



**Date:** Monday, September 21, 2015 10:17 AM  
**From:** selectboard.vp@ne.twcbc.com  
**To:** TOMSelectman <selectboard.td@ne.twcbc.com>  
**Subject:** Fwd: Re: Readfield - petition submitted?

--- Forwarded Message ---

**Date:** Monday, September 21, 2015 9:43 AM  
**From:** Langsdorf, Stephen E. F. <SLangsdorf@preti.com>  
**To:** selectboard.vp@ne.twcbc.com <selectboard.vp@ne.twcbc.com>  
**Subject:** Re: Readfield - petition submitted?

The petitioners would have to prove you were unreasonable. Both MMA and I believe you have solid grounds to refuse to put this on the ballot but obviously no guarantees if the petitioners choose to challenge in court. I do not have the full background of all the facts as I believe these issues have been going on for several years.

Stephen Langsdorf

> On Sep 21, 2015, at 9:39 AM, "selectboard.vp@ne.twcbc.com"  
 <selectboard.vp@ne.twcbc.com> wrote:

>  
 > Thank you Mr. Langsdorf - just to clarify - in this case would it fall under "unreasonable refusal" if the Select Board did not put this petition on this November ballot?

>  
 > Thanks

>  
 > Val

>  
 > ---- "Langsdorf wrote:

>> Val, there is case law and statutory law which allows the Select Board to reject petitions which violate the law or create undue confusion. Arguably that is what the result would be of the petition. The concepts here are more appropriate for a charter revision or possibly amendment. If the Select Board "unreasonably refuses" to put the petition on a warrant the petitioners can bring suit to compel the Town to do so. In essence I agree with Sue Pilgrim. Please let me know if you have any other questions.

>>  
 >> Stephen Langsdorf

>>> On Sep 18, 2015, at 2:09 PM, Valarie Pomerleau <vpomerleau@memun.org> wrote:  
 >>>

>>> Hi Mr. Langsdorf -

>>> MMA legal has suggested that we run this petition by you. I have included Sue Pilgrims response and I am attaching a copy of the petition.

>>> History - went to secret ballot vote last year at the request/vote of the town residents. This petition was submitted to be put on the November ballot. We have a meeting Monday night to work on the warrant for that vote. I apologize for the short notice but the petition was just turned in Wednesday.

>>>  
 >>> We would appreciate any and all advise you can give us regarding this petition.

>>>  
 >>>  
 >>> Hi Val,  
 >>>

>>>  
 >>> In regard to the petition, I and two other colleagues believe that most portions of the petition are beyond the power of the town meeting and could only be imposed via a charter. Specifically, sections 1 and 5 appear to alter the procedures required by 30-A MRS § 2528 and intrude on the discretion of the selectmen. Section 2 is inconsistent with 30-A/ 2528's hearing requirement, section 3 restates existing law, section 4(a) limits the board's statutory discretion to determine when to call a meeting and 4(b) restates existing law.  
 >>>

>>> It is my own personal legal view that the selectmen would have legal authority to refuse the petition. In my view enacting an invalid petition only creates confusion as to what rules govern the board and town, even if you characterize it as advisory.

>>>

>>> As I mentioned to selectman Allen Curtis earlier this month, I think attorneys could and will differ on whether the petitioned provisions are invalid or not, and I think you need to consult with the town's attorney to ask for his view on the petition. I know in the past MMA and the town's attorney have differed on such issues. There will also be practical and strategic issues concerning any ramifications of a decision to honor or refuse the petition that you will want to discuss with the town attorney. These practical issues may have a significant impact on the board's decision.

>>>

>>> I hope this is helpful. Please let me know if you have any questions.

>>>

>>>

>>>

>>> Susanne F. Pilgrim, Staff Attorney  
 >>> Legal Services Department  
 >>> Maine Municipal Association  
 >>> 60 Community Drive, Augusta, ME 04330  
 >>> Phone: 207-623-8428  
 >>> 1-800-452-8786 (in state)  
 >>> FAX: 207-624-0187  
 >>> legal@memun.org

>>>

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>>>

>>> -----Original Message-----

>>> From: selectboard.vp@ne.twcbc.com [selectboard.vp@ne.twcbc.com]  
 >>> Sent: Friday, September 18, 2015 9:25 AM  
 >>> To: Legal Services Department <Legal.Services.Department@memun.org>  
 >>> Subject: Readfield petition submitted?

>>>

>>> Good Morning -

>>>

>>> a petition was submitted to be put on the November ballot - please see attached.

>>> a. we do have to honor this petition - correct

>>> b. if passed would this be considered a binding vote or an advisory (when we excepted the secret ballot petition it was explained that it was an advisory vote and when it passed the selectboard still had the right to stay with the open floor town meeting if they chose or honor the voice of the voters - correct?)

>>> does this petition work the same way?

>>> is it just circumventing the voice of the voters that wanted secret ballot?

>>>

>>>

>>> any and all help with this would be greatly appreciated.

>>>

>>> sorry we have a meeting Monday night if we could get clarification before than that would be great.

>>>

>>>

>>> Val, Chair of Selecbboard  
 >>> Town of Readfied  
 >>> 207-458-2124  
 >>> <Readfield amendment petition nov ballot.docx>

>>>

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## TOWN OF READFIELD

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Email: [Readfield@roadrunner.com](mailto:Readfield@roadrunner.com)

### MEMO

To: Board of Selectmen, Budget Committee, and interested Residents  
From: Eric Dyer, Town Administrator  
Date: January 19<sup>th</sup>, 2016  
Re: Secret Ballot process review and recommendations

#### Summary

Legal opinion from MMA and a review of the relevant state statute shows that applying a voting scenario and ballot like the one currently used by the Town of Eliot cannot be implemented in the Town of Readfield without the adoption of a Town Charter. That said, I did review a few different options with MMA legal and found one that would allow the Selectboard and Budget Committee to present different recommendations on contested items. This option unfortunately does not exist for a "citizen recommendation" due to the limitations of state statute. Again, this is an issue that can only be remedied by Charter. A suggestion from MMA to try and address this limitation in the short-term, and one I support, is to utilize the currently scheduled Public Information Meeting (March 23) to gather feedback from residents that can then be considered by both the Selectboard and Budget Committee as they develop their final budget recommendations. The Selectboard has their final budget meeting scheduled for April 19<sup>th</sup>, and the Budget Committee would need to schedule a final review around the same time so that the final warrant approval can happen as scheduled on May 2<sup>nd</sup>.

