

**CHARTER COMMISSION MEETING  
WEDNESDAY, JANUARY 13, 2010 – 7 P.M.**

The Charter Commission held a Public Hearing on Wednesday, January 13, 2010 at 7 p.m. in the Town Hall Chamber. The following members were in attendance:

**John Bird  
Jayne Flaherty  
William Gombar  
Tianna Higgins  
Paul Ladakakos  
Ronald Regis  
Michael Vallante  
Kenneth Blow, excused absence  
Laura Bolduc, excused absence**

Chair Ladakakos opened the meeting at 7:04 p.m.

Motion made by Jayne Flaherty, seconded by John Bird to appoint Kim McLaughlin as recording secretary.

**VOTE: Unanimous.**

Chair Ladakakos opened the public hearing.

George Kerr, 206 East Grand Avenue, was the first to speak at the podium. He stated that he serves on the Ordinance Revision Committee. The Committee would like to meet with the Charter Commission prior to the Commission delving into the Charter. He then referred to section 410 of the Town Charter reference advertising. He stated the Town could save \$18,000 to \$20,000 a year by using the current technology (internet) instead of advertising in the newspaper. He then spoke of the form of government we currently have. He advised that he had served on the Town Council for a few terms, and now is the time to look at a Mayor form of government—someone to lead the Town’s people. He stated the Town, in the past, has brought outsiders in for the Town Manager’s position, and then they leave for a variety of reasons. He believes maybe it’s time to make the change—have someone who resides in this Town and pays taxes in this town who would think differently than those from away.

Vice-Chair Bird advised they should meet in a workshop to coordinate their committees.

George Kerr told the Commission that the Ordinance Revision Committee was meeting on a weekly basis to implement changes that were vintage 70’s, making dramatic changes for the better. He stated they put the citizens first in all they do, making changes the Town’s people will like.

Commissioner Gombar asked if Mr. Kerr was thinking of a strong Mayor, such as Westbrook, or a weak Mayor, such as Portland.

**George Kerr responded that it would be up to the Charter Commission, that he would be happy with a medium Mayor such as Saco. He wants someone who lives in our community and pays taxes here, and has the flavor of the community.**

**Commissioner Regis concurred with Mr. Kerr, stating he agrees with him fully to go to a Mayor form of government.**

**George Kerr stated that the Town is at a point where people want to stay on Boards. There's a new light in this community. There will be tough economic times in the next 4-5 years. He advised he is looking forward to working with the Commission in the future.**

**Gary Lamb, Town Planner, then approached the Commission and passed out the attached comments he formulated. He then went to the podium and gave a brief synopsis of each of the eight items. He stated item #1 was obvious and didn't need further discussion. Item #2 he advised that he is the Town Planner, and section 409.11 and .12 need to be fleshed out. He then read the section of the Charter, advising the Planning Board does not come up with plans. Plans are proposed by the developer. He then went to item #3, stating it could save the Town a great deal of money, up to \$20,000 if they substituted the town website for the newspaper ads when possible. He read item #4 and went on to item #5. He stated that he hasn't talked to Mike [Nugent, the Code Enforcement Officer], but it makes fair sense to keep a two-year contract with the CEO, but the Town Planner doesn't need a contract. Referring to item #6, he stated the Conservation Commission does great work, and stated they are moving toward a different regulatory structure. He advised it wasn't fair for the 50-Acre Wood Committee to be responsible for the Ballpark. He stated Vice-Chair Bird is on the Conservation Commission, so he knows it will be discussed thoroughly. Going on to item #7, he stated that the minutes cannot be disseminated until they are accepted by the Board. He then read item #8. He advised the Commission they have a tough job to do, and suggested talking to Chris Vaniotis at their next meeting, stating there was no sense in going to areas they cannot change by State law.**

**Commissioner Higgins then inquired how many other Town do not advertise.**

**Chair Ladakakos said the Commission has important things to look at, like changing the form of government and the number of Councilors.**

**[Town Councilor] Robin Dayton approached the podium. She stated she was at the same meeting as Gary Lamb on Monday, and her understanding is that the stadium has been talked about, and what the future holds, how the stadium is run. She said it doesn't apply to the rest of the public property. Over the next four weeks, the second phase of planning that was started in 2006, will start, involving Alan Holt. She believes the stadium should be separate from the rest of the parcel.**

**Vice-Chair Bird stated he was at that meeting. He believes this particular language should not be part of the Charter. He believes it should go back to the Council or Conservation Commission.**

**Chair Ladakakos stated there should be several workshops, and at least two public hearings, possibly three, to solicit input from the residents.**

