



## **Ogunquit Charter Review Commission**

### **Meeting Minutes**

**August 4, 2020**

This meeting was conducted remotely via Zoom during the COVID-19 State of Emergency

#### **1.0 Welcome and Call to Order – Town Clerk, Christine Murphy**

The meeting was called to order at 9.10, to ensure all members were in attendance.

Members present:

- Amy Forbes
- Peter Griswold
- Patricia Hussey
- Gary Latulippe
- Wendy Levine
- Terry Ann Lunt
- Gordon Lewis
- Robin Millward
- William Sawyer

Others present:

- Town Manager Patricia Finnigan
- Town Clerk Christine Murphy
- Town Attorney Mary Costigan (Shareholder, Bernstein Shur)

#### **2. Election of Officers**

The Town Clerk supervised the election of the Chair.

Nominations: William Sawyer, proposed by Gordon Lewis, seconded by Gary Latulippe. No other nominations being made, William Sawyer was elected Chair of the Ogunquit Charter Review Commission by unanimous consent.

The Chair invited nominations for Vice Chair.

Nominations: Gordon Lewis, proposed by William Sawyer, seconded by Amy Forbes. No other nominations being made, Gordon Lewis was elected Vice Chair of the Ogunquit Charter Review Commission by unanimous consent.

The Chair invited nominations for Secretary.

Nominations: Peter Griswold, proposed by Terry Ann Lunt, seconded by Patricia Hussey. Robin Millward, proposed by Gordon Lewis, seconded by Amy Forbes. Both candidates confirmed their willingness to serve.

Votes cast: Peter Griswold, 4; Robin Millward, 5. Robin Millward was elected Secretary of the Ogunquit Charter Review Commission.

### **3. Commission's Duties and Tasks**

The Town Attorney gave a brief overview of the Charter Review Commission's responsibilities. The Charter Review Commission can open the entire Charter and make recommendations for change. The Town Attorney's role will be to ensure that the Commission complies with the law, and to advise on areas inconsistent with State and national law which should be clarified or removed.

Anything put in writing or discussed as a Group (3 or more people) must be accessible to the public and the Commission was advised on different options for managing this requirement efficiently.

Agreed that all communication with the Town Attorney will be via the Chair and that any Commission members seeking a legal opinion or advice should do so via the Chair.

### **4. Administrative matters**

#### ***Statutory timetable***

The Chair advised the Commission that Maine state law required that within 30 days of this organizational meeting, a public meeting be held to get public input. 10 days' notice must be given including publication in a local newspaper. It was agreed that, to give the greatest number of people the opportunity to participate, including those who work during the day, the public meeting would be held in the evening.

The Chair had been asked to report to the August 4 meeting of the Select Board. He was asked by the Commission to clarify the Board's expectations for future reports: he would also ask the Board to designate a Board member to act as liaison, as is done for other town committees and boards.

**Action:** Chair, Secretary & Town Clerk. Date of public meeting: 2 September @ 6.00 pm.

**Action:** Chair and Secretary to develop draft Agenda for public meeting but emphasis remains on public input.

Statute requires a preliminary report within 9 months, creating the following timetable:

May 2021 – preliminary report

August 2021 – final report, subject to final legal opinion

Review period – 35 days from publication of final report for voter review

November 2021 – special Town Meeting to vote on revised Charter

### ***Working meetings***

The Chair proposed meeting on the first and third Tuesday of every month at 9.00, except in September when the first meeting will be the public meeting. Before that meeting, members of the Commission were asked to comment on the preamble, give input prior to the public meeting, and then review the preamble at the 15 September meeting in view of comments received. Members were also asked to identify key sections of the Charter for review.

Approximately 15 meetings are needed to meet statutory requirements and give the Commission adequate time to carry out its responsibilities.

Noted that the dates in the Zoom calendar were placeholders: the calendar will be updated.

**Action:** All – comments on preamble to the Secretary, target date 21 August

The Town Attorney will keep Charter Review Commission meetings on her calendar and will attend if requested.

**Action:** Secretary to keep the Town Attorney up to date with revisions to the Charter and get input. In general, as previously noted, any questions for the Town Attorney should be raised via the Chair.

**Action:** Chair, Secretary and Town Clerk to establish mechanism for giving notice of these meetings.

### ***Public input***

Terry Ann suggested scheduling evening meetings or adopting the practice of the COVID Task Force and asking the Town to set up a separate mailbox enabling the public to comment in between meetings. Someone checks the mailbox in between meetings and responds or makes sure a response is sent. Depending on the subject matter, an acknowledgement rather than a detailed response is likely to be appropriate for emails to the Charter Commission.

The Commission will keep under review whether a further public meeting should be held.

**Action:** Chair will follow up with the Secretary and Town Clerk.

It was agreed that, depending on the topics being discussed at each working meeting, public comment would be allowed not only at the end of the meeting but for each topic. However, the intention is to keep meetings to 2 hours each.

## **5. Next meeting**

### ***Topics***

Peter said that less than 100 of Maine's 493 municipalities have a charter and most are larger cities. He proposed to explore why Ogunquit has a charter and look at federal and state law. Our

charter is 36 pages: should we have a streamlined charter focusing on areas unique to Ogunquit?

Gordon supported simplicity but asked how communities without a charter organised. The Town Clerk observed that towns without charters sometimes encounter difficulties in relying only on state law, for example, in the management of elections. She gave a brief explanation of Home Rule Authority and the role of local charters in adding context and purpose to local government.

The Town Attorney was asked to identify, if possible, any good examples of recent charter reviews and share any learning points with the Group. Commission members agreed that it would be helpful to be advised of any existing provisions in the Ogunquit Town Charter that were pre-empted by state law.

**Action:** Peter to research further and report at the 15<sup>th</sup> September meeting.

**Action:** Town Attorney to advise on any “best practice” examples of charter review.

## **6. Close of meeting**

Moved by Peter Griswold, seconded by Terry Ann Lunt, that the meeting be adjourned. By unanimous consent, the meeting was adjourned at 10.36 am.

Respectfully submitted,

*Robin Millward*

Ogunquit Charter Review Commission Secretary

*Note: These minutes are not a transcript.*