The example scenario presented below, which meets the letter of the law with respect to ballot structure, would allow contested budget items to see an up or down vote on two different amounts by presenting two related articles. The first article would be for approval of the minimum amount recommended by either the Selectboard or Budget Committee (whichever is lower), and a second article would be offered to consider any additional amount recommended by the Budget Committee or Selectboard, pending approval of the first article.

As I understand the situation there were just a few contested articles on last year's warrant and so I believe that with an eye toward finding common ground we could limit this more complex arrangement to just a few articles this year. The Selectboard would necessarily continue to have the final say on the warrant and resulting ballot, but this two-article option does allow for broader input into the final budget and more options for the public to consider. The trouble is that it is not an ideal fix under many circumstances and for many reasons. If the Secret Ballot process and desire to increase citizen involvement continue, I strongly recommend that the Town consider forming a charter commission to investigate the possibility of creating a charter to address this issue.

A working example of the current and proposed warrant format for contested articles is presented below:

---

**Scenario 1 - Current Warrant Article Structure**

**Article 1:** Shall the Town vote to raise and appropriate **\$3,000** for the **Department 1** budget category for the following budget lines, with the unexpended balance of the Division 1 budget line carried forward?

Division 1	\$1,000
Division 2	\$1,000
Division 3	\$1,000
Division 4	\$0

*Group 1 recommends: Yes*

*Group 2 recommends: No*

**Scenario 2 - Proposed Warrant Article Structure (for contested articles)**

**Article 1a:** Shall the Town vote to raise and appropriate **\$3,000** for the **Department 1** budget category for the following budget lines, with unexpended balance of the Division 1 budget line carried forward?

Division 1	\$1,000
Division 2	\$1,000
Division 3	\$1,000
Division 4	\$0

*Group 1 recommends: Yes*

*Group 2 recommends: Yes*

**Article 1b:** Shall the Town vote to raise and appropriate an additional **\$1,000** for the **Department 1** budget category for the following budget lines, conditional on approval of the immediately preceding article (Article 1a)?

Division 1	\$0
Division 2	\$0
Division 3	\$0
Division 4	\$1,000

*Group 1 recommends: No*

*Group 2 recommends: Yes*

---

The result of the vote under scenario 1 could be approval of a \$3,000 appropriation or no appropriation at all and the possibility of a re-vote. The result of the votes under scenario 2 could be approval of either a \$3,000 or a \$4,000 total appropriation, or no appropriation at all and the possibility of a re-vote. An "unfunded" result under scenario 2 should be made less likely by the facts that there are multiple appropriation options for contested articles and an opportunity for both the Selectboard and Budget Committee to include additional, albeit non-binding, citizen feedback in their final budget proposals.

Respectfully submitted,



Eric Dyer, Town Manager  
Town of Readfield

## **Proposal for process design and facilitation services for The Readfield Community Process to build a community consensus on town meetings**

The Readfield Select Board agreed as part of their goals setting and long range planning process to design, undertake and complete a process to find a widely supported, legally sound solution to the governance issues created with the change to a secret ballot. The process will include citizens with different points of view plus assistance from appropriate professionals and it will work to build a solution acceptable to a large majority of the community. The Board was looking to rebuild the community's trust in the political process and find a reasonable consensus on how best to run the budget process and town meeting.

I would be delighted to work with the Board and any committees created for the process to help design an effective process overall, develop the agendas for the various meetings involved, provide facilitation for meetings and do notes from the meetings which I facilitate. I will bring to the work my extensive background in meeting facilitation and design as well as my background in serving in local government and working with numerous towns in Maine.

**The Process:** *(a general sketch to be fully developed by the Process Committee)*

**Establish a Process Committee:** The first step in the process will be to establish a small working committee whose job would be to oversee the design of the process itself. The Process Committee would start early in 2016 to work with the facilitator to develop the process. It would meet occasionally during the process to make sure everything is going smoothly.

**Establish a Recommendation Committee:** There will be a second Committee created to research, deliberate and come to agreement and to recommend a process for the budget process and the town meeting that reflects a consensus in the community. The Recommendations Committee would meet multiple times to deliberate and build agreement on recommendations. Both committees will be made up of people who represent the different points of view in the community as well as respected members of the community with relevant experience and/or skills in building consensus.

**Make Recommendations:** The Recommendations Committee would make its recommendations and there would be a community wide meeting to hear them and ask questions and comment by the end of the summer of 2016.

**Implementation:** The Select Board will take the necessary steps to formally implement the recommendations in the budget process and the Town Meeting format

### **Timeline:**

2016:

- Early in 2016 the Select Board will appoint the Process Committee, which will then work with the facilitator to outline the steps in the process. Subsequently the Select Board will appoint the Recommendation Committee.

- In late winter hold a community meeting to introduce the process, bring people together and ask people what is most important to them about the budget and town meeting process.
- In the spring and summer the Recommendations Committee will hold meetings to do research on the issues and possible solutions, developing a recommendation by the end of the summer.
- In the fall of 2016 there would be another large community meeting to present the recommendations and answer questions
- Late fall the Select Board and Manager will work on the steps to implement the recommendations.

2017

- By the beginning of 2017 the recommendations have been voted on by the Select Board and are ready for implementation as part of the regular budget process and the June town meeting.

**Budget Estimate:**

2 meeting with the Select Board 1) about the overall process and committee selection 2) about the final recommendations and implementation [*5 hours with preparation and notes*]

3 meetings of the Process Committee (agreeing on the process and issues around executing the process) [*6 hours with preparation and notes*]

2 large community meetings (one at the beginning and one on the Recommendations Committee's proposal) [*8 hours with preparation and notes; assumes that community people take responsibility for setting up facilities and food arrangements*]

5 meetings of the Recommendations Committee [*20 hours including preparation and notes, assuming 2 hour meetings*]

39 hours x \$100 an hour = \$3900.00

Tom Dunham



## In Municipal Elections, Majority or Plurality?

**Maine Townsman - May, 2010**

Question: When electing officials, is a majority vote (50% plus one) or a plurality vote (one more than any other) required? And what's the rule for transacting other business?

Answer: For officials, if the election is by traditional "open" town meeting vote, election is by majority vote in towns with a population of 4,000 or less and by plurality vote in towns with a population greater than 4,000 (see 30-A M.R.S.A. § 2526(1)).

If the election is by secret or "Australian" ballot (a pre-printed ballot listing nominated candidates), election is by plurality vote in all cases regardless of population (see 30-A M.R.S.A. § 2528(10)). (A secret ballot election, in contrast to an open town meeting, is also conducted at a polling place, during polling hours, with absentee voting and so forth.)

