

CHARTER COMMISSION MEETING
TUESDAY, APRIL 27, 2010 – 7 P.M.

Chair Ladakakos opened the regular meeting at 7:00 p.m., in Town Hall, Council Chambers. The following members were in attendance:

John Bird
William Gombar
Paul Ladakakos
Jerome Begert
Jayne Flaherty
Tianna Higgins
Michael Vallante

Ronald Regis, arrived at 7:10 p.m.

Laura Bolduc, excused absence (attending Town Council Budget Workshop)

The members of the Charter Commission stood for a Pledge to the Flag.

The minutes of the April 13, 2010 meeting were approved with one abstention—Commissioner Higgins was absent at the April 13, 2010 meeting.

Police Chief Dana Kelley, Deputy Police Chief Keith Babin, Fire Chief John Glass, and Gary Curtis, representing Old Orchard Beach on the RSU #23 Board of Directors, was present.

Chair Ladakakos inquired from Chief Kelley what suggestions he had for section 506 of the Town Charter.

Chief Kelley referred to the recommendation of changes by Vice-Chair Bird for section 506:

Sec. 506. ~~Department of Public Safety.~~ **Police Department**

This Town Department shall be responsible for enforcing the various criminal codes of the Town and State and, if need be, assisting the Code Enforcement Officer and Lifeguards in enforcing the various civil codes, ordinances and Beach Safety Rules.

The Chief of Police shall be nominated by the Town Manager, subject to confirmation by the Town Council, and shall exercise all of the powers and perform all of the duties conferred or imposed by State law on Heads of Municipal Police Departments.

The Police Department shall also be responsible for the following functions: Parking Enforcement, Animal Control, and the Summer Police Force.

Chief Kelley stated the Charter may not need to include that the Police Department is responsible for the summer police force.

Vice-Chair Bird stated they could work on the wording.

Commissioner Begert stated they should have flexibility in wording, to allow for the future.

Chief Kelley stated it may not need to be defined in writing because State Law, Title 30-A does define it.

Commissioner Begert asked Chief Kelley if he has the ability to enter into a task force with other communities, to which Chief Kelley responded that State law allows for that.

Chair Ladakakos read section 506 as currently outlined in the Charter.

Vice-Chair Bird inquired how the Police Chief and Fire Chief became separate when the Charter calls for one Public Safety Director.

Chief Kelley responded that in 1995, the Town Council created an ordinance to cover Public Safety, and the Charter was subsequently changed. After two years, it failed, and the Ordinance was deleted, reverting back to the separate positions; however, the Charter wasn't changed.

Commissioner Regis felt there should be two different positions, especially with the police department being housed in a different building.

Vice-Chair Bird read the first paragraph of his recommendations, and stated he felt there should be a preface of responsibilities at the beginning of each department section.

Chief Kelley stated he wasn't sure if it should include all the responsibilities of the police department, as state law defines them, and the Town Manager can assign responsibilities to department heads.

Vice-Chair Bird stated that as a legal point, it's probably not necessary; however, for a lay person new to the community, it explains what a department does.

Commissioner Begert stated that once it's in the Charter, though, it cannot be taken away.

Chief Kelley stated that over time, responsibilities get changed.

Commissioner Flaherty stated they had the same discussion with Michael Nugent and Gary Lamb. She feels they should stick to a skeletal format, with Commissioner Higgins in concurrence.

Commissioner Begert stated, again, that flexibility is needed in the Charter.

Commissioner Higgins stated they need to look at the big picture, using the example of parking enforcement. She stated that even though it's under the police department now, it could move to another department in the future. The Charter shouldn't be too specific.

Chief Glass stated that's possible with the lifeguards. They may currently fall under the jurisdiction of the Fire Department, but there's a possibility that could change in the future.

Commissioner Vallante stated the Charter shouldn't specify the responsibilities.

Chief Kelley was concerned about the first paragraph of Vice-Chair Bird's suggestions, "if need be, assisting the Code Enforcement Office and Lifeguards in enforcing the various civil codes,

ordinances and Beach Safety Rules”, stating someone could read that sentence and interpret it that the Police Department must help the CEO and Lifeguards, and that they’re the only departments the Police Department can assist.

Vice-Chair Bird felt that the wording “if need be”, would cover the Police Department.

Chief Kelley stated he’s concerned that it takes away the discretion of the Town Manager and the Town Council to change the duties of a department.

