



# Town of Windham

Town Offices  
8 School Road  
Windham, Maine

## Cover Sheet

File Number: 24-084

**Agenda Date:** 8/20/2024

**Version:** 1

**Status:** Agenda Ready

**In Control:** Town Council

**File Type:** Order

### **Agenda Number:**

#### I. Council Action Requested.

To receive comment on proposed amendments to the town's charter pursuant to 30-A M.R.S.A. §2104(1) and summarized below pursuant to 30-A M.R.S.A. §2104(6) and order that language specific to the amendments be placed on the municipal ballot coincident with the State and Federal elections on Tuesday, November 5, 2024 for the purpose of voting on the charter amendments as summarized below:

To amend Article II, Section 3.B to give the Town Council the authority to appoint and remove the Town Clerk on a vote of five members; Article II, Section 12 to remove the requirement that the Town Clerk be a resident of Windham; and Article VII, Sections 1 and 2 to remove the Town Clerk from provisions related to elected officials. These amendments will result in the Town Clerk being an appointed rather than an elected official.

#### II. Basis for Council Action.

Council approval of this item is required because;

- a. 30-A M.R.S.A. § 2104(1) provides that "The municipal officers may determine that amendments to the municipal charter should be considered and, by order, provide for notice and hearing on them," and
- b. 30-A M.R.S.A § 2104(1) provides that "Within 7 days after the hearing, the municipal officers may order the proposed amendment to be placed on a ballot at the next regular municipal election held at least 30 days after the order is passed," and
- c. 30-A M.R.S.A. § 2104(6) provides that "When the municipal officers determine that it is not practical to print the proposed amendment on the ballot and that a summary would not misrepresent the subject matter of the proposed amendment, the municipal officers shall include in their order a summary of the proposed amendment."

#### III. Issue Summary.