For all other business, a majority vote is required regardless of population or how the election is conducted.

These voting rules may be altered by municipal charter but not otherwise.

For more on this and related topics, including tie votes, see MMA's Town Meetings & Elections Manual, available free to members at [www.memeun.org](http://www.memeun.org). (By R.P.F.)

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## No Absentee Voting at 'Open' Town Meetings

**Maine Townsman - May, 2005**

Question: We have a town meeting coming up, but some voters will be unable to attend. They have asked if they can vote absentee. Can they?

Answer: No. State law governs the conduct of the traditional "open" town meeting, and it does not authorize or provide for absentee ballots or absentee voting. Only qualified voters who are present at the meeting at the time a particular vote is called for may vote on that matter.

There are good reasons for this. First of all, most warrant articles may be amended from the floor, so the question finally voted on may be different from the article as posted (or as voted absentee, if that were permitted). Secondly, a town meeting is, by its nature, a deliberative body, where the pros and cons of a proposition are openly debated; an absentee voter would not have the benefit of hearing this discussion or (possibly) being swayed by it. Third, there are technical requirements associated with obtaining, casting and counting absentee ballots that an open town meeting is simply not designed to accommodate.

Absentee voting is, of course, permitted at any secret ballot election, where voters go to the polls during polling hours and mark paper ballots in the privacy of a voting booth. For more on absentee voting and secret ballot elections, see MMA's Town Meetings & Elections Manual, available free of charge to members at [www.memun.org](http://www.memun.org). (By R.P.F.)

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## Recall Revisited

### Maine Townsman - September, 2011

Several years ago we wrote in this column that "neither the Maine Constitution nor State statutes establish any procedure for recalling [removing] an elected local official" (see "Recall of Officials," Maine Townsman, "Legal Notes," May 2007). We said then that any process for the recall of local officials must be adopted locally. This statement is no longer entirely accurate.

A new law (Public Law 2011, c. 324, eff. June 13, 2011) provides a method for removing an elected municipal official even in the absence of a municipal ordinance or charter provision authorizing recall. The new statutory process, like virtually all local recall provisions, requires a recall election upon receipt of a voter petition. For all the particulars, see 30-A M.R.S.A. § 2505.

Most noteworthy about the new statutory recall process is that it is available only if the official in question is convicted of a crime committed while in office, the victim of which is the municipality. Astute readers will recall that something very much like this occurred recently in a town near Augusta, but where there was no local recall procedure. The new law is a direct and narrowly tailored response to that regrettable episode.

To provide for recall for a broader range of reasons, a municipality should consider either an ordinance or a charter provision. For some good advice on what to include and what to omit, see the May 2007 "Legal Note" cited above. (By R.P.F.)

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## Why a Municipal Charter?

Maine Townsman - April, 2009

**Question: Someone said we should have a municipal charter – why would we need one?**

Answer: You wouldn't unless you want to do certain things differently than as provided by general law. Most municipalities in Maine are small towns (more than half have a population of less than 1,500), and most of them are perfectly content to operate under the selectmen/town meeting form of government provided for in Title 30-A. But certain things can be accomplished only by charter. Here are some prime examples:

**Legislative/budgetary authority.** Under general law, municipal legislative and budgetary authority is vested in the voters assembled in town meeting. To transfer either or both of these powers to another body (typically a council), a charter would be required. This is undoubtedly a major reason for Maine's 80 or so municipal charters (out of 492 municipalities). Incidentally, there are numerous charters where powers are divided between council and town meeting, often with legislative power delegated to the former but budgetary power reserved to the latter.

**Conduct of elections.** Title 30-A (the municipal laws) and Title 21-A (the election laws) govern the conduct of municipal elections, including voter initiatives (petitions), nominations, the method for calling elections, the method of voting, recounts and so on. In order to alter any of these statutory requirements and procedures (for instance, to restrict voter initiatives, or to mandate all-referendum voting), a charter is required.

**Qualifications for office.** According to 30-A M.R.S.A. § 2526(3), a municipal official must be a resident of Maine, at least 18 years of age, and a U.S. citizen (municipal officers, i.e., selectmen or councilors, must also be registered voters). Additional qualifications, such as a residency or registered voter requirement for officials other than selectman or councilor, may be imposed only by charter.

**Vacancies in office.** How vacancies in municipal office occur, and how they are filled, are governed by 30-A M.R.S.A. § 2602. But the statute does not create a vacancy for prolonged or repeated absences, for example, or for conviction of a crime. Nor does it provide any process for the recall of elected officials. Changing the provisions of § 2602 relating to school committee members requires a charter. Any change relating to other offices (including adoption of a recall procedure for them) may be accomplished by either charter or ordinance, however.

There are numerous other examples of things that do not require a charter. For instance, a

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town manager plan, an administrative system, ethics policies, and a budget process may all be implemented by ordinance in lieu of a charter (although such matters are commonly dealt with in charters).

For more on municipal charters, including a detailed comparative analysis of charters in Maine and some sage political advice on charters, see our "Information Packet" on the subject, available to members on MMA's website at [www.memun.org](http://www.memun.org). (By R.P.F.)

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Tom Dunham



## All-Referendum Voting

### Maine Townsman - January, 2006

Recently, voters in Whitefield, Wiscasset and Dover-Foxcroft directed that all future town meeting business be decided by secret ballot referendum election. They join a growing list of communities that, having made the same determination, depart from a town meeting tradition that is as characteristic of local government in Maine as are lakes and mountains to the Maine landscape. With more communities having taken this step, selectmen are now asking: "Are we bound by a vote to submit all future warrant articles to secret ballot referendum, or can we still call for an 'open' town meeting?"

The answer is that a charter is required to make permanent and obligatory the change to all-referendum voting. Without such a charter requirement, the selectmen remain free to call a traditional town meeting, where voting can be by a variety of methods (e.g., voice vote, show of hands, written ballot, etc.). And similarly, without a charter, the voters remain free to vote by traditional open meeting format. These observations may surprise some, but a quick review of Maine law will, we believe, bear this out.

To begin, let us point out that what we are saying here does not apply to the election of town officials by secret ballot. A vote to accept the secret ballot method of electing officials is binding on all future elections until repealed (see 30-A M.R.S.A. § 2528). This is true whether acceptance is by charter or by simple town meeting vote.

