



*Important information for  
the November 5, 2024  
Referendum vote on the  
Town Clerk position*



**FOR MORE INFO**



<https://windhammaine.us/townclerkinfo>

#### **Available Documents**

- Memo from Town Clerk and Town Manager
- Summary of Comparable Communities
- Research By Council Chair Morrison on other communities' Clerk position
- Town Clerk Job Description
- Organizational Chart
- Q&A - Elected vs Appointed from Town Attorney
- Written comments from public

#### **Available Videos**

- July 9th 2024 - Council Meeting
- August 20th 2024 - Council Meeting
- Sept. 3rd 2024 - Special Council Meeting



## The Ballot Question

Windham is considering changing the Town Clerk position from an elected position to a Council appointed one. This referendum item will be included on the Town Ballot for the November 5th, 2024 election. The question asks voters to decide whether or not to amend the Town Charter as follows.

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.

To amend **Article II, Section 12** to allow the Council to waive the requirement that the Town Clerk be a resident of Windham.

To Amend **Article VII, Sections 1 and 2** to remove the Town Clerk from the provisions related to elected officials.

## Why is the change being considered?

The Town Clerk position is an important position within Town Government. The Clerk is responsible for supervising elections which includes maintaining accurate voter rolls, setting up polling places, getting ballots printed, and ensuring that all ballot clerks and wardens are properly trained and present on Election Day.

And though elections are arguably the most important job of the Town Clerk, elections are just a fraction of what their duties entail. They also maintain records, issue licenses, and process local ordinance applications. All these duties require extensive knowledge, diligence and accuracy. On the recommendation of the current Town Clerk, and after several meetings and public hearings, the Council voted 4 - 3 to pass the decision on to Windham Voters.

# Town Clerk Essential Duties

Since Linda Morrell was first elected, 23 years ago, the duties of this position have grown immensely. Most of these duties are State-mandated and learning these jobs requires continuing education through classes and workshops which often need to be repeated as laws and regulations continually change. Linda said even back then, it took her 7 years as a deputy clerk to fulfill all the necessary requirements.

## The Town Clerk:

- Develops and administers departmental budget and manages all departmental resources.
- Serves as custodian for official Town records and is responsible for the restoration of Town records.
- Establishes and maintains a records retention and destruction system for Municipal records.
- Administers the Town's business licensing program
- Performs duties of Notary Public and Dedimus Justice, as needed.
- Acts as the custodian of the official Town seal and validates documents.
- Maintains Town's official records, including birth, death, marriage, election, Town Meeting and Town Council minutes; maintains Town's ordinances, files reports with appropriate State agencies.
- Acts as secretary to the Town Council; records minutes.
- Serves as municipal agent for the Department of Inland Fisheries Wildlife; Department of Public Safety (for concealed weapons); and Animal Welfare, files reports with the appropriate State Agencies.
- Acts as Registrar of Voters, maintains voter registration list, supervises elections, to include printing ballots, setting up voting places, ensuring that ballot clerks and wardens are trained and present.
- Provides and certifies nomination papers for municipal and school board candidates.
- Conducts seminars for election workers; arranges and schedules rabies clinics.
- Administers ethics paperwork and Oaths for Council, Planning Board, ZBA and Board of Assessment Review and updates the ethics forms annually with each Board member

- Interacts and coordinates with Department Heads and other employees, the Town Manager, elected officials, local and State agencies, and the general public for overall management effectiveness with respect to other programs and policies of the Town of Windham.
- Oversees issuance of dog licenses, hunting and fishing licenses, concealed weapons and victualer permits, coin-operated machine, liquor, marijuana, motion picture, pawn shop, junkyard, mobile food, home solicitation, live entertainment, mobile home and one-day catering licenses; prepares reports to appropriate State agencies.
- Handles the Conservation Easement Registry for the Town.

## What Other Communities Are Doing

With it's population of 19,220, Windham is one of the largest towns in the state, and the largest with an elected Town Clerk.

Of the 28 Maine Towns/Cities similar in size to Windham, only 3 smaller towns have an Elected Clerk. Five have Town Clerks who are appointed by the Council, and 20 have Clerks who are appointed by the Town Manager and confirmed by the Council.

## Elected vs Appointed

### Elected:

- Voted in by Windham residents
- Accountable to townspeople through election process
- Must be Windham resident
- No formal job qualifications
- Removed by recall or during election
- Elections held every 2 years

### Appointed:

- Appointed by Council after interview process
- Job qualifications set by the Council - See "Essential Duties"
- Accountable to the Council
- Removed by Council vote
- May or may not be Windham resident
- Term of service based on performance



