

**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