By contrast, a directive to use the secret ballot method of voting for other town business is not legally binding unless it is contained in a municipal charter (see 30-A M.R.S.A. § 2501). One reason for this is that each town meeting is a separate legislative body, the power of which, particularly as to the procedures chosen for the conduct of business, ends when the meeting is adjourned. So, for example, while one meeting may vote that all future meetings use the secret ballot referendum process, a later meeting may legally ignore this vote and vote by open meeting instead. The two meetings are discreet legislative bodies, separately called, separately convened, under separate warrants. The second meeting can vote from the floor on all warrant articles even without first rescinding the earlier meeting's vote in order to "restore" the open meeting method.

An additional reason an all-referendum voting directive is not legally binding on future town meetings or boards of selectmen is that State law provides two distinct methods of voting on town business, open town meeting and secret ballot referendum, and vests in the selectmen the discretion to choose either method in a particular instance (unless otherwise required by law or charter).

Political considerations may inhibit the free exercise of this discretion, certainly, but

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regardless of the choice by a previous town meeting in favor of all-referendum voting, only a charter can legally require the selectmen to use the secret ballot referendum process, and only a charter can bind future town meetings to this particular method of voting.

For more on the growing phenomenon of all-referendum voting, see "Referendum-style Town Meetings," *Maine Townsman*, May 2005. (By M.L.S.)

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## Referendum-style Town Meetings: Is it a fad or a trend?

(from *Maine Townsman*, May 2005)

By Lee Burnett, Freelance Writer

For years, townsfolk in the tourist town of Ogunquit along Maine's southern coast have grouched about spending tax money for the visitor information center, which provides answers to all sorts of tourist-type questions that no year-round resident ever needs to ask.

But in the "raise your hand" atmosphere of an open town meeting, voters historically went along with giving \$30,000 to the Ogunquit Chamber of Commerce to help staff the center. This year, the town tried a new format for voting and put the entire town budget on a 54-article ballot. The result was a huge turnout of voters, who among other things gave an unsentimental thumbs down to the information center subsidy.

The defeat "was not a surprise to me," said First Selectman Charles Waite. Waite says the chummy atmosphere at (open) town meeting can intimidate people into voting for things they don't want or into not showing up at all. "People told me they didn't want to upset a business or a neighbor, which I think is weird. But that's how people felt," said Waite, who supports both the old town meeting format and the chamber subsidy. "...People didn't want to be seen as naysayers or stick in the muds. It was easier not to go (to town meeting) and complain about it afterward."

A small number of towns are reaching for the tonic of referendum-style voting to juice up democracy at the local level. To be sure, open town meeting remains sacrosanct in much of small-town Maine. It's more than an annual gathering to adopt a town budget (and often a school budget). It's also a neighborly confab, an institution that shapes a town's identity, and a tangible link to the past. But attendance at these time-consuming affairs isn't what it used to be. Some people claim they are too busy others say they don't feel welcome.

At least eight towns have abandoned open town meeting entirely. York adopted referendum voting in 1992, followed by Bradley in 1996, Jay in 1997, Lebanon in 2002, and then Jefferson, Ogunquit, Windsor and Monmouth in 2004. The Town of Berwick uses a hybrid approach and votes the largest items of its municipal budget by secret ballot with the rest decided at open town meeting.

In referendum town meeting, voters are given a ballot – which can be eight to ten pages long – and encouraged to bring notes and "cheat sheets" into the voting booth to help inform their decisions. In contrast, voters at the open town meeting accomplish their task through several hours of discussion, debate, procedural motions, and public votes.

Judging from the turnout, referendum voting seems hugely popular where it has been tried. Voter turnout in Ogunquit tripled after the switch to referendum voting. Jefferson saw a six-fold increase. Windsor doubled its turnout. Lebanon increased its turnout by ten times.

For many people, it makes sense: not only is referendum voting more convenient than a four-hour town meeting, but it affords voters the option of absentee balloting. "If nothing else, it increases participation," said Jordan Freedman of Ogunquit, who helped bring referendum voting to Ogunquit.

The downside of all this involvement is the bull-in-the-china-shop syndrome. Sometimes, the crude instrument of referendum voting inflicts unintentional damage that must be undone at a later date. One year, Lebanon went without town hall services for six weeks (forcing the town clerk onto unemployment) before corrective action could be taken. Likewise, Jay went without its summer recreation program for one year and barely escaped a school shutdown another year. Many towns craft fall-back mechanisms to soften the downside of referendum voting because as Monmouth Town Manager Jason Simcock points out, "there's a lot at stake."

### ACTIVISTS PUSH CHANGE IN OGUNQUIT

The impetus for abandoning the open town meeting in Ogunquit came largely from a population skewed heavily toward retired professionals from away. These folks have no particular allegiance to local traditions when they get involved in town government. And sometimes they're not even physically present, as perhaps a third of the year-round population of 1,200 takes off for Florida or other warm places in the winter. Voting by absentee ballot is big in Ogunquit.

Typical of the new breed of voter is Freedman, a retired electrical engineer who moved here five years ago and quickly got involved in the campaign to bring referendum voting to town. "This is not the first town where I've been exposed to the town meeting form of government," said Freedman, who has family roots in Massachusetts. "What I was concerned about really was the lack of representation. We have a population of over 1,000 and we're lucky if we get 150 to town meeting. From what I saw, a lot [of decision-making] was heavily biased."

Attendance at town meeting was hurt not just by snowbirds, but by the stay-home-at-night folks, and the shy-to-vote-in-public folks. "We have an elderly population – something like 65 percent of our population is elderly – and people don't like to go out at night," said Jack Leary, another prime mover behind referendum voting.

Some folks are just plain uncomfortable voting in public, he says.

"Suppose you're voting against the police budget and the police chief is sitting right behind you. Call it what you want, people don't want to raise their hand," said Leary, who retired here from the Air Force about nine years ago. "Town meeting didn't seem democratic to me... Town meeting is held at night and you get minimum voter participation."

Freedman and Leary might have been content with poorly attended town meetings were it not for their strong disagreement with a particular outcome of town meeting – support for the information center. Tourists are the mainstay of Ogunquit's economy and the town does a fair amount to support them. Local taxpayers fund four public bathrooms, a beach-sweeper, seasonal police officers to supplement the year-round force, and a large cadre of

seasonal “community service workers” who staff parking lots, patrol the Marginal Way footpath and answer the basic questions of the tourists. But the information center was too much to ask from taxpayers, according to Leary and Freedman. The town had once staffed the center itself with town employees, but ended the practice and instead gave the chamber a flat \$30,000 to start its own service. When a first year payment became a second and a third year payment, that’s when Leary and Freedman decided to act.