Vice-Chair Bird stated he was confused and worried that the Town Manager should be allowed to direct the police department to assist or not assist the CEO.

Chief Glass gave a current example, stating rescue billing was under the jurisdiction of the police department. The Town Manager felt it was more natural that it should fall under EMS-Fire, so the Town Manager moved it. Another example is business licensing, which has moved from one department to another.

Commissioner Flaherty recommended that in the first paragraph of Vice-Chair Bird’s recommendations, that it only include the first sentence, “This Town Department shall be responsible for enforcing the various criminal codes of the Town and State”, and remove the rest.

Commissioner Vallante stated the Charter shouldn’t micromanage the Town.

Vice-Chair Bird stated the purpose of the Charter is to “set up the rules of the game”. He’s leaning against allowing the Town Manager to direct any department head to do whatever he wants.

Chief Kelley stated the Town Manager can place additional responsibilities on a department under State law.

Vice-Chair Bird asked Chief Kelley if the Town Manager should have the flexibility to move the lifeguards back and forth between the two departments, with Chief Kelley replying that it has always been that way.

Chief Glass added that the Town Council then approves the move.

Vice-Chair Bird stated that Charter is the defining document, stating how the Town runs and what its’ responsibilities are. This wording defines that.

Commissioner Regis felt the lifeguards should have their own division.

Chair Ladakakos inquired of the Chiefs if there is a department head in charge of the lifeguards.

Chief Glass responded that they do have a lifeguard captain, but that he [Chief Glass] is the department head.

Chair Ladakakos inquired if they approach people drinking on the beach, to which Chief Glass responded that it is part of their duties.

Chief Kelley stated the lifeguards do not have any arrest authority, though.

Commissioner Higgins agreed that the Charter sets the tone, but the specific responsibilities do not need to be part of the Charter.

Deputy Chief Babin inquired if the Charter Commission is recommending removing the section that allows the police chief to appeal to Superior Court if he is removed from his position.

Commissioner Higgins stated the Charter Commission is recommending moving that section to the Town Manager's section, and including it for all department heads.

Commissioner Flaherty concurred, stating they discussed this last time, that it should be in place for all department heads.

Commissioner Begert stated that it was important for the police department to have that protection because they maintain order—democracy, adding the fire department should also fall under that category.

Commissioner Regis stated that all department heads need equal protection.

Chief Kelley stated the language was originally intended to protect the Police Chief's position from becoming political. If the Town Manager suggested an impropriety, this protects the Police Chief.

Commissioner Vallante stated that by extending this to other department heads, it shouldn't diminish the protection of the Police Chief.

Chief Glass was concerned about the following recommended changes by Vice-Chair Bird:

Fire Department

This Town Department shall be responsible for safeguarding the personal physical safety and property of the citizens of the Town and, if need be, assisting the Code Enforcement Officer and Lifeguards in enforcing the various civil codes and solving Beach Safety Problems.

The Fire Department shall also be responsible for the following functions: Rescue & Ambulance, Civil Emergency Preparedness and Lifeguards.

Chief Glass was concerned, too, about being limited to assisting just the Code Enforcement Officer and Lifeguards, stating that he also assists the Public Works Department, for example. He also stated in the second paragraph, it should read "Emergency Medical Services" instead of Rescue & Ambulance. As far as Civil Emergency Preparedness, currently it is the Fire Chief, but we may have a director later on, and it's typically a separate department. He felt that the Charter Commission should just add a copy of the second paragraph of the Police Department section to the Fire Department section, change "Police" to "Fire", and call it good, "The Fire Chief shall be nominated by the Town Manager, subject to confirmation by the Town Council, and shall exercise all of the powers and perform all of the duties conferred or imposed by State

law on Heads of Municipal Fire Departments”. Chief Glass stated he is also currently the Town Fire Warden, and does fire inspections, etc.

Vice-Chair Bird stated his wording does not prohibit the Fire Chief from other duties.

Commissioner Higgins stated the Charter should just have a basic description, stating the Fire Chief shall follow the State Fire Marshall’s Office rules and State Laws.

Chief Kelley felt Vice-Chair Bird’s concerns could be addressed in a job description.

Vice-Chair Bird stated that essentially that was what they were trying to do except that they were trying to work out “job descriptions” for the Departments instead of the people in them.

