

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 Crocket 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