order at 6:06 p.m. (meeting televised)
2. Pledge of Allegiance—Said
3. Charter Commission Members Attendance: Robert Stackpole, Chairman; Jonathan Mapes, Vice-Chairman; Laura Crockett; Judith Gibbs, Bradford Littlefield, Secretary; Gerry Gay (excused emergency call-out), excused Marge Trowbridge
Also present Commission's charter reviser Maura Herlihy
4. Adjustments to the agenda: Workshop with Town Council discussion
5. Approval of Minutes of January 26, 2012 minutes: Moved by Commissioner Gibbs; seconded by Commissioner Mapes to approve the minutes for the meeting on January 26, 2012 as with the following amendments...date change to reflect the January 26th not Jan 5th .
6. Communications:
Verbal request presented to Brad Littlefield, Charter Commission Secretary regarding legal expenses from Jan to May by Commissioner Trowbridge.
Comments by Charlie Andreson, Public Works Director regarding the Charter Commissions draft Charter Document which included the suggested changes by Charter Commission legal counsel. Highlights packet of excerpts were distributed by the Charter Commission Secretary from the Charter Commission minutes, Jan 26, 2011, and May 12, 2011, January 26, 2011 Oath of Office Declaration for appointed and elected Charter Commission members the November 2010 Charter Commissioner ballot, Tom Sevigny's letter of resignation dated April 12, 2011. These highlighted excerpts were distributed to clarify discussion regarding who the appointed members are and who the elected members are. Oath of Office declaration for Lenny Horr dated January 30, 2012 and School Budget comparisons for fiscal years 2008-2009 thru 2011-2012.
7. Comments from the public for items not on the agenda: None

8. Comments from Commissioners: Commissioner Gibbs distributes another draft of “presentation plan” for review for next meeting. Chair comments on lack of television at the January 26, 2012 meeting with Legal Counsel. A misunderstanding of responsibilities and that everyone understands who needs to be contacted and by who in the future. Legal counsel did comment on how well the Commission had done its work and legal counsel stated that he saw nothing in the draft charter that would impede the government process. Len Horr was welcomed by the Chair at his first official meeting as a Charter Commission member. Chair mention there still is one open seat left.
- 8A. Work flow. Commission Secretary will send out meeting packet by at least the Friday by 2PM before the next meeting (March 1, 2012) Motion by Chair Stackpole second by Commission Secretary Littlefield. Unanimous approval
- 8B. The Charter Commission via the Commission Secretary will request to be on the Town Council’s workshop agenda March 13th or March 27th if the 13 is not convenient for the Town Council. Charter Commission will make a presentation with Q&A presentation on TV date TBA.
9. Budget was presented to Charter Commission based on the 2002 Charter Commission Budget which was \$10,000. Charter Commission agreed to ask for a \$12k – \$15K budget for fiscal year 2012-2013.
10. Discussion regarding attorney compared draft presentation of January 26th, 2012 All suggested changes were passed without objection and unanimously. Please note the Charter Commission removed an oversight on the attorney’s draft. Section 604.3 in the last sentence after the word approved strike the word “developed”. Motion by Commissioner Mapes seconded by Commissioner Gay Unanimous approval. Section 1102.4 Charter Commission removed the word “Town” and replaced with the word “City”...no objections unanimous approval. Section 1413 item (n) the following word after mayor were deleted “”who shall have no administrative duties” no objections unanimous approval.
11. Discussion regarding Vice Chair vs Deputy Mayor title . Motion by Commission Gay seconded by Commissioner Gibbs to approve the title change to Deputy mayor for clarification purposes. Unanimous approval
12. Section 1109.2 discussion of timeline for write-in candidate registration tabled until date TBD.
- 12A . Additional Commissioner comments. Commissioner Gay inquired about an indexed copy of the Charter . Commission revisor Herlihy indicated that could be easily done. Commissioner Mapes also asked that all the drafts be dated for reference as well. Commissioner Mapes wanted the Commission to acknowledge Councilor Herlihy’s drafting expertise that saved the community money in legal expenses.