**There were no other citizens wishing to approach the podium at this time.**

**Vice-Chair Bird motioned, seconded by Commissioner Vallante, to recess the public hearing until later during the night in case someone comes in and wishes to speak.**

**VOTE: Unanimous.**

**The regular meeting was opened at 7:15 p.m. by Chair Ladakakos.**

**Item #1: Commissioner Vallante motioned, seconded by Vice-Chair Bird, to accept the minutes of December 22, 2009.**

**VOTE: Unanimous.**

**Item #2: Vice-Chair Bird wants to take up Article I, II, and III, which are heavy, dealing with the Town Council, Elections, and general forms of government. He advised that as a matter of policy, the Commission should go through the different articles, and discuss each one, take public input, and then digest the information, instead of making immediate motions.**

**Chair Ladakakos concurred, advising they may wish to discuss Article I this evening.**

**George Kerr approached the podium, suggesting the Commission wait to discuss the item at the January 26<sup>th</sup> meeting, having legal counsel present.**

**Commissioner Flaherty motioned, seconded by Commissioner Higgins to move Article I to the January 26<sup>th</sup> meeting.**

**Commissioner Flaherty stated the Commission should meet with the Town Attorney to get guidance as to what they can get into, obtaining a frame of reference.**

**VOTE: Unanimous.**

**Item #3: Chair Ladakakos suggested adopting the Town Council Rules and Order.**

**George Kerr approached the podium and suggested that the Commission adopt Robert's Rules of Order, as he does not believe the Council's rules are conducive to the Charter. He believes Robert's Rules would be more compatible.**

**Vice-Chair Bird motioned, seconded by Commissioner Gombar, to adopt Robert's Rules of Order as a general guide to the rules.**

**VOTE: Unanimous.**

**Chair Ladakakos read Section 2.59 of the Code of Ordinances. He advised he would like to maintain a normal chairpersonship. He wants Commission members and members of the audience, to be recognized by the Chair before they speak. He advised he is not there to deny anyone the right to speak. All he is asking is that they be recognized first.**

**George Kerr advised that is also covered under Robert's Rules. He then suggested to call for the vote after a motion is done. He said if you follow Robert's Rules, you will have a good decorum.**

**Vice-Chair Bird advised that if anything in Robert's Rules conflicts with their business, the Commission could amend the rules.**

**Item #4: Good and Welfare. Town Clerk, Kim McLaughlin, approached the podium, inquiring if the Commission would like to have the Town Attorney present at their January 26<sup>th</sup> meeting.**

**Commissioner Higgins stated she believes it behooves the Commission to have Chris there, telling them what they can and cannot do.**

**Commissioner Flaherty concurred, stating it would help the Commission to expedite the process if they have legal parameters.**

**Commission Regis spoke of Article I, II, and III, and the need for legal counsel for any language changes regarding the Mayor form of government.**

**Commissioner Vallante stated it makes sense to have an understanding of the Charter, being cautious of changes in various articles. He also advised it should be reviewed at the end by the attorneys, as well.**

**Vice-Chair Bird advised that a background in the Charter Revision process will be useful; however, Bernstein, Shur, Sawyer and Nelson have long been vested in the current Charter. He wants to work from a clean slate, rather than being constrained by a vested interest in the attorney who drew up the last Charter. He does believe they should have a general idea of how they should operate.**

**Commissioner Gombar felt the Commission should hear from a lawyer on what they can and cannot do.**

**Chair Ladakakos asked the Town Clerk to keep track of what the Charter Commission spends.**

**George Kerr approached the podium, stating that as far as a budget, he doesn't believe the Charter Commission is under budget restrictions. He believes the Commission is very important, and will be pointing the Town in the right direction with this important document. He advised the Commission they do need legal advice. Paul Frinsko or Chris Vaniotis can guide them, and there should be legal counsel present at every meeting.**

**Chair Ladakakos concurred.**

**Vice-Chair Bird asked the Town Clerk to obtain a running report of spending.**

**Chair Ladakakos asked the Commission that when a commissioner seconds a motion, to add "with discussion".**

**Commissioner Vallante motioned, seconded by Commission Regis, to adjourn the regular meeting.**

**VOTE: Unanimous.**

**Chair Ladakakos adjourned the meeting at 7:53 p.m.**

**Vice-Chair Bird motioned, seconded by Commissioner Vallante, to adjourn the public hearing meeting that was recessed earlier.**

**VOTE: Unanimous.**

**Chair Ladakakos adjourned the meeting at 7:53 p.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 five pages (5) is a true copy of the original Minutes of the Charter Commission Meeting held January 13, 2010.**

**Kim M. McLaughlin**