

AGENDA
Town of New Gloucester
CHARTER COMMISSION
Sixth Regular Meeting
September 27, 2021
7:00 PM
Meetinghouse

****Please silence cell phones.****

1. Welcome. Additional agenda items.
2. Public comment.
3. Approval of minutes from September 13, 2021, regular Commission meeting.
4. Reports (as needed) from the Chair, Treasurer, and Public Engagement Committee.
5. Discuss prospective section drafted by Steve L. and Peter B. (powers of the town, legislative body, and town meeting).
6. Decide who will draft the remaining sections and discuss our review process.
7. Discuss considerations for the town manager section of the Charter (and any other prospective sections as time allows).
8. Discuss and decide on public survey and direct mailer.
9. Set next meeting's agenda (Monday, October 11).
10. Other business.
11. Adjourn.

Town of New Gloucester

Charter



A Brief History of New Gloucester

New Gloucester was established in 1736 under a Massachusetts Bay Colony grant of a 6-square-mile tract of land in the Maine Territory to sixty inhabitants of the Gloucester fishing village on Cape Ann. The first settlers followed the road newly bushed out from North Yarmouth and built cabins on Harris Hill between 1739 and 1742. The settlement was abandoned from 1744-1751 due to the heightened Indian attacks during King George's War.

Settlers returned and in 1753 commenced work on a two-story, fifty-foot square blockhouse with a palisade stockade 110 feet on a side. This was home to twelve families for six years. The men worked at clearing the surrounding 60 acres of common land under the protection of two swivel guns manned by a garrison of six soldiers. One attack was made upon the fort, resulting in one scalping and two men captured. As the Indians gradually withdrew to Canada, the settlers moved out into their own newly built homes. The blockhouse continued to serve for worship and town affairs until the construction of the first meetinghouse started in 1770 and completed in 1798. In 1788, the blockhouse was sold at auction for seven bushels of corn and moved to a farm in the intervale, where it was rebuilt as a hog house.

New Gloucester was incorporated in 1774, and was named after Gloucester, Massachusetts, the native home of a large share of the early settlers. With peace and a new national Constitution, the town achieved sudden prominence as a half shire town with Portland and as a supply and transportation center for lumbering and farming in the surrounding region. Mills, shops, and inns were numerous. Great homes were built, and huge farms were laid out and worked as the town prospered. Active schools, three churches, and the Shaker community brought a spiritual dimension to the town.

New Gloucester has become a placid and still prosperous farming community where commuters make their homes. The town treasures its rural character yet seeks to blend its future growth with the traditions of its past. A prime example being that New Gloucester is home to both Sabbathday Lake Shaker Village and Pineland Farms.

Insert Contents Page(s) Here

Preamble

In 2020 the Town New Gloucester voted to form a Charter Commission for the purpose of developing a charter for our Town. The charter was promoted as a way to clarify and make improvements to the State laws which governed the operations of local government. This Charter Commission held its first meeting on July 12, 2021. After almost a year and a half of work, a charter tailored to the needs of the Town of New Gloucester was drafted for town consideration. We believe the adoption of this Charter will be beneficial to the Town, as it provides a framework for government which has been updated, takes a longer term view and is more clearly defined. On this basis, we believe it is a document in which we can all have confidence.

As soon as this Charter is accepted, the Board of Select will need to review Policy and all Ordinances should be reviewed and, if appropriate, updated to be consistent with the revisions in this Charter. If this Charter is approved, it will go into effect immediately. If it is not approved, another Commission must be established and given a year in which to produce another Charter. We sincerely hope that will not be necessary.

Respectfully submitted,
CHARTER COMMISSION, TOWN OF NEW GLOUCESTER

Benjamin Tettlebaum Chair
John Salisbury Vice-Chair
Peter Bragdon Secretary
Steven Libby Treasurer
Michael Arata
Linda Chase
Stephen Hathorne
Penelope Hilton
Donald Libby

SECTION A

General Provisions

ARTICLE 101

Incorporation

The Town of New Gloucester was incorporated as a municipality by an act of the Commonwealth of Massachusetts in 1774.

ARTICLE 102

Powers of the Town of New Gloucester

The Town of New Gloucester shall have all powers possible for a municipality to have under the Constitution and laws of the State of Maine. The powers under this Charter shall be construed liberally in favor of the Town and no mention of particular powers in this Charter shall be construed to be exclusive or limiting in any way the general power stated in this article.

ARTICLE 103

Government

The voters of the Town of New Gloucester, through the Town Meeting, are the legislative body of the Town, exercising all the home rule powers granted through the Constitution and laws of the State of Maine. The government of the Town of New Gloucester under this Charter has been formed under the "Town Manager Plan" as authorized by State law. It consists of a town meeting, an elected Select Board, elected representatives to the School Board for the Gray New Gloucester School Unit (RSU 15), an appointed Town Manager and such other officials and employees as may be duly appointed pursuant to law, this Charter or ordinance.

Article 104

Intergovernmental Relations

The Town of New Gloucester may exercise any of its powers or perform any of its functions and may participate in the financing thereof, jointly or in cooperation, by contract or otherwise, with any one or more states or civil divisions or agencies thereof, or of the United States or agencies thereof to the extent permitted by law.

ARTICLE 105
Amending the Charter

This Charter may be amended or revised as provided by State law.

ARTICLE 106
Individual Rights

Nothing in this Charter shall be construed to diminish any individual's rights granted by the Constitution of the United States or the laws thereof or by the Constitution of the State of Maine or the laws thereof.

ARTICLE 107
Separability

If any provision of this Charter is held invalid, the other provisions shall not be affected thereby. If the application of this Charter or any of its provisions to any person or circumstance is held invalid, the application of the Charter and its provisions to other persons or circumstances shall not be affected thereby.

SECTION B

Legislation

ARTICLE 108

Town Meetings

- a. The legislative body for the Town of New Gloucester shall be the Town Meeting.
- b. An annual Town Meeting for the consideration of the budget and the transaction of other Town business shall be held on a date in May to be established annually by the Select Board. The annual and Special Town Meetings shall be called by the Select Board in the manner provided for calling Town Meetings in accordance with provisions of the statutes of the State of Maine, including the ability of any citizen of the Town of New Gloucester to submit an article for the Town Meeting Warrant (Article by Petition) in accordance with provisions of the statutes of the State of Maine. Such petitions must be submitted 45 days prior to the scheduled town meeting to allow for signature verification and possible legal review.
- c. If the Select Board refuse to call a Town Meeting, one may be warranted, by a notary public on the written petition of a number of voters equal to at least ten percent (10%) of the number of votes cast in the Town of New Gloucester at the last gubernatorial election, but in no case less than ten (10) voters, as in accordance with provisions of the statutes of the State of Maine.
- d. Town Meeting cannot increase the amount of any appropriation above the amount recommended by the Select Board or Budget Committee. The greater of the two recommendations shall be the ceiling.
- e. Town Meeting cannot increase the amount of any Bond/Borrow/Lease amount above the amount recommended by the Select Board.
- f. Bonds/Borrowing/Leasing: The amount of any Bond/Borrow/Lease is to be set at an annual or special town meeting and validated by town-wide referendum vote within 60 days of the town meeting.
- g. The Select Board shall provide for keeping of written minutes of all Town Meetings. The written minutes shall be the public record.

