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2 **Repeal CHAPTER 4, BOARDS AND COMMISSIONS and replace with**

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4 **CHAPTER 4,**  
5 **BOARDS AND COMMITTEES**

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8 **SEC. 4-1-1. Establishment.** The Town Council shall have the authority to form boards  
9 and committees as are required by statute, by town charter and ordinances adopted  
10 thereunder, and by Town Council vote as it shall deem necessary from time to time. The  
11 Town Council shall establish a charge and duties for each board and committee, as  
12 described below or, in the case of future boards and committees, at the time the board  
13 or committee is created. Except when boards and committees are designated by statute  
14 with authority independent of the Town Council, all boards and committees shall be  
15 advisory to the Town Council. The Town Manager shall assign staff support to boards  
16 and commissions as appropriate.

17  
18 **SEC. 4-1-2. Appointment.** Board and committee members shall be appointed by vote of  
19 the Town Council. The Town Council shall consider board and committee  
20 appointments recommended by the Appointments Committee. The Town Council may  
21 forego the Appointments Committee process if the appointment is time-sensitive, is  
22 related to unique subject matter, or the committee charge designates representatives  
23 from existing committees. The Town Council may select a sitting board or committee  
24 member to serve another term, but there should be no expectation of reappointment.

25  
26 **SEC. 4-1-3. Removal and Vacancies.** Board and Committee members may be removed  
27 by a vote of the Town Council for cause shown. When a Board or committee member  
28 resigns prior to the end of the term, the Appointments Committee shall recommend a  
29 replacement for the portion of the unexpired term.

30  
31 **SEC. 4-1-4. Additional Town Council appointments.** The Town Council designates  
32 itself to perform the duties of the following boards. The membership and terms of these  
33 boards shall be the membership and terms of the Town Council.

- 34  
35 A. Board of Trustees of the Thomas Memorial Library  
36  
37 B. Board of Trustees of the Riverside Memorial Cemetery  
38  
39 C. Board of Directors of the Museum at Portland Head Light  
40  
41 D. Board of Trustees of the Thomas Jordan Trust  
42

1 **SEC. 4-1-5. Operations of all Boards and Committees.** All boards and committees shall  
2 perform their duties in compliance with the following provisions.

3  
4 A. Chair. Every board and committee shall elect or have designated by the Town  
5 Council a Chair of the board or committee. The chair shall be responsible for  
6 conducting meetings, for making reports to the Town Council upon request, and  
7 for coordinating with town staff meeting logistics. The chair shall serve for one  
8 calendar year on a standing board or committee or for the set duration of an ad  
9 hoc committee. A standing board or committee chair shall not serve more than  
10 two (2) consecutive years as chair. The chair shall be a full participating and  
11 voting member of the board or committee.

12  
13 B. Quorum. Board and committee meetings shall only begin when a quorum is  
14 present. A quorum is more than fifty percent (50%) of the total board or  
15 committee membership. Meetings sponsored by a board or committee when no  
16 vote will be taken are not required to have a quorum and may include, but are  
17 not limited to, site walks and public information meetings.

18  
19 C. Public Participation. Boards and committees shall conduct all business in  
20 compliance with the spirit and letter of the Maine Freedom of Access Act, as may  
21 be amended, and Town Council policy. Compliance shall include, but not be  
22 limited, to the following:

- 23  
24 1. Agenda. Every meeting of a board or committee shall have an agenda that  
25 includes the name of the committee holding the meeting, date, time, and  
26 place of the meeting, subject areas to be discussed at the meeting, and the  
27 public participation allowed at the meeting.
- 28  
29 2. Announcement. Board and committee meetings shall be announced in ample  
30 time to allow public attendance, by posting on the town website and other  
31 methods as appropriate. A meeting agenda shall be available prior to the  
32 meeting. Board and committee meeting supplemental materials shall also be  
33 available for the public to review at a designated town office.
- 34  
35 3. Minutes. Minutes of all board and committee meetings shall be prepared by  
36 staff and posted to the town website. Minutes shall include the name of the  
37 board or committee meeting, date, time and place of the meeting, board and  
38 committee members present and a summary of any votes taken. The name  
39 and address of members of the public who speak at the meeting, including a  
40 brief summary of their comments, shall also be included. Board and  
41 committee minutes shall be reviewed and adopted at the next meeting, except  
42 for the last meeting of ad-hoc committees, when the minutes shall be  
43 reviewed and approved by the board or committee chair.

1  
2 4. Public Access. All board and committee meetings shall be open to the public  
3 to attend. No board or committee business shall be conducted by board or  
4 committee members outside of board or committee meetings. Individual  
5 board or committee members may communicate with staff, and the board or  
6 committee chair is expected to communicate with staff. Communications  
7 relevant to board or committee business must be shared at the next meeting.  
8 Nothing in this provision shall prohibit a board or committee from holding  
9 an Executive Session as provided under state statute.