“They [the chamber] said it would be the last year of [town] support, then they denied ever making the statement. I felt like ‘gee, what’s going on here’” Freedman recalls.

A group calling itself – Voter Involvement Project – organized an initiative petition campaign, consulted with towns that had tried referendum voting and eventually carried the day.

When the votes were counted on April 2 following the first town budget referendum, three times as many people had voted (579 people) as had done so at the most heavily attended recent town meeting (180 people), according to Town Clerk Judy Shaw-Kagiliery. Significantly, more than half the voters (308) cast absentee ballots, she said. On the crucial question of whether to continue referendum voting in the future, voters agreed by a 2-1 margin, which was all it took to convert former skeptic Waite into a referendum supporter.

“I was pleasantly surprised,” said Waite. “People liked it. When you have 70 percent of the voters telling you one thing, you know who your boss is. ... If that’s what Ogunquit wants, that’s what I want.”

#### ANTI-TAX FLAVOR

As Ogunquit’s experience suggests, the movement toward referendum voting is not strictly about increasing voter participation or any of the other high-minded arguments brought to bear on the question. Invariably, it’s also about reversing an unpopular spending decision or rolling back taxes.

Many referendum proponents style themselves as taxpayers’ watchdogs battling “special interests” perceived to dominate at town meeting. “In my opinion, people who showed up at town meeting were people who had a vested interest in the schools or the fire department,” observes Wayne Parlin, leader of the Jefferson Taxpayer Information Network, which spearheaded referendum voting in that town. “If there were 60 people at the meeting, 30 of them would be firefighters, friends or family. You vote your group, which is not a good way to run a town.” Parlin was involved in the 2004 Palesky tax cap initiative and the group’s website contains links to several taxpayer rights groups.

Similarly, the 1997 petition calling for referendum voting in Jay is a classic (though misspelled) manifesto of taxpayer rights: “The [secret ballot] eliminates the FACTION SENERIO, which has been prevalent in the last several years at Jay town meetings,” it reads. “The select few, such as teachers, and special interest groups, will no longer be able to crowd the meeting for their self interest goals.”

In York, referendum proponent William Layman takes delight in telling the story of how the

charter commission fought the school board, the board of selectmen, and “three newspapers” all the way to the Maine Supreme Court to bring referendum voting to the residents.

In Windsor, referendum champions Dale and Lynn Allarding are described by Selectman Jerry Neault as “certainly representing the taxpayer side.”

## SCHOOL BUDGET REFERENDA

Taxpayer anger is also fueling the switch to referendum voting on school budgets, according to James Rier of the Maine Department of Education.

“Taxpayers are frustrated. They think they can have more of a say [in referendum voting] than they could at district meetings,” Rier said. “School boards hate referendum voting.”

Fueling taxpayer anger are school boards that drag their heels in meeting the spirit of referendum voting even after it has been adopted, said Rier. “When a budget is defeated at referendum what often happens is the school board may try the referendum route once or twice, then it bring it back to a district meeting, load it with supporters and get it approved,” he said.

The word about school budget adoption by referenda definitely seems to be spreading. Some 33 of 75 regional school districts – double the number 15 year ago – now vote by referendum on school budgets. SAD 51 (Cumberland and North Yarmouth) is the latest school district to consider the switch.

The State Board of Education devised a solution for school budget voting that combines an open district meeting with a follow-up “validation vote” held by secret ballot referendum within three days. Under the new model, called the “cost center summary budget” model, budgets must be developed according to a prescribed process and then submitted to an open meeting – where they are subjected to the usual discussion, modification if necessary and an up or down vote. Whatever budget is approved at town meeting is then subjected to a second “validation vote” – in a secret ballot referendum – within three days. Defeat at referendum automatically sends the budget back to open meeting and a subsequent validation vote.

To Rier’s knowledge, only three districts have adopted the “validation vote” model – SAD 22 in the Hampden area, SAD 43 in the Rumford area, and SAD 63 in Poland. “The school side was very resistant to the change,” said Rier.

## CUTTING SERVICES

Cuts to government service often follow referendum voting. Lebanon first abolished its five-member police force by referendum voting in 1991, and used the referendum ballot for major town issues until 2002 when it did away with the open town meeting entirely.

“As long as we have referendum balloting, the police force is never coming back,” predicts Lebanon Selectman Tom Potter, a proponent of both open town meeting and the police

force. "We need it [police force] because we're gradually losing the state police and the sheriff's department."

In Ogunquit, not only did voters end the subsidy to the information center, but they also refused to fund the clean up following Fourth of July fireworks that draw thousands to town.

In York, one referendum-inflicted budget cut forced the school department one year to lay off 14 people, a cut unimaginable in town meeting days, said Layman. "They were cut bad. It would never have happened at town meeting. My God, no."

In Jefferson, referendum voters nixed the same social service agency requests two years in a row. "I find that very disturbing," said Selectman Rosa Sinclair. "Head Start, WIC, heating oil help. [That agency] covers a multitude of services that people want and need. In an open meeting, these things would have been discussed and more clearly understood."

## RECONSIDERING THE CHANGE

In Jefferson, a contingent of current and former town officials are trying to resurrect open town meeting after a two-year trial with referendum voting. On April 28, selectmen received a petition with the requisite number of petition signatures asking for a revote on the referendum question. It came less than a month after referendum voters defeated the school budget and purchase of a new \$250,000 fire truck. The question may be on a June ballot along with the school articles.

"I believe in tradition to a certain extent," said Sheridan Bond, who fits almost anyone's definition of a town-hall insider. The former selectman is currently fire chief, Lincoln County Commissioner and husband of the town clerk and treasurer.

There's no reason for a town of 2,600 to abandon the open town meeting, he said.

"So far this whole operation has done nothing but cost us," said Bond, ticking off the expense of purchasing a voting machine, which he says needs to be reprogrammed every election to the tune of \$1,000.

He's particularly critical of the necessity of having to revote the school budget, which entails a new round of review, postings, a public hearing, and the expense of holding another referendum. "We've gone to all this expense when it all could have been done in one evening, or one afternoon," he said.

Bond calls referendum voting "a lazy man's way to run a town."

"There's a certain element in every town, as long as they're doing okay ... they don't care about anybody else," he said. "It's very dangerous when everyone is allowed to vote when they don't fully understand it."

Parlin said he takes the criticism in stride. "People are going to be upset. I see no difference whether you vote [at] town meeting or [by] referendum," he said.