Chief Kelley inquired if these recommendations would be reviewed by the Town’s attorney, to which Vice-Chair Bird responded that the Town attorney will review all recommended changes.

Commissioner Vallante inquired of the Chiefs’ how they felt about the Town Council interacting directly with the department heads, or if they should go exclusively through the town manager.

Chief Glass stated they get direction from the town manager, and it works very well.

Chief Kelley stated that does work well, but there are times when a town councilor may have a simple question and should be allowed to ask that. He’s concerned the town council may consider a department head “standoffish”. He stated that, personally, he likes to talk to the town council so there is no misinterpretation.

At 7:48 p.m. the Fire Chief and Police Chief left the meeting.

Chair Ladakakos stated they were now going to discuss Article VI, referring to the schools. He stated the Charter Commission members have written suggestions from both Vice-Chair Bird and RSU #23 Director, Gary Curtis.

Gary Curtis stated his first paragraph is an explanation of what RSU #23 is:

ARTICLE VI. REGIONAL SCHOOL UNIT

As a member of Regional School Unit #23, Old Orchard Beach is bound by the agreement of the communities that make up the Regional School Unit, and accepts as part of its charter the plan as currently written and as may be amended by vote of the citizens in the member communities, and applicable State statute(s).

He was concerned about Vice-Chair Bird’s opening paragraph. He stated that RSU #23 is not a state agency, and felt it was a political statement.

**ARTICLE VI. SCHOOL BOARD/DEPARTMENT OF EDUCATION
REGIONAL SCHOOL UNIT #23 (RSU)**

In removing the responsibility for the education of the Town’s children from the Town and giving it over to a State agency, Regional School Unit (RSU) #23, the state

legislature has eliminated the Town's locally elected School Board and replaced it with State-mandated RSU Representatives, allowing only two locally elected Representatives to the Board of Directors of the State-mandated Regional School Unit #23.

Chair Ladakakos stated the Charter Commission will listen to both recommendations, and they will make a decision the second time the Charter Commission reviews the Charter. Chair Ladakakos read both opening paragraphs and stated either explains the function of the RSU.

Commissioner Higgins stated she extremely differs.

Gary Curtis stated that RSU #23 is not a state agency, stating they are a school district controlled by the citizens of Saco, Dayton and Old Orchard Beach.

Vice-Chair Bird countered that the Town was required to join under penalty from the state, and stated that Gary Curtis told him that RSU #23 is ruled solely by State law.

Commissioner Higgins agreed with Gary Curtis' opening paragraph describing RSU #23, stating Vice-Chair Bird's first paragraph, although it may be accurate, is too political and has no bearing on the Charter. She recommended that in Gary Curtis' opening paragraph, they should add that RSU #23 was formed in 2009.

Commissioner Begert stated they need flexibility in case of change. He doesn't want them cemented in. He was concerned about the Charter stating "...accepts as part of its Charter..." in case there are changes.

Commissioner Flaherty stated that down the road we may be part of a different consolidation, stating the flexibility point is very valid. She said, as an example, we have already seen changes in the Police and Fire Departments since the last Charter change.

Vice-Chair Bird inquired what the official name is for the RSU.

Gary Curtis responded that it is Regional School Unit #23 and he is an OOB representative to the RSU #23 Board of Directors.

Commissioner Begert inquired if they mostly represent the students, or the community.

Gary Curtis responded that the members are elected by the Town, but they don't represent the Town. There is a court case that states they act as agents of the State to make sure students get a quality education, further advising that law was current for the former School Board, as well. He stated they have bonding powers, and they have their own rules and follow state mandates.

Vice-Chair Bird commented that if members "don't represent the Town", but "act as agents of the State", how can it be said that they are not a State Agency?

Commissioner Vallante felt that Vice-Chair Bird's opening paragraph is inflammatory and political and agrees with Gary Curtis' version.

Chair Ladakakos stated the members should think about each version and they will vote on one next time.

Commissioner Higgins stated the wording should be “education” instead of “schools”, so people will think of people instead of buildings.

Gary Curtis stated he did not have strong feelings either way.

Commissioners Higgins and Flaherty agreed that it should have Regional School Unit in the title.

Commissioner Begert suggested a one word title, “Education”.

Chair Ladakakos read Vice-Chair Bird’s recommendation for changes to section 601.

Sec. 601. Qualifications.