10  
11 5. Public comment. Except as specified in board or committee bylaws, public  
12 comment shall be allowed at every board and committee meeting. Boards and  
13 committees shall also limit oral public comment at meetings to assure  
14 completion of assigned duties. Boards and committees shall adopt public  
15 participation rules, using the Town Council's rules of public participation as  
16 guidance, and shall include public participation rules on each meeting  
17 agenda. Written public comments shall be directed to the board or committee  
18 staff, and staff shall distribute the comments to the board or committee  
19 members and shall also keep a copy in the public file. Any written comments,  
20 including email, received by a board or committee member regarding board  
21 or committee business shall be forwarded to staff for distribution to all  
22 members and added to the public file.

23  
24 D. Conflict of Interest. Board and committee members should avoid both actual and  
25 perceived conflicts of interest and bias. Determinations of conflict of interest  
26 and/or bias shall be determined in accordance with state statute. Board and  
27 committee members shall also be guided by the Code of Ethics for the Town  
28 Council.

29  
30 **SEC. 4-1-6. Standing Boards and Committees.** Boards and committees with ongoing  
31 responsibilities and duties are considered standing boards and committees. Except  
32 where specifically designated by statute and/or town ordinance with authority  
33 independent of the Town Council, standing boards and committees are advisory to the  
34 Town Council.

35  
36 A. Composition. A standing board or committee shall be composed of a defined  
37 number of members who are residents of the town, unless otherwise specified in  
38 the board or committee description. Board and committee members shall be  
39 appointed for staggered, three (3) year terms expiring on December 31st. A board  
40 or committee member's service during an unexpired term shall not be included  
41 in any term limit. Board and committee members shall be volunteers without  
42 compensation.

1 B. Responsibilities. All standing boards and committees shall perform the following  
2 duties:

- 3
- 4 1. Bylaws. If any board or committee promulgates bylaws in addition to the  
5 provisions in Sec. 4-1-5, Operations of Boards and Committees, bylaws,  
6 including amendments, must be submitted to the Town Council for approval.  
7
- 8 2. Meetings. Boards and committees shall meet as needed commensurate with  
9 their duties and responsibilities. When a board or committee will be meeting  
10 several times a year, an effort shall be made to establish a regular meeting  
11 schedule for the year to be posted on the town website.  
12
- 13 3. Vacancy. All boards and committees shall notify the Town Clerk of any  
14 vacancy (not related to the end of a term) on the board or committee.  
15

16 C. Upon Request Responsibilities. All standing boards and committees shall  
17 perform the following duties, and any other assigned tasks, upon Town Council  
18 request.

- 19
- 20 1. Goals. All boards and committees shall develop annual goals for submission  
21 to the Town Council.  
22
- 23 2. Budget. All boards and committees shall submit to the town manager  
24 funding requirements for the next fiscal year.  
25
- 26 3. Year end report. All boards and committees shall provide a calendar year end  
27 report.  
28

29 **SEC. 4-1-7. Establishment of Standing Boards and Committees.** The following  
30 standing boards and committees are established. The Town Council shall appoint  
31 members with staggered terms of 3 years. Board and committee members are limited to  
32 serve no more than 3 consecutive terms without a break in membership. In addition to  
33 the responsibilities described below, boards and committees shall provide  
34 recommendations and policy changes as the Town Council may require from time to  
35 time.

36

37 A. Board of Assessment Review

- 38
- 39 1. Membership. The Board of Assessment Review shall consist of three  
40 members (3).  
41

- 1  
2 3. Duties. The Planning Board shall have the following duties:  
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4 a. Exercise and perform such rights, powers, and duties as are  
5 conferred or imposed under the provisions of the statutes, local  
6 ordinances, and regulations thereunder, and as the same may from  
7 time to time hereafter be amended.  
8  
9 b. Advise the Town Council in the amendment of the Zoning and  
10 Subdivision Ordinances, and other ordinances upon request.  
11  
12 c. Advise the Town Council, upon request, on short and long-term  
13 planning policies.  
14  
15 d. Advise the Town Planner on planning procedures and public  
16 participation efforts.  
17

18 H. Recycling Committee

- 19  
20 1. Membership. The Recycling Committee shall consist of seven (7)  
21 members.  
22  
23 2. Purpose. The purpose of the Recycling Committee shall be to promote  
24 recycling of solid waste in the community, provide environmental  
25 stewardship and protect the environment.  
26  
27 3. Duties. The Recycling Committee shall have the following duties:  
28  
29 a. Recommend policies that increase reuse and recycling in the  
30 community and promote environmental stewardship.  
31  
32 b. Conduct public education and promotional efforts to increase  
33 recycling.  
34  
35 c. Monitor recycling trends and changes in the solid waste industry.  
36

37 I. Riverside Cemetery Committee

- 38  
39 1. Membership. The Riverside Cemetery Committee shall consist of three (3)  
40 members.  
41  
42 2. Purpose. The purpose of the Riverside Cemetery Committee shall be to  
43 advise the Town Council on policies of Riverside Memorial Park.