## FALL-BACK MECHANISM

Unlike most referendum towns, Jefferson has no fall back mechanism should a budget be defeated. If that happens, there's zero money to run that department. Selectman Rosa Sinclair said consideration was given to creating an option to revert to last year's budget, but a legal opinion helped sway selectmen who were already predisposed against it. Sinclair said she's skeptical voters would ever vote for this year's budget if they are given the choice of adopting last year's budget. "I think they'd do it year after year after year."

Defeat of a budget in Ogunquit automatically restores last year's budget.

Monmouth gives voters the option to revert to last year's budget. "What could happen is they don't support the fire department and also don't want last year's budget. I think the fire department would face a zero operating budget," explained Town Manager Simcock. He calls asking for permission to revert to last year's budget "insurance". "Hopefully, we'll be able to operate at least at last year's budget. There's a lot at stake."

In Windsor, instead of an up or down vote on each budget, voters have a choice of following the recommendation of the selectmen or the budget committee. Windsor also gives voters the option of adopting a "continuing resolution" to keep the town running on last year's budget until a new referendum can be scheduled.

Jay had a few close calls with running on empty and decided to move its voting back several months. "It came right down to school starting and no school budget," said Jay Town Manager Ruth Marden. Jay votes in April. "That way, if you have to have two votes, you have time."

## EDUCATING VOTERS/OTHER ADVICE

Even proponents of referendum voting concede that it won't work without extra effort to educate voters. Referendum voting comes with none of the compulsory education that is part of the open town meeting experience. (You can't vote until the moderator has explained the article and called for debate.) To compensate, selectmen usually hold extra hearings and send out voluminous mailings explaining each article.

"The one [opponents'] argument that has any validity is that referendum voters would not be informed, they would not be exposed to the give and take of town meeting. But that's really not quite true," said Ogunquit's Freedman. Ogunquit selectmen, for example, "did an excellent job" mailing out voter education pamphlets in advance of the vote and scheduled two informational sessions, each of which was rebroadcast on local access cable channel three times in advance of the vote, he said. "The last informational session, people were getting up yelling, arguing. That was democracy," he said.

Referendum voters aren't as easily swayed as town meeting voters, observes Jerry Neault, selectman in Windsor. "At town meeting, you have informal leaders. If you play to them, you're all set, which is not necessarily a bad thing," said Neault. Windsor published a tabloid-sized newspaper guide to ballot questions, which was mailed out bulk rate to all registered voters. "You've got to go out of your way to educate," said Neault.

The other bits of advice veterans of referendum voting offer are: keep the ballot to a manageable length so voters don't lose patience, and purchase a voting machine because counting ballots with 40 or more articles would be prohibitively slow without them.

"We went from 80-some odd articles to 44," said Jay Town Manager Ruth Marden. "It was more a matter of ease of balloting. We thought people would get so tired after 80 articles that they would just vote "no, no, no." She said now it takes 15 to 30 minutes.

- ELIOT, MAINE

## Still no resolution of secret ballot voting

With time running out, board holds Sept. 3 workshop

**By Ralph Morang**  
[news@seacoastonline.com](mailto:news@seacoastonline.com)

Posted Aug. 28, 2015 at 6:13 PM

ELIOT, Maine — The Select Board acknowledged that time is short in implementing a major change in town government. At next June's town meeting, voting on budget items will change from a show of hands during the floor session to secret referendum ballot voting.

But an ordinance to make the change has not been created, and an ordinance should be on the ballot in November.

After discussing a full agenda Thursday night, the board talked about a proposed ordinance. Board Member Robert Pomerleau said, "We seem to be treading water. There is an election in June, and we need a working ordinance." He told the board the town has two recommendations, the result of two competing measures that passed last June. A citizens' petition asks for a "town budget meeting" and the secret ballot voting, and a selectmen's ordinance asks for a public hearing on the budget, and secret voting.

The change has also been written into the proposed town charter which also should be on the November ballot. Although, if the charter is approved by voters, it will not take effect until July 2016.

Town attorney Phil Saucier offered two options based on the two measures. The Charter Commission wrote the selectmen's choice into the charter. The charter has just been reviewed by attorney Stephen Langsdorf of the firm of Preti Flaherty in Augusta. He recommended that any budget referendum language not be in the charter, but that the charter refers to an ordinance. In the future, an ordinance can be changed much easier than a charter, which would have to be revised to be changed.

The ballot for the budget items will also change. It is to have three choices for each budget item: the amount recommend by the Select Board, the amount, if different, recommended, by the Budget Committee, and a choice of "none."

So, with time short, the voting change needing to be approved in November, and Town Charter depending on it, the Select Board plans to hold a workshop, open to the public, on Thursday, Sept. 3, at 5:30 p.m. at Town Hall, to discuss the ordinance.

Board Chairman Stephen Beckert suggested another board workshop with a town attorney to go over the Select Board's responsibilities and authorities. "We need a good refresher," he said. That workshop is scheduled for Oct. 1.

In other business, the board appointed Christine Bennet to serve the remainder of the term of Planning Board alternate LeRoy "Dutch" Dunkleberger, who has moved from town. The term lasts until 2017.

At its Sept. 10 meeting, the board will interview two applicants to fill a vacant position on the SAU35 School Board. There are two candidates, Martha Leathe and Danon Mantreck.

Select Board member Roland Fernald asked to be taken off the employee union contract negotiating team; Rebecca Davis will replace him.

Town Manager Dana Lee gave an update on growth permits. There 47 names on the growth permit waiting list. For 2016-2017, he said it appears there will be only 18 permits available, split between subdivision and non-subdivision units. A growth permit is needed before a building permit can be issued.

The board discussed again how to compensate employees who do not take town health insurance. The town pays a portion of health insurance premiums for those who take it. The compensation is for an employee covered under a spouse's insurance. The board instructed Town Manager Lee to meet again with the employees and develop some numbers.

**Town of Eliot  
Referendum Town Meeting Ordinance**

**Section 1) Title.**

This ordinance shall be known as the "Town of Eliot Referendum Town Meeting Ordinance".

**Section 2) Purpose.**

The purpose of this ordinance is to:

- a) Enhance the annual Town Meeting process by providing a reasonable overall plan for a smooth transition from "Open Town Meeting" to "Referendum Town Meeting".
- b) Clarify, classify, and consolidate the number and make-up of appropriation articles to be voted by referendum ballot.
- c) Provide for the continued funding of existing municipal services, without unnecessary disruption, in the event an appropriation article is not approved.
- d) Reduce the number of articles to be voted on annually by granting to the Select Board the continuing authority to act on routine administrative matters instead of voting on them annually at town meeting.