13. Next meeting March 1 , 2012, 6pm in Town Hall Annex 3rd Conference room
14. Items for next agenda. Presentation planning workshop (not televised)
15. Adjourn: Meeting declared adjourned by Chair at 8:00 PM

Submitted,

Bradford J. Littlefield, Secretary
Sanford Charter Commission

Town of Sanford Charter Commission

Minutes

Thursday, March 8, 2012

Town Hall Annex 3rd Floor

Council Chambers

Note: Sanford Town Hall Annex is located at 919 Main St., Sanford, ME.

1. Meeting Call to Order: 6:04PM, Meeting was televised
2. Pledge of Allegiance: said
3. Charter Commission Member attendance: Robert Stackpole, Chairman;
Jonathan Mapes, Vice-Chairperson; Bradford Littlefield, Secretary; Gerald
Gay, Judith Gibbs, Margaret Trowbridge, E. Lenny Horr, Laura Crocket
absent (excused)
4. Adjustments to the Agenda: None
5. Approval of Minutes: Motion by Gerry Gay to approve February 9 minutes as
written second by Judy Gibbs February 9 motion passed 6 yes 1 no
6. Communications: No Communications
7. No comments from public
8. Commission Secretary has that if there is an issue from other Commissioners with what
or how the Secretary sends out to please discuss with the Chair and or the Secretary. Commission
Secretary asks all Commissioners to not ask the Town Council to intervene as this is outside their
authority. Discussion ensued between Commission Trowbridge and Commissioner Littlefield
9. Discussion Sec 1109.2 municipal write-in candidate registration requirement that the
Town Clerk would not have an issue with dropping the write-in candidate date from 35 day to 10
days before the election Motion made by Commissioner Littlefield seconded by Commissioner
Stackpole to amend Section 1109.2 delete 35th day and insert 10th day. Motion passed 6 yea 1 nay.

End of televised portion of Charter Commission meeting at 6:20PM and recessed to 3rd Floor Conference Room for Town Council workshop presentation planning

Next meeting will be Thursday March 22nd beginning in the Town Council chambers at 6PM

Meeting adjourned at 6PM

Town of Sanford Charter Commission

Minutes

Thursday, March 22, 2012

Town Hall Annex 3rd Floor

Council Chambers

6:00 pm

Call to Order: 6:02PM

Pledge of Allegiance: Said

Charter Commission Member attendance: Robert Stackpole, Chairman; Bradford Littlefield, Secretary; Gerald Gay, Judith Gibbs, Margaret Trowbridge, E. Lenny Horr Commissioner Mapes and Crockett absent excused

Adjustments to the Agenda none

Approval of March 8, 2012 Minutes:

Recommendation: To approve the minutes as written

Motion: Commissioner Gibbs, Second: Commissioner Gay passed Unanimously

Communications: Chair received communication from Kiwanis regarding

Presentation, Commissioner Gibbs distributed notes regarding Town Council

Workshop. Short discussion

Comments from the public: none

Comments from the Commissioners: none

Overview discussion regarding March 13th Town Council workshop with Charter Commission

Begin workshop at 7pm Presentation Planning (televised meeting ends, recess to conference room)

Next meeting May 16th (Moved to May 23rd)

Adjourn 8:00 PM

Town of Sanford Charter Commission
Minutes

Tuesday, May 29, 2012

1. Call to Order: 6:08PM
2. Pledge of Allegiance: said
3. Charter Commission Member attendance: Robert Stackpole, Chairman;
Jonathan Mapes, Vice-Chairperson; Bradford Littlefield, Secretary; Judith
Gibbs, Margaret Trowbridge, E. Lenny Horr
4. Adjustments to the Agenda: none
5. Approval of Minutes: tabled
6. Communications: Secretary provided topical discussion that attorney had with
Commission Secretary
7. Comments from the public No Comments
8. Comments from the Commissioners: Commissioner Trwobridge presented her concern
about charter draft availability to public. Explanation that draft is a working document not yet
complete and public would see a preliminary report before end of June if not sooner.
9. VII Budget Validation: motion by Commissioner Littlefield seconded by
Commissioner Gibbs to modify Budget Validation so that language include to
allow that 25% of voters in the last gubernatorial elction were need to validate a
rejection of Council recommended budget. Passed 5-1 Commissioner Trowbridge
dissenting
10. Motion by Commissioner Littlefield 2nded by Commissioner Gibbs; To insert
language that allowed for "opt out" every three years during the November genral
election regardingbudget validation and that it could not be reconsidered except
by citizens initiative. Passed 5-1 Commissioner Trowbridge dissenting