- h. Warrant articles may include multiple related accounts as determined by the Select Board. Accounts may be lowered at town meeting with a matching total amount for the article to be voted on. Once approved individual accounts cannot be exceeded without legislative approval, other than allowed by state law.
- i. Capital purchases are to be warranted for the total equipment cost. Any trade amount received is to go back into the respective Capital Reserve Account, or UFB if no reserve account.

or

- j. Capital purchases articles are to show total cost of purchase, less trade with net cost to the town to be voted on.

ARTICLE 109

DRAFT LANGUAGE FOR DIRECT MAILER

FRONT SIDE

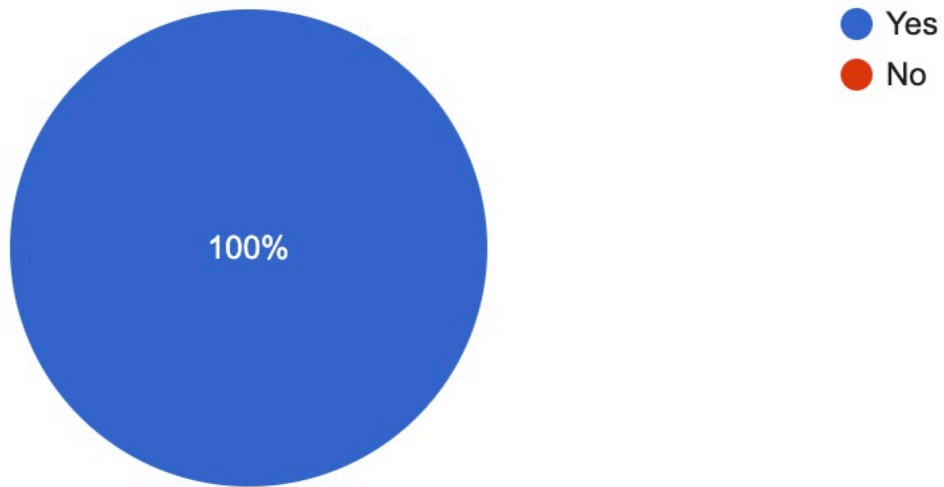
Help determine the future of New Gloucester!

BACK SIDE

The New Gloucester Charter Commission wants to hear from you! Please complete a short survey about our town at _____ or by emailing ngchartercommission@gmail.com.

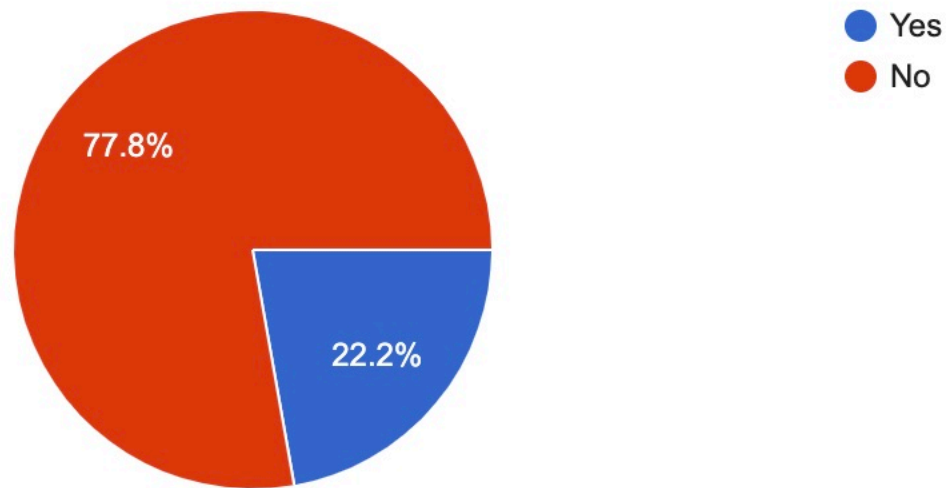
1. Should the Town continue to have a town meeting in some form?

9 responses



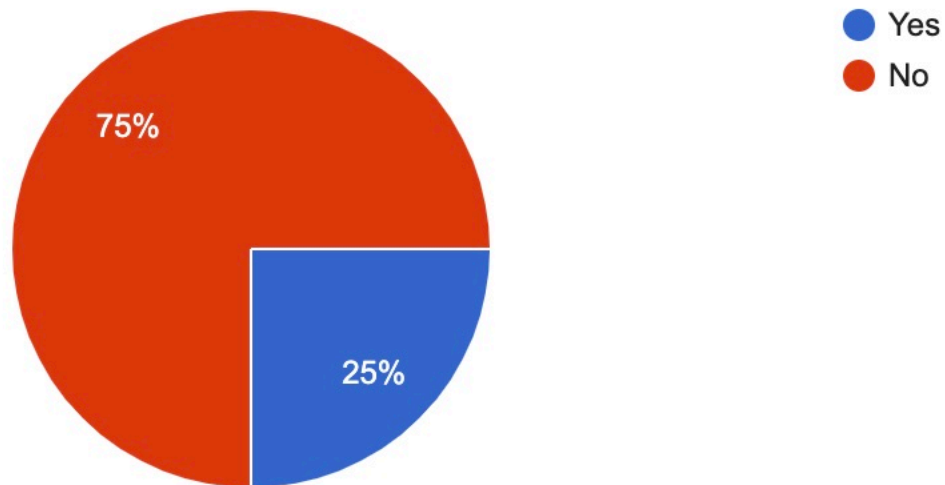
2. Should there be a quorum requirement that x% or more of the registered voters at the last gubernatorial election must be present at a regular Meeting or Special Town Meeting to conduct business?

