

TOWN OF READFIELD, MAINE

A COMPREHENSIVE BINDER

for

VOLUNTEERS WISHING to SERVE

on

BOARDS, COMMITTEES and COMMISSIONS (BCC)

including

PROCEDURES for APPLICATION, APPOINTMENT and REAPPOINTMENT

and an

APPOINTMENT APPLICATION for VOLUNTEERS WISHING to SERVE on BCCs

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Introduction

The Comprehensive Plan of the Town of Readfield states a goal to “encourage citizen participation in community affairs.” (Town Comprehensive Plan, adopted 11 June 2009, page 70). Participation on boards, committees and commissions provides citizens an opportunity to engage actively in their local government. Members of boards, committees and commissions (BCCs) share with elected officials in the responsibilities and benefits of working to shape the community of Readfield for the greater good of all its residents. These procedures are written to present a clear record of the application process for the town to follow in appointing members to BCCs. The procedures are intended to promote a spirit of volunteerism and civic involvement and to encourage Readfield residents to become enthusiastically engaged as volunteers in Readfield.

Principles

The proper operation of democratic government of the Town of Readfield requires that the Town's Selectmen and members of BCCs be fair, impartial and responsive to the needs of the people and to each other in the performance of their respective functions and duties. Decisions will be made and policies will be set through proper channels of the Town's governmental structure. Neither public office or public employment will be used for personal gain; all town officials, whether they are elected, appointed, employed or are volunteers, will maintain a standard of ethical conduct to inspire public confidence in the integrity of the Town's government.

Application Procedures

TOWN OF READFIELD

PROCEDURES FOR APPOINTMENT AND REAPPOINTMENT

TO BOARDS, COMMITTEES AND COMMISSIONS (BCC)

The Select Board shall not discriminate against an applicant based on religion, age, sex, marital status, race, color, ancestry, national origin or sexual orientation. The Select Board may exclude from consideration any applicant with a physical or mental disability only when the physical or mental disability would prevent the applicant from performing the duties of the appointment and reasonable accommodation cannot be made. The Select Board shall have final authority over the appointment of citizens to Boards, Committees, and Commissions (BCC) that are instruments of Town Government. The Select Board welcomes all qualified, motivated applicants for volunteer positions.

Note: All positions becoming open for any reason will be open to all interested applicants.

The following minimum eligibility criteria must be met by all applicants seeking to serve on a BCC:

- 1) US citizenship
 - 2) Resident of the Town of Readfield
 - 3) Notwithstanding the above two criteria, the Select Board, at its discretion, may appoint members of certain Ad Hoc committees that may not meet these criteria as circumstances warrant.
-
1. Vacancies on BCCs will occur from time to time and are due to three primary causes. Depending upon the reason for a vacancy, different appointment/ reappointment procedures apply:
 - a) Vacancy by expiring term: By May 1st of the expiring year, the BCC chair shall notify any member(s) that his/her term is expiring and inform any such member(s) that he/she needs to reapply for a position before May 31st in order to be considered for reappointment on or before July 1.
 - b) Vacancy by default: When an opening occurs prior to the expiration of a term for reasons other than formal resignation or forfeiture including, but not limited to excessive absenteeism, death or change of residency of the volunteer, the Clerk shall notify the Town Manager to include such notice of vacancy on the next Select Board agenda to declare the position formally open for advertising.
 - c) Vacancy by resignation: Resignations may be in written (letter, email) or verbal form. If verbal, resignations must be communicated to the BCC chair. The BCC Chair shall document all resignations in writing to the Clerk.

2. Alternates
 - a) For BCCs whose membership includes Alternates, any such Alternates who wish to fill a vacancy arising as a result of an expiring term must submit a new application for the position.
 - b) For BCCs whose membership includes Alternates, the most senior Alternate who wishes to fill a vacancy arising as a result of a resignation or default may be appointed without further application or advertising, at the sole discretion of the Select Board, to full member status for the duration of the remaining term of the resigning member.

3. Applicant's Process:
 - a) Each applicant applying for a vacancy on a BCC shall complete an Appointment Application provided through the office of the Clerk. If there is a vacancy on a BCC, interested applicants may apply at any time. If there is no vacancy on a BCC, applicants may apply at any time and applications will remain on file with the Town Clerk for one year.
 - b) All first time appointment applicants shall meet with the Select Board during a Select Board meeting for their appointment interview. Reappointment applicants may request an interview with the Select Board. The Select Board will not unreasonably deny a request for an interview. For the purpose of this document, "reappointment" means continuous, uninterrupted service on the same BCC.
 - c) All applicants and reappointment applicants shall be provided a copy of this document along with an Appointment Application.
 - d) All individuals appointed for the first time to the Planning Board or Board of Appeals are required to complete the Basic workshop for Planning Board or Board of Appeals members offered by Maine Municipal Association. Upon completion of the basic workshop, members are responsible for providing a certificate of completion to the Town Clerk. This requirement does not preclude a BCC member from serving on the BCC prior to completing workshops.
 - e) All appointees to the Budget Committee are required by state law to take a Freedom Of Access Act (FOAA) class and to provide a certificate of completion to the Town Clerk within 120 days of appointment.
 - f) Appointees must take an oath of office from the Town Clerk or his/her designee before assuming the duties on the Planning Board, Board of Appeals, Library Board of Trustees and Recreation Board.
 - g) Applicants who have not been appointed to a vacancy by the Select Board for which the applicant has initially applied, may have his/her application filed with the Town Clerk for a period of time not to exceed one year for future consideration. Reconsidered applications need to follow all steps of these Procedures, with the exception of completing another application.