11. Discussion/Action exempts Emergency Ordinance provision Citizen's Initiative
Add exception of emergency ordinances to section 1302.
Passed
12. Discussion/Action Municipal/School Audit language to be similar
Remove word publish – no other changes. – no action
13. Discussion/Action on CIP percentage
Need 1 million \$ annually for 15 years and then start over.
If for some reason, the overage can go into a general fund.
No action
14. Discussion/Action on Budget Committee makeup
Salaries being set by City Councilors – submit to City Manager and then
Budget Committee and then referendum.
No action
15. Discussion/Action on Executive Summary for Final Draft
Executive Summary
Judy, Jon and Brad worked to finalized the document.
Used format used in the past.
Exact dates of all meetings not needed.
Changed to 16 pages.

Move to accept Final Executive Summary – Bob
Pass

16: Accept Final Report
Pass

August 15 – in Observer and later in Sanford News, etc. and then mailed to
Public. Brad, Jon, Lenny, Judy to do the administration.
Table of Contents – Maura (formatting – 2 step or 3 step – choose 2 step).

Process At Town Council – read and accept the proposed charter. 35 days
before the election will be ordered on the ballot. Bob to address Council.
16. Set the date, time, and place of the next meeting:
July 24 – 7pm
18. Items for the next agenda
- 19... Adjourn

Town of Sanford Charter Commission

Minutes

Thursday, June 7, 2012

Town Hall Annex 3rd Floor

Council Chambers

6:00 pm

Note: Sanford Town Hall Annex is located at 919 Main St., Sanford, ME.

Call to Order by Chair Stackpole 6:20 PM

Pledge of Allegiance: said

Charter Commission Member attendance: Robert Stackpole, Chairman; Jonathan Mapes,

Vice-Chairperson; Bradford Littlefield, Secretary; Laura Crockett, Gerald Gay, Judith

Gibbs, E. Lenny Horr. Commissioner Trowbridge excused

Adjustments to the Agenda: add open discussion of forums to date

Approved no objections

Approval of May 29, 2012 Minutes:

- i. Recommendation: To approve the minutes as written
- ii. Motion to Approve Commissioner Horr Second:

Commissioner Gibbs Unanimous

Communications: Commissioner Littlefield report that the Commission's Attorney keep

"reserved" sections in place and discussion about regarding the 25% requirement of

budget issues as it pertains to School Department

No Comments from the public

Comments from Commissioners; Short discussion on progress of open forums with the public and adjustments to charter document

Section 301 Remove extra period in first sentence -no objections

Section 1409.2 reword the “disclosure sentence” Motion Commissioner Gay Second Commissioner Littlefield-passed unanimous

Section 614 Strike words Capital Improvement Committee and replace with City Council Motion by Commissioner Littlefield Seconded Commissioner Gay-passed unanimously

Section 1504 Strike last paragraph motion by Commissioner Gay, Seconded by Commissioner Littlefield-passed unanimously

Section 616 Strike “meeting” replace with “Council” motion by Commissioner Littlefield seconded by Commissioner Crockett passed unanimously

Section 703 Strike word “special” and replace with “subsequent” Motion by Commissioner Littlefield Seconded by Commissioner Gibbs passed unanimously

8:00PM Motion by Commissioner Gay to extend meeting to finish agenda business Seconded by Commissioner Gibbs passed unanimously

Section 1102.4 Strike words City and only motion by Commissioner Littlefield seconded by Commissioner Gibbs passed unanimously

