

Final Report

Limerick Charter Commission

September 25, 2024

To the Town of Limerick Select Board and the voters of Limerick

Summary

The Town of Limerick Charter Commission (hereinafter “Commission”) submits the final report of the municipal Charter. The Commission believes that the proposed charter will help the Town of Limerick manage the expectations of municipal officials, officers, as well as meet future challenges and needs of the community for years to come.

Charter Commission Formation and Charge

The Select Board proposed to the voters on June 14, 2022, a ballot question for establishing a Charter for the Town. The ballot initiative passed. On March 7, 2023 the voters elected 6 members in the same manner as elected officials and the other three were appointed by the board. The initial organizational meeting was held on April 5, 2023. Pursuant to a State statute (Title 30-A § 2103) that required the creation of a 9 - member Commission, six elected by the voters, and three appointed by the Select board. The appointed members were David McLean, Carl Hagan, Joanne Andrews, elected members include Laura May, Wendy Thorne, Demetria Pellegrino, Denis Crowley, and Scott Davis. This act by the voters authorized the Commission draft and submit a newly created Charter.

Hearings

Pursuant to 30-A M.R.S. § 2013 (5) (c), The Commission held three required public hearings to gather further public comments and feedback. Those dates were April 20, 2023, June 13, 2024, and August 1, 2024.

Organizational Meeting

The Commission held an organizational meeting on April 5, 2023, and elected David McLean as Chair, Wendy Thorne as Vice-Chair, and Joanne Andrews as recording Secretary. Shortly after the Commission was formed, one of its members, Scott Davis, resigned. Attorney Burns was our attorney of record.

Meetings

Regular meetings were scheduled on the second and fourth Thursday of each month and began at 7:00 PM and ran for approximately a two hour period. All meetings were held at the Municipal Building and are available on digital cable and live stream and are available on the Town’s web site.

Member Diversity

The new Commission members brought to the table a variety of professional experience including legal, corporate, business, banking, and governmental backgrounds. Most members also serve currently or previously on other town boards, commissions, and committees. Utilizing this wealth of knowledge, skills and abilities, the commission was able to evaluate Limerick's governmental process and develop a charter to make a recommendation to the Select Board to prepare the Town for the future.

Charter Commission Mission Statement

It is the goal of the Limerick Charter Commission to be committed to serving the best interest of the community by improving the functioning and effectiveness of the local government. It is also the goal of the commission to be fair and impartial during the creation of the Charter and engage the community while maintaining the community's values and aspirations.

Proposed Charter

After a year and a half of meetings, research, and public input as well as discussions with previous serving officials and numerous residents, the Charter Commission is pleased to present to the Select Board a Town Charter. The Commission discussed and commented on the past several years of work that the Select Board has faced, those discussions lead to the conclusion that a more manageable solution would be the hiring of a full-time Town Manager. The time is upon us and has been for a few years to professionally address the management of the Town. The Charter Commission realizes that even when a Manager is hired, it will take time for that person to become acclimated with the community.

What is new?

The new changes you will see:

1. The hiring of a Town Manager
2. Elected officials will become appointed officials after their terms end
3. Employees of the Town will no longer be permitted a seat on the Select Board

SUMMARY OF ARTICLES

The Charter has been designed to be a user-friendly document while offering detailed guidance on Town governance.

1. Grant of Powers to the Town
2. Town Meetings and Elections
3. Board Members
4. Administrative Organization
5. Boards and Committees

6. Petitions and Referendum
7. Business and Financial Provisions
8. Recall; Transitional Provisions
9. Amendment and Revision

Appendix

Below follows a short description of the 9 articles.

- Article 1: Grant of Powers to the Town.

This is a procedural article common to all Charters in Maine. It simply updates and re-formats what appears in the current Charter.

- Article 2: Town Meeting and Elections

This article covers the composition, functions, and legislative Authority of the Town Meeting, Warrant Articles, Closing of Warrant Articles, Notifications, Postings, and Public Hearings, Moderator, Town Clerk, Annual Town Meeting, Special Town Meetings, Elections, Nominations, Voting Locations, Election Officials, Absentee Ballots and Vacancies in Elected Offices.