9 responses



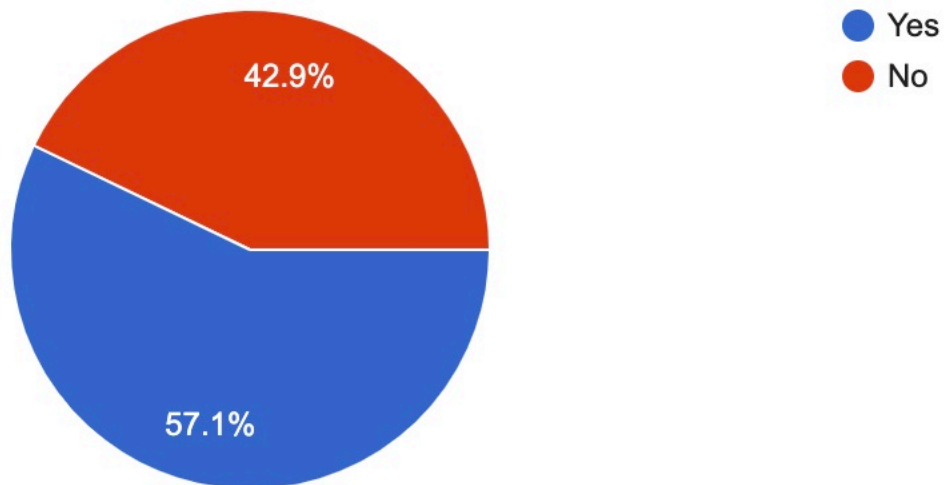
3. If there is not a quorum present at town meeting, should the budget recommended by the Select Board or Town Council become effective by default?

8 responses



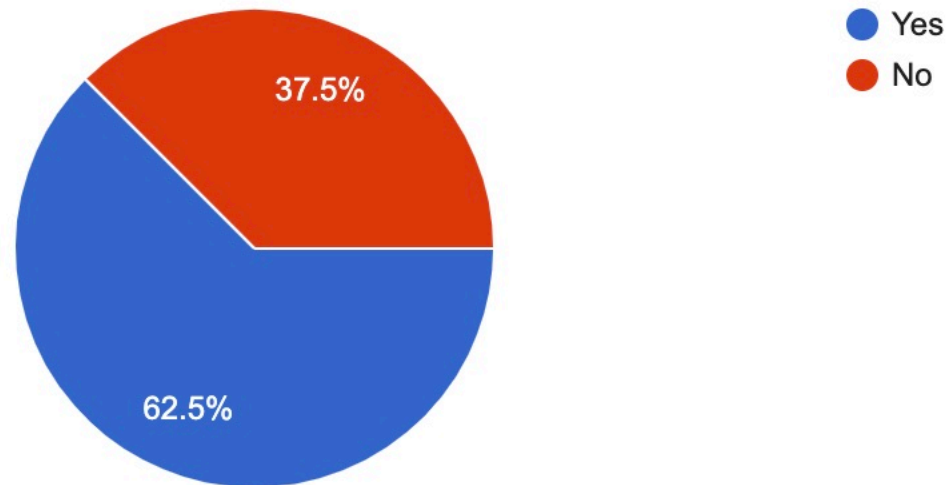
4. If a quorum is not present at a regular or special town meeting, should a referendum be held to vote on the issues on the warrant?

7 responses



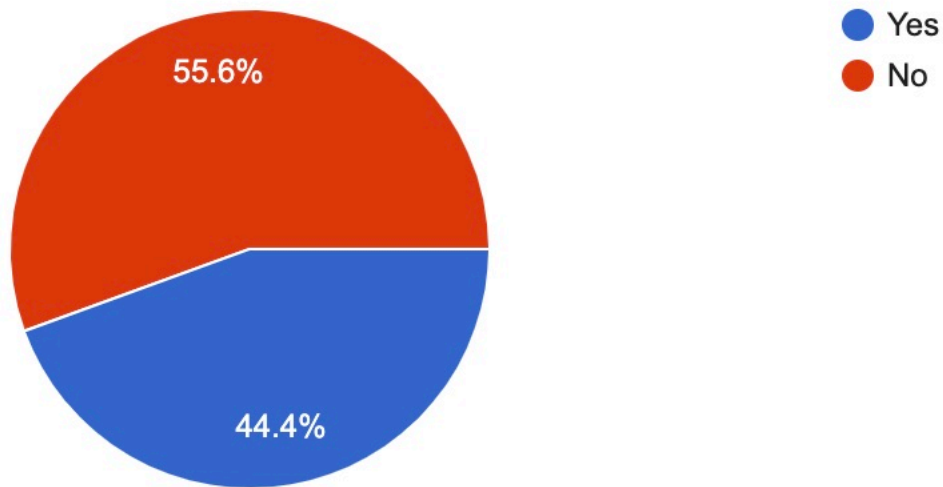
5. Should a referendum vote be required on all bond issue proposals that are greater than a specified percentage of the Town surplus funds, e.g., 10% to 20%?

8 responses



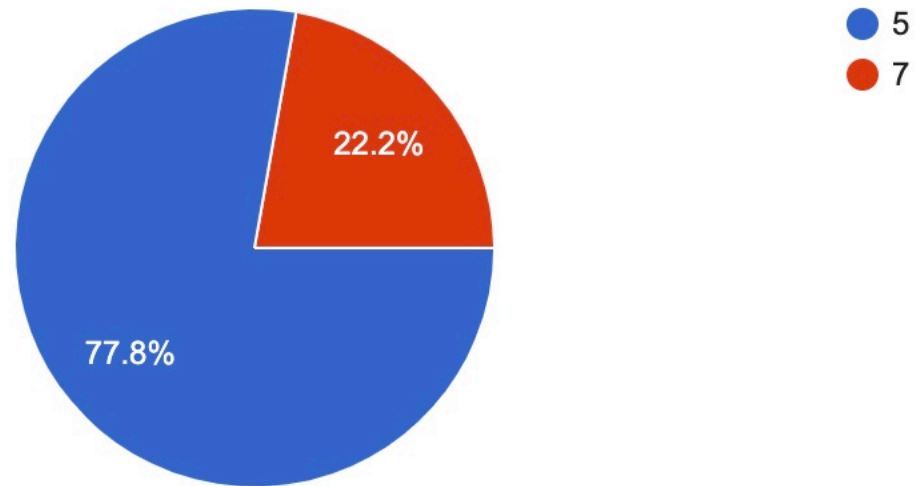
6. Should the Charter include a provision allowing for a petition of 10% or more of the registered voters to vote on whether to eliminate town meeting?

