

AD-HOC Charter Review Committee

Adopted on 10-07-2020 – Amended 11-18-2020

BE IT RESOLVED, by the Council of the Town of Scarborough, Maine, in Town Council assembled, that,

WHEREAS, pursuant to Section 1008 of the Town Charter “At least once every ten (10) years the Town Council shall appoint a committee to review the provisions of this Charter and make recommendations to the Town Council on any amendments deemed necessary or appropriate”; and,

WHEREAS, the Charter was last reviewed and amended in 2009 and therefore the Town Council is desirous of forming a Charter Review Committee to undertake a comprehensive review of the Charter for the purpose of identifying and recommending any amendments it deems necessary or appropriate; and,

NOW, THEREFORE, BE IT RESOLVED, by the Scarborough Town Council in Town Council assembled and before the public in a Town Meeting, that there is hereby a Charter Review Committee (hereinafter “CRC”) created, and the membership, terms, offices and duties shall be as follows:

Purpose. The purpose of the CRC is to review the provisions of the Town Charter and make recommendations to the Town Council on any amendments necessary or appropriate. The Committee’s powers and duties shall not exceed those prescribed, herein otherwise restricted by Town Council Rules, Policies and Charter. The following is a general overview of the process and structure of the CRC as well as expectations and deliverables the CRC should consider in arriving at its recommendations:

1. **Membership and Appointment.** The membership should include geographic and demographic diversity, a full and fair representation of the community, and where possible have unique interest or expertise in local government structure and governance. The CRC shall be comprised of eleven (11) members, nine (9) of which shall be voting members, as follows:

Nine (9) Residents At-Large

Two (2) Members of the Town Council*

One (1) Member of the Board of Education*

*Ex-Officio, Non-Voting

Although official membership is limited to nine (9) members, the Committee is encouraged to draw upon other resources and invite other key stakeholders to participate in their proceedings as they feel appropriate.

2. **Deliverable.** The CRC shall present its recommendations in the form of specific proposed amendments to the Charter. For clarity and understanding, the CRC is encouraged to provide a position statement or other explanatory information with each proposed amendment. Such recommendations will be offered in a public presentation to the Town Council. The Town Council retains the sole discretion to decide which, if any, of the recommended amendments shall be put to the voters for consideration and may offer both additional amendments and modifications to CRC proposed amendments. In any event, all amendments to the Charter must be approved by the voters.

3. **Timeframe.** The expectation is for the CRC to complete its review and offer recommendations in sufficient time for the matter(s) to be considered by the voters at the June 2021 Primary Election; therefore, the CRC shall report its findings and recommendations by the first Town Council meeting in March 2021. In the event that the CRC determines it needs more time to complete its work, an official request for an extension of time will be considered by the Town Council.
4. **Public Involvement.** The CRC shall incorporate public input throughout the review process. All proceedings of the CRC shall be conducted in the public and recorded for posterity. In addition to separate sessions to receive public input, public comment will be allowed at each official meeting of the CRC.
5. **Staff Resources Available.** The Town Attorney will be available to the CRC to provide legal assistance as may be necessary. The Town Manager and the Town Clerk will be active participants and serve to support and advise the CRC.
6. **Vacancies and Removal.** Any vacancies shall be considered by the Town Council and appointed in public session. The Town Council may remove any member of the Committee by vote of a majority of its members for misconduct or non-performance.
7. **Officers.** The Committee shall elect a Chair and Recording Secretary from among its members. The Chair shall be counted to determine a quorum and shall have the same rights as other members of the Committee, including the right to vote.
8. **Quorum and Voting.** A quorum shall consist of four (4) members. The concurrence of a majority of the members present and voting shall be necessary to decide any question before the Committee. The Town Council representatives on the CRC shall be Ex-Officio and non-voting members.
9. **COVID-19 Precautions.** To the extent it is required, the CRC shall adhere to all applicable safety standards and protocols as prescribed by the Maine Center for Disease Control and Governor's Executive Orders to ensure the safety of participants in their proceedings. Hybrid public meeting format shall be used whereby a limited number of participants may attend in-person and others can participate remotely. Town staff will support the CRC to meet these standards.
10. **Meeting and Records.** The CRC shall meet often enough to complete its responsibilities within the deadline set and shall establish a consistent meeting time on a date and time specified by a vote of the majority of the CRC at its first organization meeting. Other meetings may be called by the Chair, provided that the Chair shall call a meeting of the CRC upon the request of at least three (3) members. All meetings of the Committee shall be public meetings, with proper notice provided and the opportunity for public comment at each proceeding. The Committee shall keep minutes of its meetings and submit them to the Town Clerk's Office. The meetings shall be recorded.