**Section 3) Authority.**

This ordinance is enacted pursuant to the Home Rule authority granted the Town of Eliot pursuant to article VIII, part 2, section 1 of the Constitution of the State of Maine and the laws of the State of Maine, including without limitation Title 30-A, section 3001.

**Section 4) Appropriation Articles for Referendum Ballot.**

Each appropriation described in the following categories shall appear on the referendum ballot in a single article, by category, as applicable:

LD 1 Exceed / Raise Question: 30-A MRSA Section 5721-A Limitation on Municipal Tax Levy

Estimated Revenues

Administration

Hearings and Elections

Fire Department

Police Department

Public Safety (Individual Listings)

Public Health Officer

Fire Hydrants

Ambulance Serv.

Dispatching

Harbor Master

Animal Control Officer  
Streetlights

Public Works Department

Snow Removal

Summer Maintenance

Roads and Bridges

Transfer Station

Federal Storm Water Management Plan

Community Service Department

General Assistance

Capital Improvements (Individual Listings)

Reserve Accounts (Individual Listings)

Debt Service

Town Standing Committees (Individual Listing)

Outside Agencies (Individual Listings)

Wm. Fogg Library

**Section 5) Citizen's Option Meeting.**

Following the initial approval of the budget articles by the Select Board, the Town shall call a Citizen's Option Meeting of the registered voters of Eliot to review the recommendations of the Budget Committee and the Select Board. The meeting shall follow the general town meeting procedures pursuant to 30-A.M.R.S. 2524.

At the Citizen's Option Meeting, an amendment for any budget article may be offered by any registered voter and decided by a majority vote of those assembled. A minimum assembly size of 1% of the total number of registered voters at the commencement of the meeting and at all times during the meeting is required in order to make any motion or amendment to the recommendations of the Budget Committee or the Select Board. In the event that the Citizen's Option Meeting fails to attract the minimum assembly size to make amendments, the meeting shall be deemed an "Informational Budget Hearing" and shall be conducted as such.

If the minimum assembly size is met, amendments shall be made by offering a written amendment to the Moderator of the Citizen's Option Meeting. A majority vote of those assembled is required

to approve a Citizen's Option budget recommendation to be included on the ballot. Reconsideration of an approved Citizen Option budget recommendation is not permitted.

Following the passage of any such amendment, the Budget Committee or Select Board may, at a duly-called budget finalization meeting, may vote to accept the Citizen's Option amendment(s) as their own recommendation. If one or more of the Citizen's Option budget amendments are not accepted by the Budget Committee or the Select Board as their own recommendation, the Citizen Option amendment(s) shall be placed on the ballot as a "Citizen's Recommendation."

**Section 6) Vote On Budget.**

The budget shall be voted upon by a referendum vote and through separate articles consistent with the proposed final budget format.

Each appropriations article shall include the recommendations of the Select Board, the Budget Committee and the Citizen's Options (if any) along with a choice of "None of the Above". In the event that the Budget Committee and Select Board agree upon a budget recommendation of a particular article, the form of the ballot shall indicate a singular budget appropriation recommendation with the footnote, "Select Board and Budget Committee So Recommend."

In the event that the Budget Committee and / or the Select Board agree with the Citizen's Recommendation for appropriation, the form of the ballot shall indicate a singular budget appropriation recommendation with the appropriately adjusted footnote, "Select Board and / or Budget Committee and / or Citizens So Recommend."

The dollar amounts of the Select Board, Budget Committee and Citizen's Recommendation shall be published on the ballot, as well as the vote counts of the Select Board, Budget Committee and Citizen's Recommendations. Each article on the ballot shall require a plurality of the votes cast for any recommendation to be approved.

If an article is not approved by a plurality of votes, the appropriation for the immediately preceding year shall constitute the appropriation for the following fiscal year.

Any appropriation article that is voted in the affirmative, and which contains two or more specific sub-appropriations within said article, is restricted to the amounts specified in the sub-appropriations as presented, which may not be moved, interchanged, or otherwise co-mingled in any fashion without Legislative body re-appropriation authorization.

**Section 7) Form of Ballot.**

The form of the ballot shall be established by adoption of this Ordinance. The various possible ballot forms are set forth herein.

**Possibility #1**

TWENTIETH – To see what sum the Town will raise, appropriate, and transfer for employee salary, benefits, operation, and maintenance of Administration.

**\*\* Select Only One \*\***

The Select Board Recommends \$1,000,000

(4 - 1)

The Budget Committee Recommends \$900,000

(5 - 2)

Citizens' Option \$875,000

(57 - 22)

None of the Above

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Possibility #2**

TWENTIETH – To see what sum the Town will raise, appropriate, and transfer for employee salary, benefits, operation, and maintenance of Administration.

**\*\* Select Only One \*\***

The Select Board and Budget Committee Recommend \$1,000,000

(Select Board 4 - 1; Budget Committee 5 - 2)

Citizens' Option \$875,000

(57 - 22 )

None of the Above

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Possibility #3**

TWENTIETH – To see what sum the Town will raise, appropriate, and transfer for employee salary, benefits, operation, and maintenance of Administration.

**\*\* Select Only One \*\***

The Select Board Recommends \$1,000,000

(4 - 1)

The Budget Committee and Citizens Recommend \$900,000

(Budget Committee 5 - 2; Citizens 57 – 22)

None of the Above

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Possibility #4**

TWENTIETH – To see what sum the Town will raise, appropriate, and transfer for employee salary, benefits, operation, and maintenance of Administration.

**\*\* Select Only One \*\***

The Select Board and Budget Committee Recommend \$1,000,000

(Select Board 4-1 and Budget Committee 5-2)

None of the Above

\_\_\_\_\_

\_\_\_\_\_

**Section 8) Public Hearing Requirement.**

The Select Board must properly post and advertise at least one informational Public Hearing on the proposed Annual Budget no more than 30 days in advance of the Referendum Vote on the Annual Budget. Summary budget information shall be made available to the public no less than 14 days prior to said required Public Hearing.

**Section 9) Budget funding provision in the event an appropriation article is not approved.**

In the event a previously approved appropriation article is not approved, the appropriation for the immediately preceding year shall constitute the appropriation for the following fiscal year, in most cases. In the event an appropriation article is not approved, the Town Manager shall review the previous year's budget appropriation for expenses that were one-time and / or non-recurring and shall report same to the Board of Select Board for approval of an "adjusted" prior year budget.

The Select Board may call one additional referendum election in the same fiscal year to vote on appropriation articles that were not approved or that are for a similar purpose. The additional referendum election shall take place within 90 days and the ballot shall include only the recommendations of the Select Board, Budget Committee and None of the Above.