~~Members of the School Board~~ Representatives to the Board of Directors of RSU #23 shall be registered voters of the Town and shall have their principal place of residence in the town during their terms of office. ~~No Members of the School Board Representative to the Board of Directors of RSU #23~~ shall hold any other compensated Town office or be employed in any Town department ~~under the direct control of the School Board.~~

Chair Ladakakos then read Gary Curtis’ recommendation for changes to section 601.

Sec. 601. Qualifications.

Members elected from Old Orchard Beach to the REGIONAL SCHOOL UNIT Board of Directors ~~School Board~~ shall be registered voters of the Town and shall have their principal place of residence in the Town during their terms of office. No member of the Regional School Board shall hold any other compensated Town office. ~~or be employed in any Town department under the direct control of the School board. If a School Board Member shall cease to possess any of these qualifications or shall be convicted of a crime which is punishable by imprisonment for more than six months, the office of that School Board Member shall immediately become vacant upon majority vote of the remaining members of the School Board. The School Board shall notify the Town Council of the vacancy immediately.~~

Gary Curtis stated they both read almost the same.

Vice-Chair Bird stated that in his paragraph, he struck the word “compensated”.

Chair Ladakakos stated that in Gary Curtis’ recommendations, he struck sections 602 through 609.

Vice-Chair Bird responded that they both struck those sections, and renumbered 610 and 611 to 602 and 603.

The following is the recommendation of Vice-Chair Bird for the section 610, now renumbered 602:

Sec. ~~610~~ 602. Vacancies in the School Board.

If a ~~School Board Member~~ Representative to RSU #23 shall cease to possess any of these qualifications or shall be convicted of a crime which is punishable by imprisonment for more than six months, the office of that ~~School Board Member~~ Representative to RSU #23 shall immediately become vacant ~~upon majority vote of the remaining members of the School Board. The School Board shall notify the Town Council of the vacancy immediately.~~

The office of the ~~School Board [member]~~ Representative to RSU #23 shall also become vacant upon resignation, death, recall, failure to qualify for the office within ten (10) days after written demand by the Town Council, forfeiture of office, or failure of the municipality to select a person to the office.

If a Representative seat to RSU #23 ~~seat on the School Board~~ becomes vacant for any reason less than ninety (90) days prior to the next regularly scheduled municipal election, the vacancy shall be filled at that next regularly scheduled municipal election ~~and the School Board shall operate with the remaining members.~~

If a Representative seat to RSU #23 ~~seat on the School Board~~ becomes vacant for any reason more than ninety (90) days prior to the next regularly scheduled municipal election, it shall be filled until the next municipal election by the affirmative vote of at least four members of the Town Council.

Notwithstanding the foregoing, if a vacancy occurs for any reason other than recall during the first six months of a ~~School Board member's~~ Representative's term, such vacancy shall be filled for the unexpired term by that person who was a candidate for the ~~School Board~~ Representative to RSU #23 at the same election at which the ~~School Board member~~ Representative whose office has become vacant was elected and who received the greatest number of votes among the unsuccessful candidates, and in the event that such person is unwilling or unable to serve, then the vacancy shall be filled as otherwise provided in this section.

[The remainder of this article has been eliminated by State fiat and therefore is deleted.]

The following are the recommendations of Gary Curtis for section 610, now renumbered 602, and section 611, now renumbered 603:

Sec. 602 ~~610~~. Vacancies on the Regional School Board ~~in the School board.~~

~~Any member of the School Board who misses three (3) consecutive regular meetings of the School board without excuse may be removed from office after notice and hearing by a resolution duly adopted by the majority of the remaining members of the School board. The office of the Regional School Board [member] shall also become vacant upon the resignation, death, recall, failure to qualify for the office within ten(10) days after written demand by the Town Council, forfeiture of office, or failure of the municipality to select a person to the office. If a seat on the School Board becomes vacant for any reason less than ninety (90) days prior to the next regularly scheduled municipal election, the~~

~~vacancy shall not be filled and the School Board shall operate with the remaining members. If a seat on the School Board becomes vacant for any reason more than ninety (90) days prior to the next regularly scheduled municipal election, it shall be filled by special until the next municipal election as soon as is practicable after the vacancy becomes known. by the affirmative vote of at least three members of the Town Council. Notwithstanding the foregoing, if a vacancy occurs for any reason other than recall during the first six months of a School Board member's term, such vacancy shall be filled for the unexpired term by that person who was a candidate for the School Board at the same election at which the School Board member whose office has become vacant was elected and who received the greatest number of votes among the unsuccessful candidates, and in the event that such person is unwilling or unable to serve, then the vacancy shall be filled as otherwise provided by this section.~~

Sec. ~~603~~ 611 Budget.