9 responses



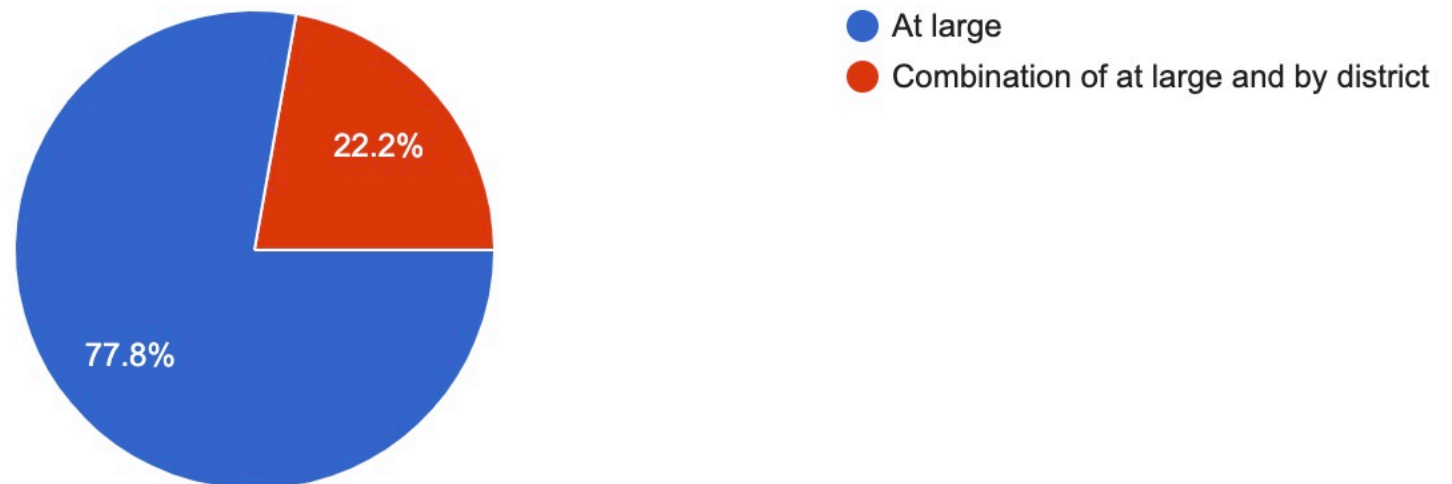
7. What should be the number of Select Board or Town Council members?

9 responses



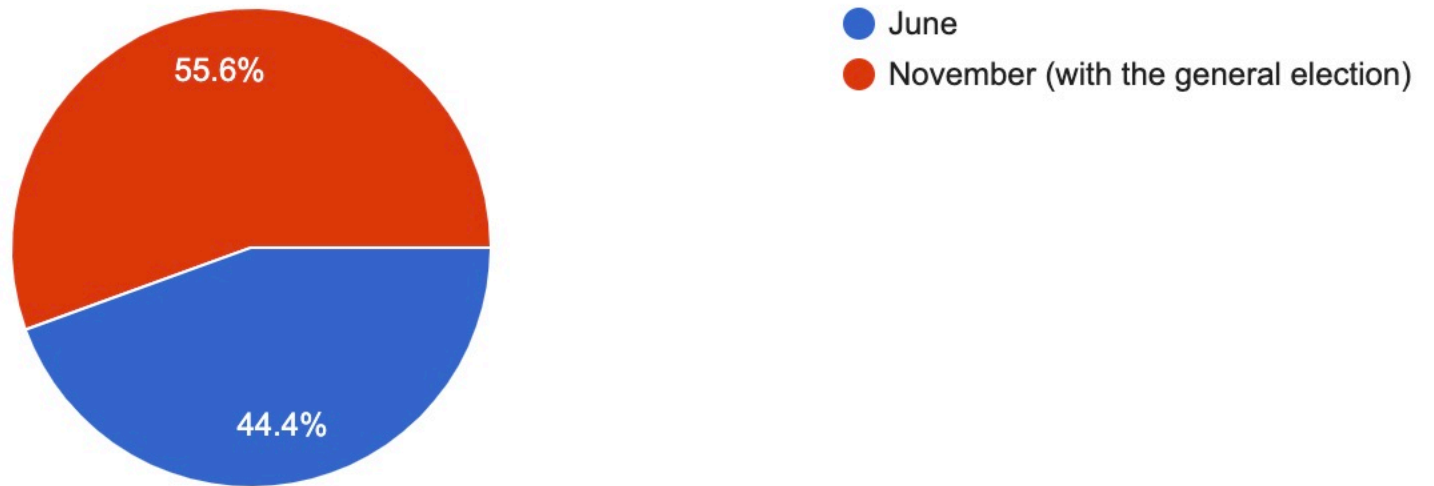
8. How should the Select Board or Town Council be elected?

9 responses



9. When should the election of the Select Board or Town Council be held?

9 responses



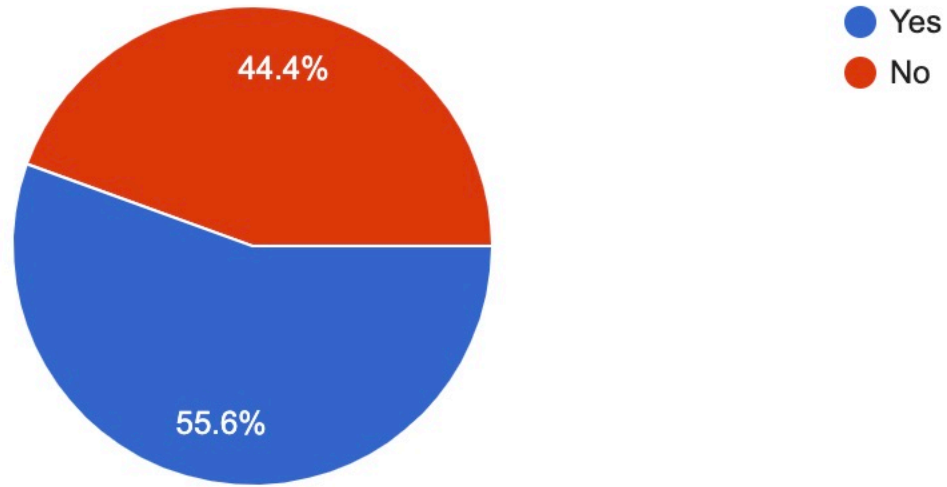
10. What should be the length of terms for those elected to a Select Board or Town Council?

9 responses



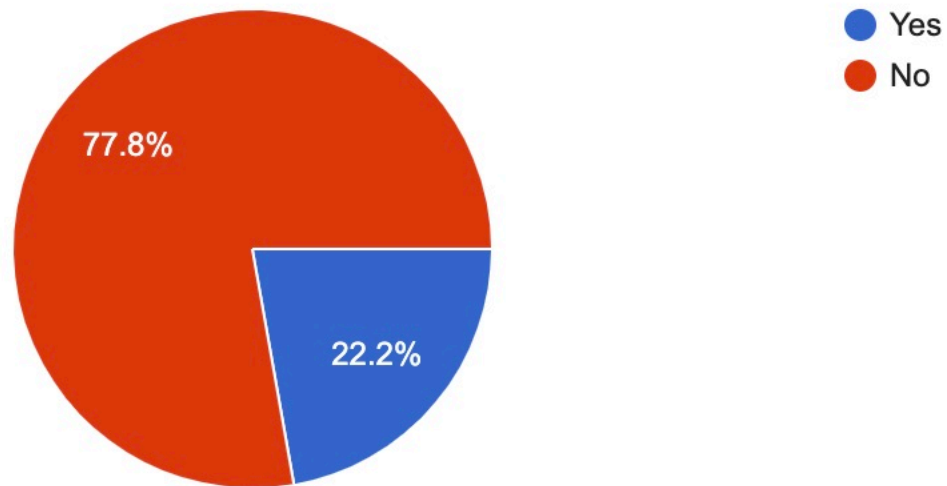
11. Should there be term limits for members of the Select Board or Town Council?