Section 1103 Strike words referencing “elected budget committee members and required nomination signatures Motion by Commissioner Littlefield Seconded by Commissioner Gibbs passed unanimously

Motion to accept proposed Charter draft as June 18th Preliminary Report Motion made by Commissioner Stackpole seconded by Commissioner Gay. Passed Unanimously

Public Hearing June 28th 7PM Council Chambers
Chair adjourned at 8:28PM

Town of Sanford Charter Commission

~~Agenda~~ *Minutes*

Thursday, July 12, 2012

Town Hall Annex 3rd Floor

Council Chambers

6:00 pm

Note: Sanford Town Hall Annex is located at 919 Main St., Sanford, ME.

1. Call to Order: Time: 6:15pm
2. Pledge of Allegiance:
3. Charter Commission Member attendance: Robert Stackpole, Chairman;
Jonathan Mapes, Vice-Chairperson; Bradford Littlefield, Secretary; Laura
Crockett, Gerald Gay, Judith Gibbs, Margaret Trowbridge, E. Lenny Horr
4. Adjustments to the Agenda:
 - a. Discussion:
 - i. Motion: Second: Vote: Yes No
5. Approval of Minutes:
 - a. March, April May &, June 2012
 - i. Discussion:
 - ii. Recommendation: To approve the minutes as written
 - iii. Motion: Gerry Second: Jon Vote:
Yes 6 No 0
6. Communications:

a. Discussion:

Letter from Virginia Artbunkle – positive feedback

b. Recommendation:

i. Motion: _____ Second: _____ Vote: Yes _____ No _____

7. Comments from the public for items that are not on the Agenda:

Richard Bergeron – Springvale

Commends Commission for completing this charter under extenuating circumstances.

Explanation of reduction in town meeting membership

Eliminates Town Meeting

Eliminates Finance Committee and add a Budget Committee

Can the City Council choose whatever salary they want

City Council will be very powerful

If something goes wrong, there is a way to remove a person from office

Can a Councilor be removed from office. – yes

How to do this – by which law.

Council should work as a team. Section 1202 Recall Petition Process.

Town Council Code of Conduct – reauthorized every year (2004).

Feels that the City Council will be very powerful.

Would like to see a strong mayor.

Mayor sets the agenda

Good idea to call Sanford a City.

Springvale is still the Village of Springvale.

First year mayor is elected by the Council

8. Comments from the Commissioners: none

8. June 28, Preliminary Report Public Hearing discussion

Jon – Article in Observer did not reflect the hard work of the Commission.

9. Discussion/Action Clarify Mayor's role and duties

Section 304 – add executive duties except as specially provided by this charter

Passed

10. Discussion/Action limitation on Mayor's compensation

Need to add less than a City Councilor and not exceed Councilor pay by \$2500

How about a percentage rather than a dollar amount. – 25%

Pay for performance

Agreed to 25% greater than the City Councilor

Passed

11. Motion by Commissioner Littlefield seconded by Commissioner Gibbs to strike allow the Budget Committee to be appointed with four voters at large and three Councilors Passed 5-1 Commissioner Trowbridge dissenting
12. Motion by Commissioner Littlefield seconded by Commissioner Gibbs to strike all of Section 602.2 Finance Committee Transition to Budget Committee. Passed 5-1 Commissioner Trowbridge dissenting
13. Motion by Commissioner Littlefield Seconded by Commissioner Gibbs to amend Section 503 to appoint to an elected office vacancy to Dec 31 of the year the vacancy occurred.

Next meeting June 7 6PM Town Hall chambers

Public Presentation at 7PM

Meeting adjourned at 8:10

August 2, 2012

Alan Walsh, Chair

Sanford Town Council

Regarding Charter Commission Action on July 24th 20102 Final Report

Dear Chairman Walsh,

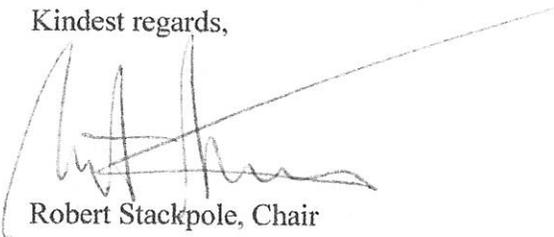
On August 2, 2012 the Charter Commission took corrective action to amend the Final Report dated July 24th, 2012. Please see attached advisory from the Commission's Attorney

These actions were to correct four (4) typographical errors. There were no substantial changes made to the Final Report document.