Nothing in this ordinance shall prevent the Select Board from calling special "Open Town Meetings" during the year as the need may arise from time to time to address unforeseeable issues, funding emergencies, or issues beyond the normal course of town operations.

**Section 10) Select Board's Administrative Authority.**

The Select Board shall be authorized to act on the following administrative matters usually acted on annually at town meeting:

Taxes are due and payable at the time of the mailed demand. The Select Board is granted the authority to set dates in the months of November and the following May as the dates when interest on unpaid current tax amounts will begin to accrue.

To establish the rate of interest charged on each half of taxes after the November and May dates, such rate of interest not to exceed the maximum rate as established annually by the State Treasurer.

To authorize the Select Board to set an interest rate to be paid on abated taxes for the fiscal year.

To authorize the Tax Collector to accept prepayments of taxes not yet committed, pursuant to 36 MRSA Section 506.

To authorize the Select Board, when Town Meeting is delayed into the next fiscal year, to spend from Unassigned Fund Balance an amount per month not more than 1/12 of the appropriated amount of the current budget until the required Town Meeting can be held.

To authorize the Select Board to annually execute signatures as may be required to borrow funds through Tax Anticipation Notes, if necessary for cashflow, and to pay interest on said Tax Anticipation Notes from any general fund revenue

To pay tax abatements and applicable interest granted during the fiscal year from the Overlay account.

To authorize the Select Board to dispose of Town-owned personal property under such terms and conditions as they deem to be in the best interest of the Town.

To authorize the Select Board, on behalf of the Town, to sell and dispose of any real estate acquired by the Town for non-payment of taxes thereon, on such terms as they deem advisable and to execute quitclaim deeds for such property. The Select Board must first request the advice of the Conservation Commission.

To authorize the Select Board to receive insurance and/or other property damage restitution funds and to expend said receipts for materials and labor to correct said damages without further appropriations.

To authorize the Select Board to accept and appropriate or to reject any and all funds from grants, donations, and reimbursements during the year for any Municipal Department, Committee, Commission and/or project, to include but not limited to reimbursements from F.E.M.A. for any State declared emergencies, Community Development Block Grants, donations for the parks, and capital or program grants for Community Service Department.

To authorize the Select Board and Treasurer to borrow on notes or to appropriate money from Unreserved Fund Balance for any further amount needed for snow removal.

To make final determinations regarding the closing or opening of roads to winter maintenance, pursuant to 23 M.R.S.A. section 2953.

#### **Section 11) Revocation of Ordinance.**

This ordinance and all of its provisions shall continue and remain in effect until such time as the Select Board or a citizens' petition calls for a referendum to resume Open Town Meeting or some other form of Town budget approval as may be allowable by law. By adoption of this ordinance, all prior Referendum Town Meeting ordinances are hereby repealed and superseded.

#### **Section 12) Validity and Severability.**

Should any section or provision of this ordinance be declared by the courts to be invalid, such decision shall not invalidate any other section or provision of this ordinance.

#### **Section 13) Effective Date.**

The effective date of this ordinance shall be the date of adoption by the legislative body.

**Municipal Officers' Certification of Official Text of a Proposed Ordinance  
[30-A M.R.S.A. § 3002(2)]**

To Wendy J. Rawski, Town Clerk of the Town of Eliot, Maine:

We hereby certify to you that the document to which we have affixed this certificate is a true copy of the official text of an ordinance entitled "*Referendum Town Meeting Ordinance, of the Municipal Code of Ordinances of the Town of Eliot, Maine, to transition from open town meeting to referendum town meeting*", which is to be presented to the voters for their consideration on November 3, 2015.

Pursuant to 30-A M.R.S.A. § 3002(2), you will retain this copy of the complete text of the ordinance as a public record and make other copies available for distribution to the voters, and you will ensure that copies are available at the town meeting/polling places on the day of the vote.

Dated: \_\_\_\_\_

09/10/2015

Robert J. Cameron

Ronald Fernald

John J. Murphy

Richard J. Selegman

Stephen R. Beckett

Town of Eliot Board of Selectmen

## REPORT OF ELIOT TOWN CHARTER COMMISSION

Charles L. Rankie Jr.	Chair	Dennis Lentz	Member
Gary Sinden	Vice-Chair	John Murphy	Member
Rosanne Adams	Secretary	Maryann Place	Member
Roland Fernald	Member	Edward Strong	Member
Robert Fisher	Member		

At the November 2013 general election Eliot Citizens voted in favor of allowing work to begin that would result in an opportunity to redefine the way Eliot was governed on a local level. This by both approving a Charter Commission and electing six of its nine members. "A Charter is the municipal equivalent of a state or federal constitution, and it is within the municipal charter where such essential questions as the structure of government, the distribution of powers within the government and a citizens access to government are more or less completely answered".(1)

The makeup of the Charter Commission, its powers, responsibilities, authority, duties and deadlines are all governed by Maine State Statute. The Commission consists of nine members six elected and three appointed by the Board of Selectman. Maine State Statute requires that this report be submitted to the voters within nine (9) months of the election of Charter Commission members unless the municipal officers (Board of Selectmen) grant an extension to this time limit. The Statute allows for the granting of up to twenty-four (24) months. While the Commission had hoped to meet the nine month deadline we have found that it was not possible. We have chosen to carefully review each section sentence-by-sentence. This approach, while time consuming, will render a thoroughly analyzed finished product that represents the majority thinking of our Commission. On August 28, 2014 the Commission requested that the Board of Selectmen grant a twelve month (12) extension to our preliminary report deadline. The request was granted, thus extending the deadline through November 6, 2015.

Currently the Charter Commission is meeting twice monthly in the Town Hall Conference Room. As of this writing the Proposed Charter consists of eight (8) Articles and is posted on the Charter Commission page of the Eliot Town Website. Eliot Residents are both welcome and encouraged to attend. However, if you are not able to attend, meetings are live streamed as well as available on file at the Eliot website. The Commission welcomes any constructive ideas, comments and materials; they can be sent to the Eliot Charter Commission via US Postal Service or email through the Town Clerk.

The mission statement adopted by the Eliot Charter Commission is as follows, "The purpose of the Charter Commission is to examine the current structure and processes of our local government, to gather and discuss concepts and ideas put

forth by the citizens and to propose changes in and codification of our form of local government and to present them to the voters of Eliot with the goal of increasing citizen participation and government transparency.”

Respectfully Submitted,  
Charles L. Rankie Jr.  
Chair

(1) Municipal Charters by Herman