The Regional School Unit budget shall be validated according to State statute, and shall be in the format as defined by current law. ~~Submitted to the Town Council at least ninety (90) days prior to the beginning of each fiscal year and the format of the School Budget shall be as follows:~~

- ~~• General Education — Elementary, secondary~~
- ~~• Special Education~~
- ~~• Undistributed — Attendance, Health Services, Curriculum Development, Fixed Charges, Office of the Superintendent, Operation and Maintenance, Pupil Transportation, Food Services, and Debt Service~~

The school budget shall also include any articles required to be adopted by state law.

Commissioner Gombar felt there was a big difference between the two recommendations, stating that Vice-Chair Bird left in the part about being arrested, and Gary Curtis removed that part.

Gary Curtis responded that it is in The Plan. It is not as specific, though. He says he does not object with keeping that in. He says The Plan does have a “moral turpitude” clause in it. He also suggested that when a vacancy occurs, a special election should be held, and not wait until the next regularly scheduled election.

Commissioner Regis asked Gary Curtis how the votes are weighted in the three communities.

Gary Curtis stated that 2/3rds of the weighted votes are required to pass anything. He said that Old Orchard Beach has 158 points for each vote. Saco has four representatives, but each has 154 points for each vote. If Saco wants to pass something, they will need to have either the representative from Dayton or one of the two representatives from Old Orchard Beach in agreement before it can pass. That was built into the law to protect the smaller towns.

Commissioner Begert questioned concentrating on our interface only, reference vacancies.

Gary Curtis responded that filling vacancies is one of those interfaces, and asked the members to consider possibly appointing someone right away until another person is elected.

Commissioner Regis questioned appointing rather than electing as soon as possible.

There was discussion in reference to selecting the second person in line to accept the nomination if the first person does not qualify for or want the position they're elected to.

Commissioner Regis stated he was concerned about that ability. What if someone didn't want the next person in line to get the position, but they wanted the fourth person in line instead?

Commissioner Gombar inquired if there is anything in The Plan that precludes the Town Council from appointing an interim.

Gary Curtis responded that it is not in The Plan, and is not sure if it is legal.

Commissioner Gombar inquired how a vacancy would affect the voting ability of the Board.

Commissioner Flaherty was concerned about losing the second member because of the weighted votes.

Gary Curtis responded that Saco could carry the weighted votes if we lost someone.

Commissioner Higgins suggested that vacancies be filled by election within 60 days instead of 90 days.

Commissioner Vallante inquired of Gary Curtis how many times within the last 11 budget meetings did the weighted vote come into play, to which Gary Curtis responded they cannot vote in a workshop.

Vice-Chair Bird felt that section 603 in Gary Curtis' recommendation isn't needed.

Commissioner Flaherty suggested the Charter Commission find out what other communities are doing in their Charter reference school consolidation.

Vice-Chair Bird felt that most probably left it as is in their Charter, like we did with the police department.

Commissioner Higgins was concerned about losing a member from Old Orchard Beach.

Gary Curtis stated that the cumulative vote would be less by us losing a person.

Commissioner Begert inquired if we could possibly put something in the Charter that if there was a vacancy, the remaining member's weighted vote would be doubled.

Gary Curtis responded that it would require a change in The Plan, and a district wide vote to change The Plan. He said they would need to talk to an attorney to see if it's possible.

Commissioner Gombar asked what effect the current census will have on the RSU weighted votes.

Gary Curtis stated that it is in The Plan to reassess the weight of each vote every five years, as well as the cost sharing plan.

Commissioner Begert inquired if they could have an honorary student representative on the Board, stating many places involve the students in that capacity.

Gary Curtis stated they never discussed that because they have two high schools, two middle schools and other schools, and they wouldn't know how to rotate the students or how to pick which school gets represented. Gary Curtis states that he personally speaks to the students in Old Orchard Beach, to make sure they're involved.

There were no further questions.
The meeting was adjourned at 9:02p.m.

Respectfully Submitted.

