

CHARTER COMMISSION

Minutes, regular meeting, April 16, 1981, 8:00 pm., Municipal Office Building.

Members present: Stephani Hutchinson, Michael Hammond, James Hamilton, Frank Goodwin, Robert Fay, Wade Junkins, James Carll, Robert Newton, and Chmn. Daniel Willett. Invited guest speaker was Atty. William Livengood of Maine Municipal Association.

GUEST SPEAKER: Atty. Livengood outlined the time schedule set by the Statutes that a Charter Commission has to follow:

1. Within 30 days of vote at Town Meeting to establish Charter Commission, an organizational meeting is to be held.
2. Commission to hold Public Hearing(s) to gather information as to form of government, etc. preferred by Townspeople. Also suggested to have a meeting with the current staff.
3. 9 months after election, the Preliminary Report has to be completed, which includes a draft text of the Charter.
4. A legal review with an Attorney's Certification has to be done before the Final Report and has to be printed in the report.
5. 3 months after the Preliminary Report (12 mos. after election) the final report has to be done. The Final Report has to be completed at least 30 days prior to the election it is to be voted on.

The time frame of the Charter are maximum limits, meaning it can be done in less time. However, the Municipal Officers can extend the total time to 24 months if necessary. The same members continue thru the completion of the Charter.

Atty. Livengood attended in advisory capacity only and not to make any recommendations relative to type of Charter or any of its provisions. He further pointed out that any legal advice relative to the provisions of the Charter must be obtained from an attorney retained by the Commission for such purposes. Furthermore, the Final Report must include a certification by him that the provisions of the Charter are not in conflict with State Law. In connection with this he said that the Commission will have to ask the Town for more money.

Different types of governments discussed were:

1. Board of Selectmen/Town Meeting/Administrative Asst. - This form would most likely give the Selectmen more power than they currently have. The Town Meeting would remain the legislative body; the Selectmen would basically be the executive and administrative power with the Administrative Assistant doing the daily duties of the Selectmen.
2. Council (or Selectmen)/Town Meeting/Manager - The Council would be the legislative body with the Town Meeting being the budget authority. The Manager would be appointed by the Council; usually has the authority to hire, fire and supervise and control other municipal employees; duties can also include Town Clerk/Tax Collector/Treasurer, but not Assessor.
3. Statutory Town Manager Plan in the statutes doesn't need to go through the Charter process to be implemented, needs to be adopted

60 days before the annual meeting. This plan has distinct divisions of legislative, budget and administration functions, however, the Manager cannot be the Assessor.

Many things could be included in a Charter, for example:

1. Spell out how the Selectmen will do certain things:
 - A. Purchasing policies, including set limitations.
 - B. Preparation of budget.
 - C. Adopting of ordinances.
 - D. In general, give more legislative power to the Board or Council.
2. Have a recall provision which would make elected officials quite responsive.
3. Name which positions are elected and which are appointed and terms of office of each.

In reply to a question as to whether or not the Charter could regulate the Tax Assessors and the S.A.D., Atty. Livengood said that these were governed by State Law and were untouchable as far as a Municipality is concerned.

Atty. Livengood cautioned not to include too much in a Charter due to the complicated process of changing it.

Atty. Livengood passed out several booklet relating to the different forms of government for the members review. He will forward copies of Charters of several different forms of governments adopted within the State of Maine. He also announced that if anyone had any questions, he could be reached at 1-800-452-8786.

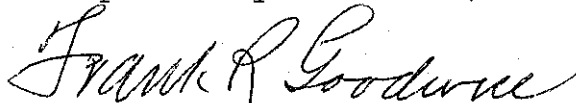
MINUTES: The minutes of the April 7, 1981 meeting were approved as written.

OLD BUSINESS: Dianne Holden will act as Clerk for the Commission.

NEW BUSINESS: Robert Fay nominated Daniel Willett chairman for the next meeting to be held April 28, 1981. Wade Junkins seconded. Voted, passed.

Meeting adjourned at 10:00 pm.

Respectfully submitted,



Frank Goodwin, Secretary

Prepared by:

Dianne Holden, Clerk