9 responses



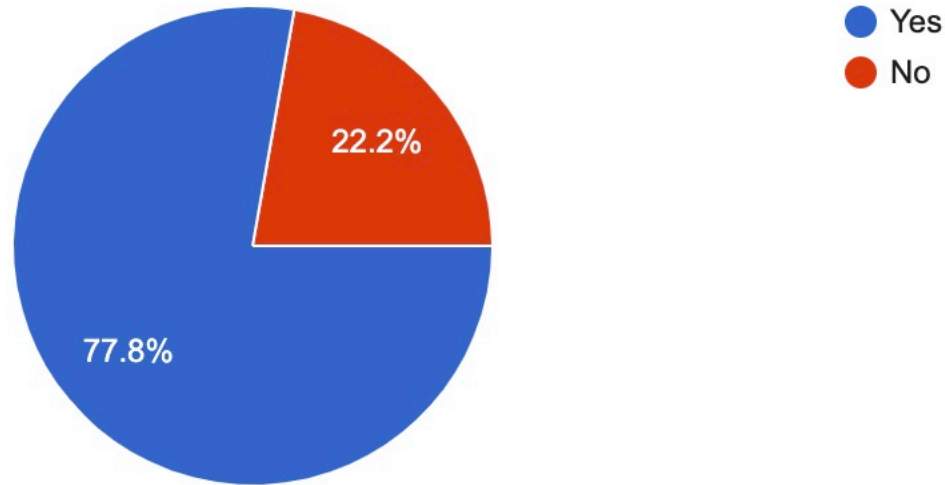
12. Should the Select Board or Town Council have the authority to adopt, amend, or repeal ordinances?

9 responses



13. If the Select Board or Town Council has the authority to adopt ordinances, should registered voters have the option of petitioning to have a referendum vote on the ordinance?

9 responses



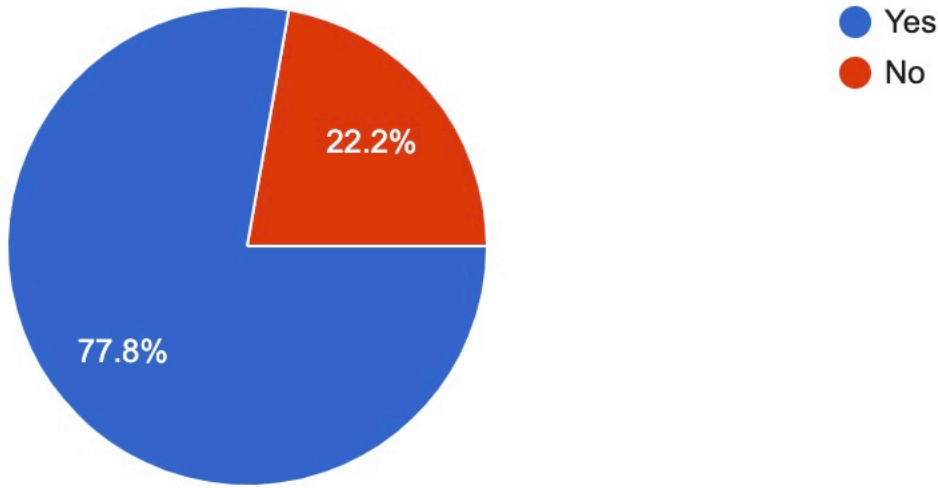
14. What percentage of registered voter signatures should be required for a referendum to be held on an ordinance adopted by the Select Board or Town Council?

8 responses



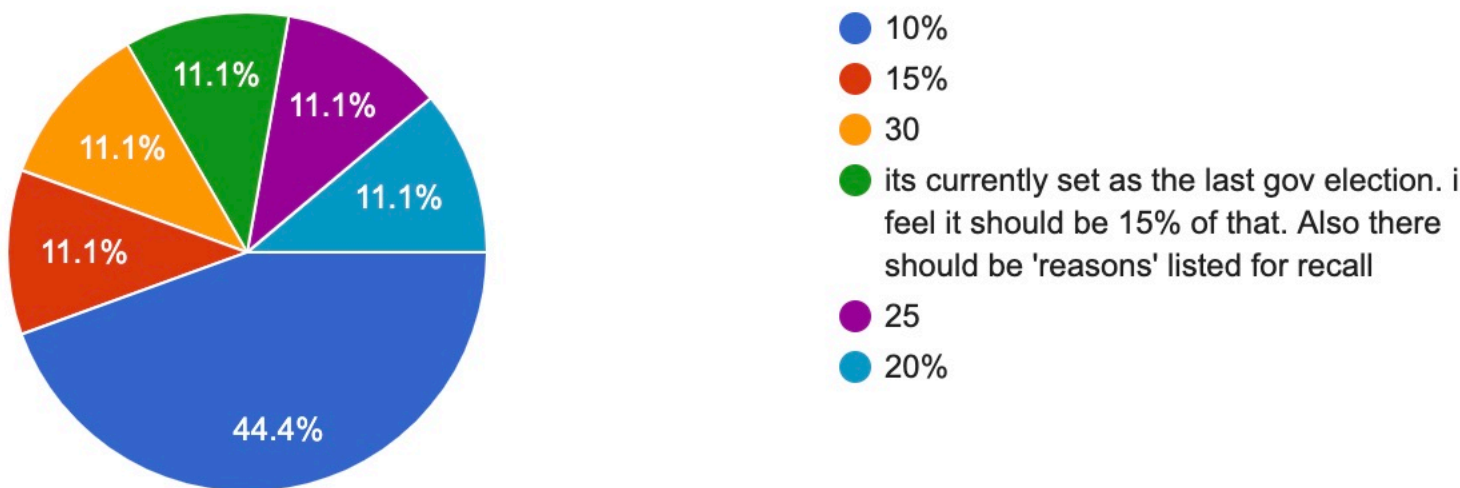
15. Should the Charter include a provision permitting the voters to recall a member of the Select Board or Town Council?