Kim McLaughlin
Town Clerk

I, Kim McLaughlin, Town Clerk of Old Orchard Beach, do hereby certify that the foregoing document consisting of eleven (11) pages is a true copy of the original Minutes of the Charter Commission Meeting held April 27, 2010.

Kim M. McLaughlin

JEROME BEGERT

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CHARTER-Comm. MINUTES/APRIL 27

CORRECTIONS

POLICE

PAGE 2, PARAGRAPH (F) 2

CHANGE TO:

".....ENTER INTO AN INTER-AGENCY TASK-FORCE WITH OTHER LAW-ENFORCEMENT ORGANIZATIONS, FOR EMERGENCIES OR SPECIAL ENFORCEMENT ISSUES, TO WHICH....."

PAGE 3, AFTER F-7 ("Vallante.....micromanage the town.") INSERT:

"Com. BEGERT AGREED THAT WE NEED NOT MICROMANAGE, HOWEVER THE CHARTER CONTAINS RULES THAT ARE GUIDEPPOSTS, TO PREVENT GOVERNMENT-STAFF FROM MISTAKENLY EXCEEDING THEIR AUTHORITY."

PAGE 4, F-6

CHANGE TO:

"Com. BEGERT SAID IT IS IMPORTANT FOR THE POLICE-DEPT. TO HAVE THAT INSULATION. HYPOTHETICALLY, IF ORGANIZED-CRIME PENETRATES TOWN-GOVERNMENT AND TRIES TO NEUTRALIZE AN HONEST POLICE-CHIEF, TO OBSTRUCT VIGOROUS LAW-ENFORCEMENT, THIS INSULATION CAN PREVENT THAT. THE HISTORICAL FOUNDATION OF LAW-ENFORCEMENT IS TO MAINTAIN ORDER, WITHOUT-WHICH FREEDOM IS NOT POSSIBLE, AND DEMOCRACY (WHICH CHARTER-RULES MUST MANIFEST) IS NOT POSSIBLE,

JEROME BEGERT
CHARTER MINUTES/APRIL 27
CORRECTIONS

(2)

SCHOOL

PAGE 5, FIRST-PT (UNDER ARTICLE-6/RSU)
LABEL THIS: "GARY CURTIS' RECOMMENDATION."

NEXT-LINE: REPLACE FIRST PRONOUN (HE) WITH: "MR. CURTIS"

NEXT LINE/SECTION: LABEL: "COM. JOHN BIRD'S PROPOSED ALTERATION."

PAGE 6, PT-3 ("HIGGINS...EXTREMELY DIFFERS") IS UNCLEAR.
HIGGINS... "DIFFERS WITH COMMISSIONER BIRD'S WORDING."

PAGE 6, PT-7 CHANGE TO:

"COM. BEGERT SAID THE CHARTER NEEDS FLEXIBILITY,
IN CASE OF CHANGE, WE SHOULD NOT CEMENT-IN THE RSU
WITH "ACCEPTS AS PART OF ITS CHARTER," SINCE
COUNTY-GOVERNMENT MIGHT TAKE-OVER EDUCATION, OR A
REFERENDUM COULD ELIMINATE THE RSU NEXT YEAR.
WE SHOULD CONCENTRATE ON AN INTERFACE WITH
WHATEVER EDUCATION-SYSTEM EXISTS."

PAGE 6, PT-11 CHANGE TO:

"BEGERT ASKED RSU-REP. CURTIS: *DEFINE THE TERM -
'REPRESENT.' DO YOU REPRESENT STUDENTS, TAXPAYERS AND THE
TOWN OF OLD ORCHARD TO THE RSU? OR DO YOU ALSO HAVE
A FUNCTION FROM THE OTHER DIRECTION?"

BEGERT

3

CHARTER MINUTES/4-27

CORRECTIONS

SCHOOL

PAGE 6, ¶-12

CHANGE TO:

"GARY CURTIS ANSWERED THAT REPRESENTATIVES ARE ELECTED BY VOTERS OF THE TOWN; BUT ACCORDING TO A RECENT COURT-CASE, REPRESENTATIVES NEED NOT DO WHAT VOTERS OR TOWN-GOVERNMENT WANT THEM TO DO."

AFTER, INSERT (AS NEW ¶-13):

"Com. BEGERT RESPONDED: THAT'S WEIRD!"

FOLLOWED BY LAUGHTER AMONG THE COMMISSION.