The Charter Commission unanimously approved all four (4) corrective actions.

The Commission's Secretary will amend the Final Draft once the corrective actions have been accepted by the Council and then ordered on the ballot by the Town Council and will then begin the printing and distribution process. The first distribution is planned to be in the Observer August 22, 2012. A notice will be placed on the Observer's front page a week in advance to notify the Voters that said Final Report will appear in the following week's edition of the Observer. Additionally, the Commission currently plans to have a direct mail piece sent to every household in late September just before the absentee ballots are available to the voting public. Finally another insert into the Journal Tribune will be available the last weekend in October or the first weekend in November (just before Election Day) depending on space availability.

Kindest regards,



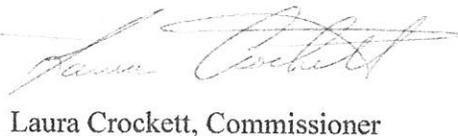
Robert Stackpole, Chair



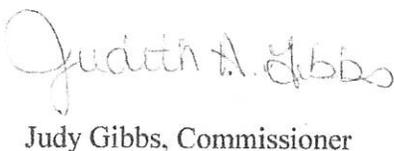
Gerry Gay, Commissioner



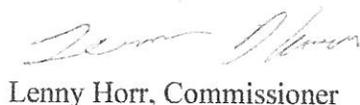
Brad Littlefield, Secretary



Laura Crockett, Commissioner



Judy Gibbs, Commissioner



Lenny Horr, Commissioner

**SKELTON
TAINTOR
& ABBOTT**
ATTORNEYS AT LAW

STEPHEN P. BEALE | DARCIE P. L. BEAUDIN | JAMES E. BELLEAU | JILL A. CHECKOWAY | JOHN B. COLE | BRYAN M. DENCH
MARC N. FRENETTE | RONALD P. LABEL | MICHAEL R. POULIN | NORMAN J. RATTEY | ALAN G. STONE | STEPHEN B. WADE
ADAM R. LEE | MICHAEL S. MALLOY
OF COUNSEL:
WILLIAM H. CLIFFORD, JR.

July 27, 2012

Mr. Bradford Littlefield
Charter Commission Secretary
Town of Sanford, Maine
919 Main Street
Sanford, ME 04073

RE: Revised City Charter

Dear Mr. Littlefield:

Following submission of the Charter Commission's Final Report to the Sanford Town Council on Tuesday night, we noticed a few minor typographical errors that were not detected during the Commission's proofreading process:

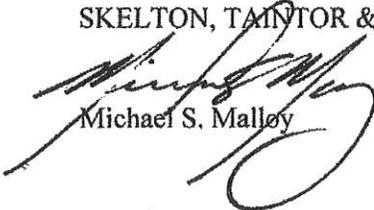
1. Section 205.11: the cross-reference to Section 204.10 should be changed to Section 205.10.
2. Section 501: the cross-reference to Article X should be changed to Article XI.
3. Section 604.3: the cross-reference in the first paragraph to section 210 should be changed to 211; and the word "voters" in the second paragraph should be capitalized, as this is a defined term in the document.

None of these corrections constitutes a substantive change to the Final Report, and nothing in this letter should be construed as a limitation or qualification of our legal opinion letter of 16 July.

We recommend that the Charter Commission vote to make these corrections and submit the results of that vote to the Town Council next week. Since the Town Council has already voted to accept the Final Report, it should vote to accept these corrections to the Final Report, and thereafter vote to place the Proposed Charter on the ballot subject to these changes. The Commission could then update the Proposed Charter before it is sent out for final printing and distribution.

Sincerely,

SKELTON, TAINTOR & ABBOTT


Michael S. Malloy