9 responses



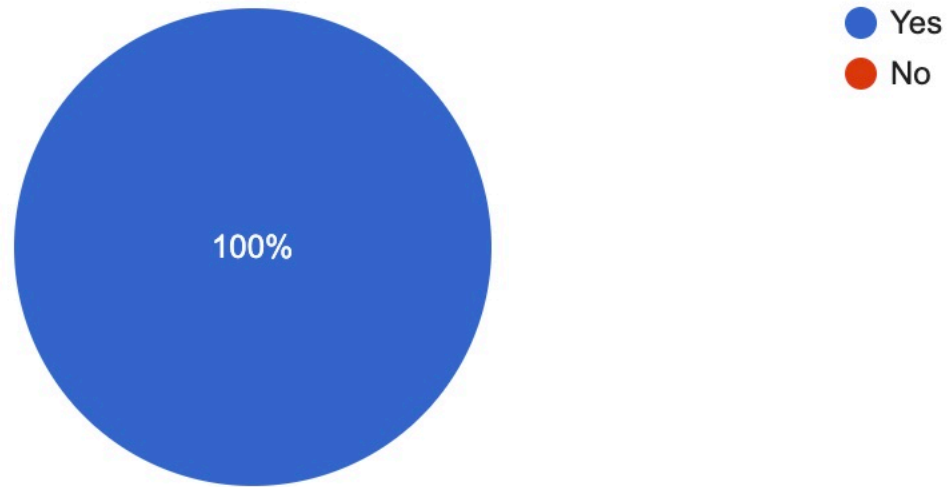
16. What should be the percentage of registered voter signatures required for a recall provision?

9 responses



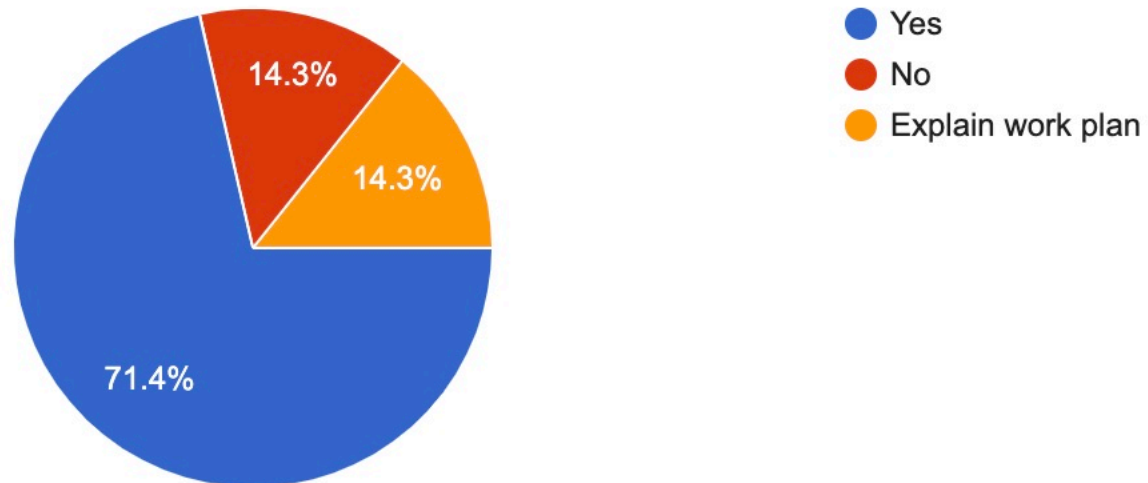
17. Should the Town continue to have a Town Manager form of government?

9 responses



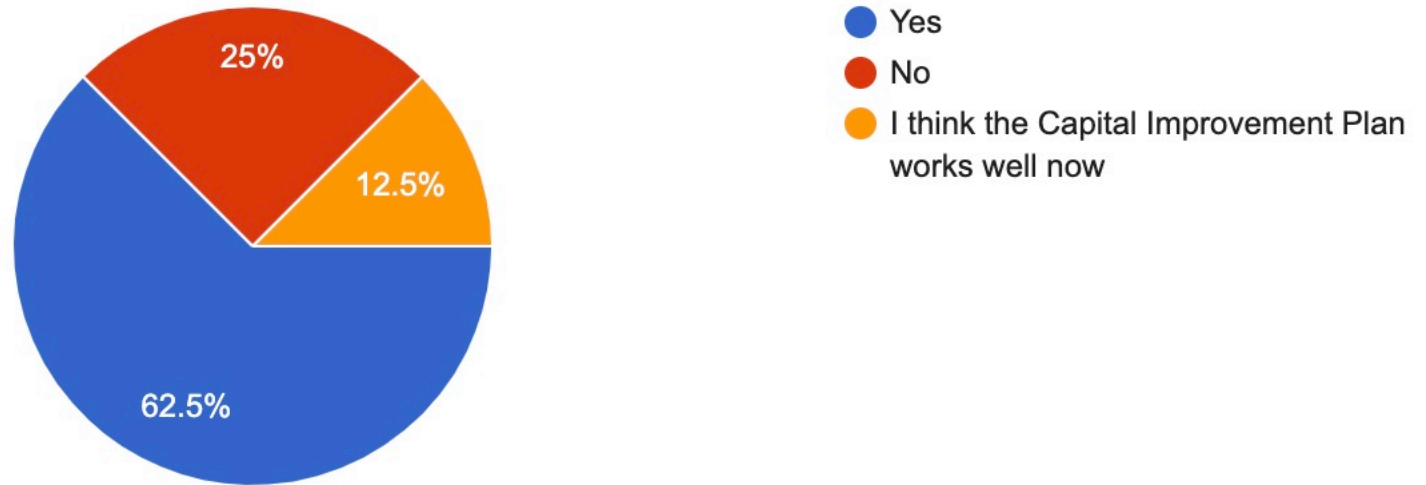
18. Should the Town Manager be responsible for submitting and recommending a town operating budget accompanied by a written work plan?