NEXT-¶ SHOULD BE:

"VICE-CHAIR BIRD... NOT A STATE-AGENCY?"

NEXT-¶ SHOULD BE:

"CURTIS: THE COURT-CASE SAYS THEY ACT AS AGENTS OF THE STATE, AND ARE GOVERNED BY STATE-LAWS TO ENSURE THAT STUDENTS GET A QUALITY EDUCATION. BUT WE ARE NOT A STATE-AGENCY. WE ARE FORMED BY A COMPACT OF THREE COMMUNITIES. AND BESIDES, STATE-LAW WAS PREVIOUSLY APPLICABLE TO THE FORMER SCHOOL BOARD. RSU ALSO HAS BONDING POWERS, WE FOLLOW OUR OWN RULES AND FOLLOW STATE-MANDATES."

BEGERT
CHARTER-MINUTES/4-27
CORRECTIONS

(4)

SCHOOL

PAGE 7, ¶-5

AFTER: "COMMISSIONER BEGERT..... A ONE WORD TITLE, 'EDUCATION'....."
ADD ".....OR EDUCATION-SYSTEM."

NEXT, UNDER BIRD'S CHANGES FOR SEC. 601:

MID-PARAGRAPH:

"REPRESENTATIVE ^S_{ADD} TO THE BOARD OF DIRECTORS OF RSU-23

SHALL NOT_{ADD} HOLD ANY OTHER TOWN-OFFICE....."

PAGE 9, AFTER THE ¶ THAT BEGINS:

"GARY CURTIS RESPONDED THAT IT IS IN THE PLAN....."

INSERT: "COM. BEGERT ASKED THAT MR. CURTIS SUPPLY THE
CHARTER-COMMISSION WITH A COPY OF HIS VERSION OF
THE (RSU-CONSOLIDATION) PLAN, SINCE IT IS FOUR-TIMES THICKER
THAN RSU-LAW THAT WAS INTERNET-ACCESSED FROM
THE TOWN-CLERK'S OFFICE. MR. CURTIS REFUSED,
INSISTING THAT IT IS OTHERWISE OBTAINABLE."

PAGE 9, 3RD-LINE FROM BOTTOM ("BEGERT QUESTIONED") CHANGE TO:

"BEGERT STRONGLY SUGGESTED CONCENTRATING ONLY ON OUR
INTERFACE, LEAVING FLEXIBILITY FOR FUTURE EDUCATION-SYSTEMS."

BEGERT

CHARTER-MINUTES/4-27
CORRECTIONS

SCHOOL

PAGE 9, 2ND-LINE FROM BOTTOM

"GARY.....ONE OF THOSE INTERFACES," IS CORRECT, BUT NOT ^{THE} REST.

BEGERT'S IDEA IS ATTRIBUTED TO CURTIS. CHANGE TO:

"BEGERT SUGGESTED THAT TOWN-COUNCIL SHOULD
APPOINT A GELDED INTERIM-REPRESENTATIVE
(WHO CANNOT BE RE-ELECTED) UNTIL THE NEXT ELECTION."

PAGE 10, FIRST-LINE

CHANGE FROM:

"THERE WAS DISCUSSION....."

TO:

"COMMISSIONER BEGIS SUGGESTED SELECTING THE SECOND PERSON....."

PAGE 10, SECOND-LINE

CHANGE FROM:

"COM. BEGIS STATED....."

TO:

"GARY CURTIS STATED....."

PAGE 11, FIRST-LINE

CHANGE TO:

"COM. BEGERT INQUIRED IF RSU-23 HAS
HONORARY STUDENT-REPRESENTATIVES ON THE BOARD....."

PAGE 11, BEFORE "THERE WERE NO FURTHER QUESTIONS" INSERT:

"AMID QUESTIONS TO MR. CURTIS FOR CLARIFICATION AND PERSPECTIVE
ON THE JUNE 8 ELECTION'S RSU-BUDGET-REFERENDUM, COMMISSIONER
BEGERT AGREED WITH MR. CURTIS, AND REPEATEDLY URGED
OLD ORCHARD BEACH VOTERS TO VOTE "YES" ON
RSU-BUDGET-REFERENDUM-QUESTION #2, TO CONTINUE OUR
RIGHT TO APPROVE/DISAPPROVE THE ANNUAL-BUDGET PROPOSAL,
SO AS TO GUARANTEE TRANSPARENCY."