- Article 3: Board Members, This article describes Number, Eligibility, Elections and Terms, Compensation, Chair/Vice-Chair, Responsibilities and Duties, Continuing Education, Enumeration of Responsibilities, Prohibitions, Compensation, Decision Procedure, Vacancies or Forfeiture of Office, Filing for Vacancies, Attendance, Induction into Office, Meetings, Meeting Agendas, Quorum, Rules, Procedures, Ordinances, Order, Resolutions, Policies, Emergency Ordinances, Codification, Proposals for Modification or Revocation of any Ordinance, Hearings, Adoption, Legal Review, Policies.

- Article 4: Administrative Organization

This article covers the Administration of the Town, this is a change from how the Town of Limerick operates currently. The Commission agreed base of observation, discussion with current and former elected and appointed officials the workload has surpassed the time required by the current Select Board to properly conduct the needs of the community. Areas covered are Town Manager, Structure of Town Government, Departments, Boards, Committees, Commissions, Town Department Changes, Human Resources, Appointment Authority, Personnel Policy, Code of Ethics, Job Descriptions, Funding Sources, Create, Consolidate, and Eliminating Employment Positions.

- Article 5: Board and Committees

This article covers Appointments to all Boards within the town, Vacancies are discussed as well.

- Article 6: Petition and Referendum

This article addresses how residents file, Examine and Certify Petitions, Types of Petitions, Time frames for submitting and to whom to submit it to.

- **Article 7: Business and Financial Provisions**
This section covers Authority, Responsibility, Budget Committee, Independent Annual Audit, Fiscal Year, Preparation and Submission of Budget, Establishment of Appropriations, Establishment of Property Taxes, Transfer of Appropriations, Purchasing, Competitive Bidding, Sales, Capital Program, Borrowing and Investment Guidelines, Bonds of Officials.
- **Article 8: Recall**
This Article deals with the Recall of Municipal Officials. It details the Petitioner, Petitions for Recall, Town Clerk's Certification, Call of the Recall Election, Ballot's for Recall Election, Result of Election.
- **Article 9: Amendment and Revisions**
This article identifies the avenue to amend or revise the decisions of the Select Board. Parts of this article include Amendments, Revision, Substantive Change by Petition, Percentage to pass.

Appendix of Governing Definitions. This is a new section that defines terms used in the Charter.

Acknowledgements

The Charter Commission wants to thank its' members involved in the creation and completion of the Charter, for their hard work, dedication, and respect for each other during this process.

The Charter Commission would like to thank the citizens who attended our public hearings and asked important questions that provided a reminder that the Charter represents the interest of all citizens, residents, and non-residents.

We would also like to thank Attorney Natalie Burns, Town Managers (from other towns), the Select Board (former and current), elected Town Officials, and town employees all for providing us with information and guidance to complete this Charter and a thank you to the video technicians that made it possible to broad cast our meetings.

The Path Forward

The Commission participated with the Select Board in the public review of this Charter. The goal has been to have the Charter placed on the November 2024 election ballot to be approved by the Voters as our new Town Charter.

So, we the Commission submit to you the final certified Charter to be presented to the voters of Limerick for final approval on November 5, 2024.

Respectfully Submitted,

David McLean, Chair Limerick Charter Commission

Dated: September 25, 2024.

The Commission members respectively submit this final report and Charter for consideration for the Town of Limerick Registered Voters at the November 5, 2024, gubernatorial election.

Respectively Submitted,

J. David McLean _____ *J. David McLean* _____

Wendy Thorne _____ *Wendy Thorne* _____

Joanne Andrews _____ *Joanne Andrews* _____

Cynthia Mullis _____ *Cynthia Mullis* _____

Laura May _____ *Laura May* _____

Denis Crowley _____ *Denis Crowley* _____

Demetria Pellegrino _____ *Demetria Pellegrino* _____