7 responses



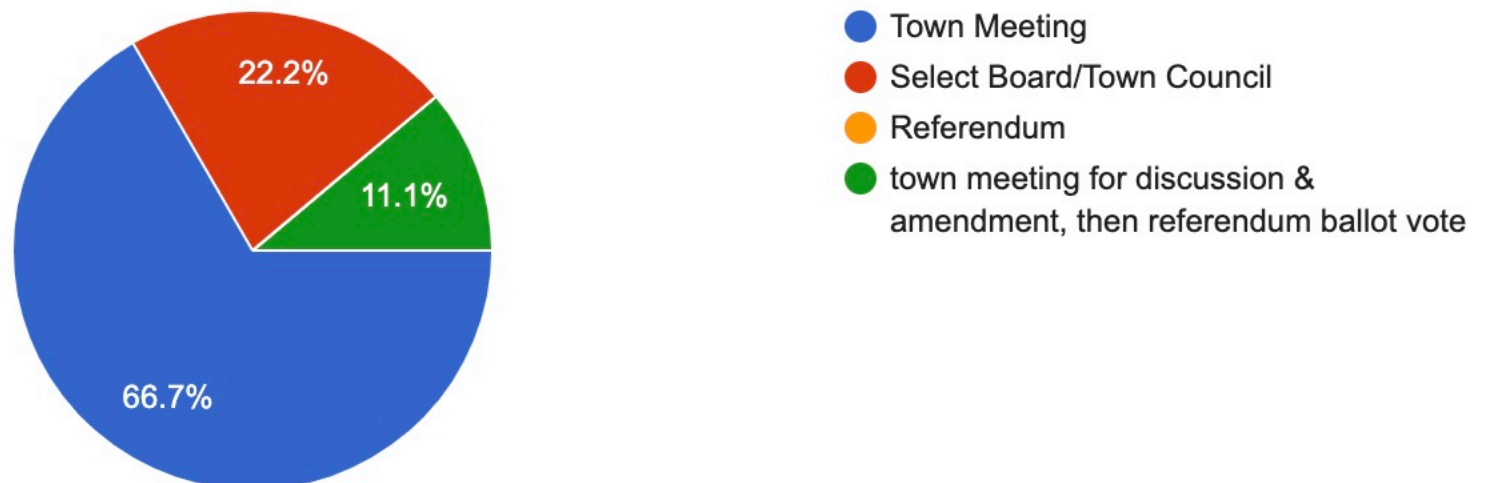
19. Should the Town Manager be responsible for submitting and recommending a 5-10 year capital budget accompanied by a written work plan?

8 responses



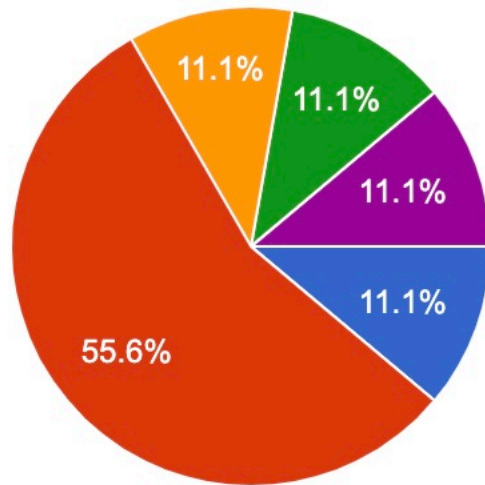
20. How should the budget be adopted?

9 responses



21. Should the Charter require that Board or Town Council and Committee meetings use two-way video/audio technology?

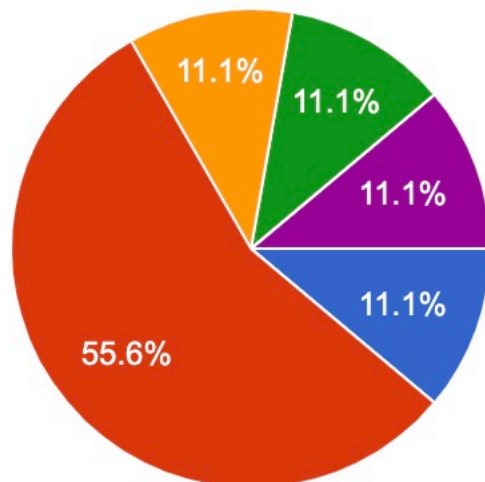
9 responses



- Yes
- No
- Have some participation provisions but maybe more general than this Q asks.
- Not required in the charter, but possibly in a separate policy document
- Perhaps not all committee meetings, the ones not prescribed by the Charter

22. Should Select Board/Town Council meeting agenda procedure require that before each agenda item time be allowed for citizen comment?

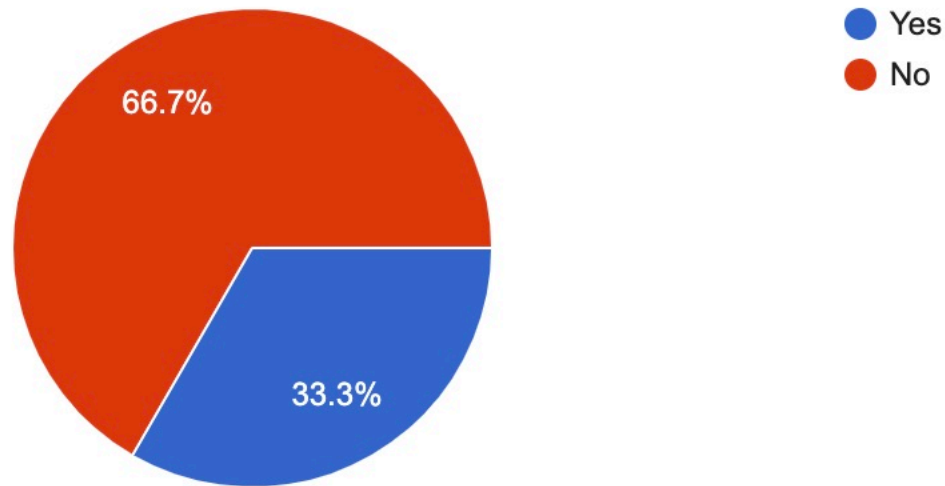
9 responses



- Yes
- No
- Possibly with conditions but not sure it needs to be in the Charter.
- Please clarify, is this for town meeting or any board / committee meeting?
- AS WELL as the first routine part of each agenda, so people who don't want to stay till some particular item is addressed don't have to.

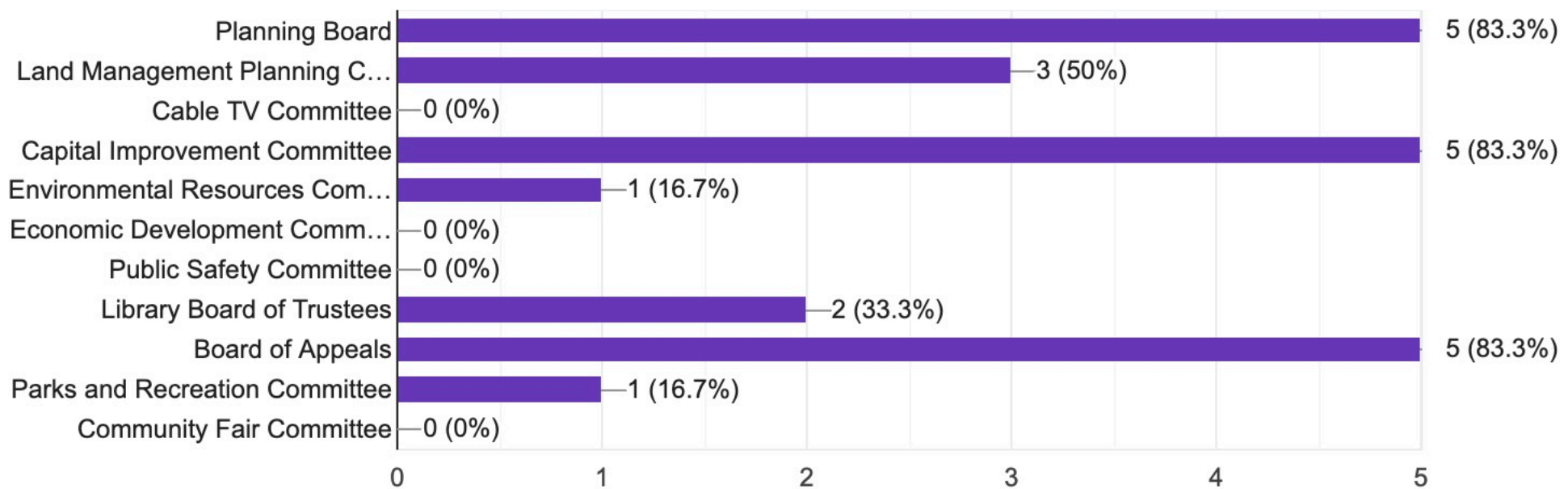
23. Should there be any restrictions on more than one immediate family member serving on any one committee?

9 responses



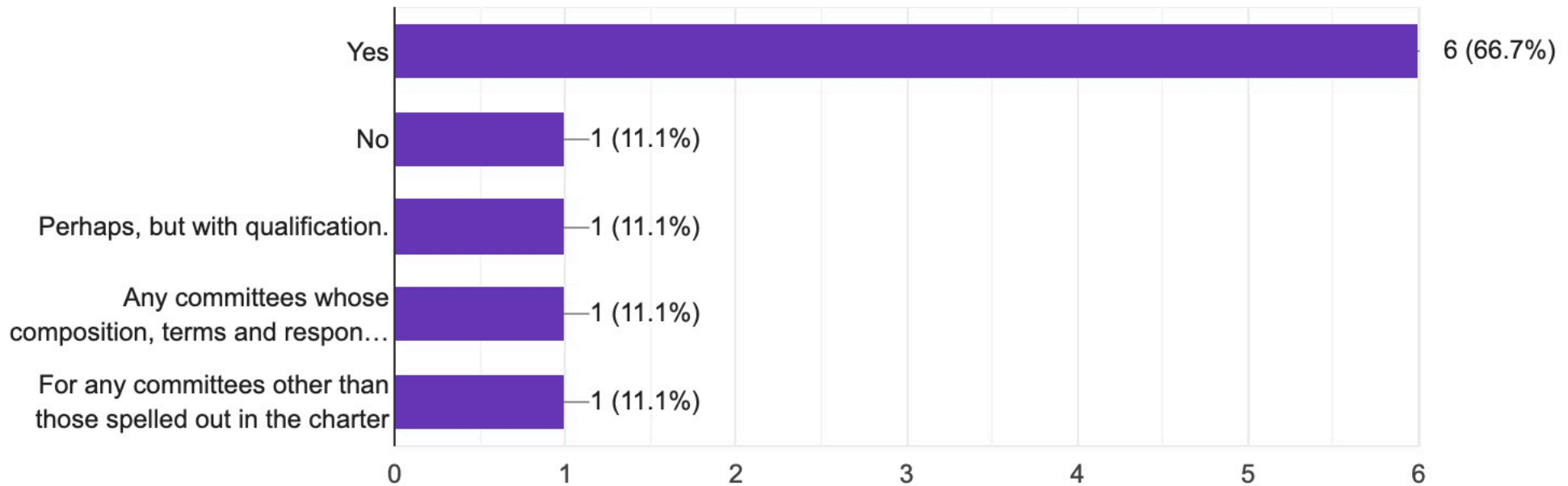
24. Should the Charter determine the composition, terms, and responsibilities of any of the following committees?

6 responses



25. Should the Select Board/Town Council have the ability to create committees and specify the composition, terms, and responsibilities of any or all committees?

9 responses



Comments?

2 responses

I took under protest as I feel some questions are leading

Re Q 17, add the information that we have always had Town Meeting form, but other options include giving the Town Council/Board of Selectmen the authority to pass all the things currently brought up at town meeting, or having a mayor....

Charter Survey (DRAFT)

Please complete this 10-question survey to help the Charter Commission make decisions about the charter for New Gloucester. It will take between 5-10 minutes to complete. Your input is greatly appreciated. Please send any comments to

ngchartercommission@gmail.com. Thank you!

-New Gloucester Charter Commission



ngchartercommission@gmail.com (not shared)

[Switch account](#)



* Required

Please provide your email address to receive occasional updates from the Charter Commission. (Your email address will not be shared with anyone other than the Charter Commission.)

Your answer

1. Are you a resident of New Gloucester? *

Yes

No

2. What is your age? *

18-40

41-60

61 or over

3(a). How many regular or special New Gloucester Town Meetings have you attended in the last seven years?

- 0
- 1
- 2
- 3 or more

3(b). Please explain or clarify why you have or have not attended one or more Town Meetings.

Your answer

4.

	Select Board/Town Council	Town Voter Referendum (ballot vote)	at Town Meeting	Combination of some or all of these	Unsure
How should town ordinances be adopted?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
How should the town budget be adopted?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

5. Town Meeting should be continued (in some form).

Please indicate how you feel about this statement: 1=strongly disagree; 2=disagree; 3=neutral/unsure; 4=agree; 5=strongly agree

	1	2	3	4	5	
Strongly disagree	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Strongly agree

6. There should be a minimum number of voters required to attend a regular or special Town Meeting in order to hold a Town Meeting.

Please indicate how you feel about this statement: 1=strongly disagree; 2=disagree; 3=neutral/unsure; 4=agree; 5=strongly agree

	1	2	3	4	5	
Strongly disagree	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Strongly agree

7. What should be the size of the Select Board/Town Council?

Five members

Seven members

Other: _____

8. How should the Select Board/Town Council members be elected?

- At large (meaning all New Gloucester registered voters vote for all candidates)
- By district (meaning the town is divided into voting districts and only registered voters in a district vote for candidates in that district)
- A combination of at large and by district

9. There should be term limits for Select Board/Town Council members.

Please indicate how you feel about this statement: 1=strongly disagree; 2=disagree; 3=neutral/unsure; 4=agree; 5=strongly agree

	1	2	3	4	5	
Strongly disagree	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Strongly agree

10. Which executive should New Gloucester have? (The executive is the person who oversees day-to-day operations of the town.)

- Town Manager (what we currently have)
- Mayor
- Town Administrator (has less authority than a Town Manager)
- Unsure
- Other: _____

11. There should be a recall provision for Select Board/Town Council members.

Please indicate how you feel about this statement: 1=strongly disagree; 2=disagree; 3=neutral/unsure; 4=agree; 5=strongly agree

	1	2	3	4	5	
Strongly disagree	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Strongly agree

Please comment on any of the above.

Your answer