4. Town Clerk's Process:
 - a) The Clerk shall advertise vacancies on BCCs as per the Advertising Section (5) of these procedures.
 - b) The Clerk will provide each applicant with written responsibilities for the appropriate BCC.
 - c) The Clerk shall accept all applications for appointments to BCCs regardless of vacancies, and retain applications for up to one year unless the applicant withdraws.
 - d) The Clerk shall forward complete appointment applications to the Town Manager when opening(s) exist.
 - e) The Clerk, working in conjunction with the Town Manager, shall schedule applicant interviews at the mutual convenience of the Select Board and the applicant.
 - f) The Clerk shall inform applicants and the chair of the relevant BCC of the Select Board's decision(s) regarding appointments, reappointments or resignations.
 - g) The Clerk shall copy any letters of resignation to the Town Manager.
 - h) The Clerk shall record position openings after the acceptance of a resignation by the Select Board.
 - i) The Clerk or his/her designee must administer an "Oath of Office" to all appointees to the Appeals Board, Library Board of Trustees, Planning Board or the Recreation Board before assuming official duties.

5. Advertisement Process:
 - a) Following a resignation or prior to annual expiration of a term, all positions will be advertised for a minimum of 10 days before any applications can be considered by the Select Board.
 - b) Advertising for vacancies shall be accomplished through use of all of the following media: Town of Readfield website, publishing in the monthly Readfield Messenger (as publishing deadline allows) and posting at the Town Office. In addition, advertising for vacancies may also be accomplished by posting notices at the Readfield and Kents Hill Post Offices, Town Library, in the Community Advertiser and Town of Readfield Channel 7 TV station.
 - c) The advertisements shall list all vacancies on each BCC, the length of the term and describe the application process.

6. Chairs of Boards, Committees, and Commissions Process:
 - a) The chair, in consultation with committee or board members, may provide to the Select Board a list of knowledge, skills, education or experience that would be desirable in a new member and which the Select Board may use in evaluating applicant(s).

7. Town Manager's Process:
 - a) The Town Manager shall inform the Select Board of all applications and resignations from BCCs by making them an agenda item for the Select Board's review.

b) The Town Manager or his/her designee shall inform the Clerk of all Select Board decisions regarding appointments, reappointments and resignations.

8. Select Board's Process:

- a) No opening shall be considered by the Select Board unless the following have been met:
 - i. Notification of a vacancy by the Town Clerk has been completed and recorded
 - ii. Advertising Process (Section 5) has been completed
- b) The Select Board shall review each application for appointment or reappointment.
- c) The Select Board shall interview all new appointment applicants and may interview reappointments in accordance with Section 3.b.
- d) Provided the advertising process is complete, the Select Board shall act on applications for BCCs no later than the second regularly scheduled meeting following the receipt of any applications and the completion of interviews.
- e) When reviewing an application for appointment, the Select Board may consider, but are not limited to the following criteria:
 - i. BCC needs,
 - ii. Applicant experience and qualifications,
 - iii. Encouraging and welcoming new volunteers to BCCs,
 - iv. Maintaining institutional memory.

These Procedures originally adopted by the Select Board on September 24, 2012 and amended by the Select Board on 10/21/2013.

Amended and approved by the Select Board, _____
date

Select Board

Chair

Vice Chair

Member

Member

Member

Town of Readfield Appointment Application

TOWN OF READFIELD
APPOINTMENT APPLICATION

OFFICE USE
DATE RECEIVED

The Select Board shall not discriminate against an applicant based on religion, age, sex, marital status, race color, ancestry, national origin, sexual orientation or physical or mental disabilities. The Select Board may exclude from consideration any applicant with physical or mental disabilities only when the physical or mental handicap would prevent the applicant from performing the duties of the appointment and reasonable accommodation cannot be made.

The Select Board shall have final authority over the appointment of citizens to Boards, Committees and Commissions that are instruments of Town Government. The Select Board shall not appoint an applicant to a position for which the applicant will likely have a frequent or recurring conflict of interest.

Please check one: 1st time appointment re-appointment

Which Board, Committee or Commission

are you applying for? Term:

Name: _____ Phone (H): _____

Street address: _____ Phone (C): _____

Mailing address: _____

E-Mail: _____

Below please tell us of any experience and/or training that might be useful in this position.

Below please tell us the reason you are interested in applying for this position.

If you are currently employed, what is your position?

APPLICATION FOR APPOINTMENT FOR:

Name: Position: Term:

"By signing this application for this position the Applicant understands and agrees that the information contained in this application is required by law to be available for public viewing and agrees to hold the Town of Readfield harmless from any misuse of the application information by anyone viewing it. As a member of this board, committee or commission

Check one!

- I approve the use of my e-mail and phone numbers on the Town's public sites and publications.
- I DO NOT approve the use of my e-mail and phone numbers on any of the Town's public sites or publications.

Name: _____ Date: _____

CLERK'S USE BEFORE THE APPOINTMENT

Please check one: 1st time Appointment Re-Appointment

Was this position advertised? Yes No If no, please explain: _____

SELECT BOARD APPROVAL

To of Readfield, in the County of Kennebec and State of Maine: There being a position on the we the Select Board of the Municipality of Readfield do, in accordance with the provisions of the laws of the State of Maine, hereby appoint you to said position within and for the Municipality of Readfield, such appointment to be effective:

thru . Given under our hand this , day of , 2016.

Chair

Vice Chair

Member

Member

Member

CLERK'S USE AFTER THE APPOINTMENT

Chair has been notified of appointment? Yes No If yes, what date:

Is an Oath appropriate: Yes No If yes, what date:

Town of Readfield: Boards, Committees and Commissions

Appeals Board

Mission Statement (or equivalent)

The powers and duties of the Board of Appeals include hearing and making binding decisions on appeals in regard to final decisions of the Code Enforcement Officer or the Planning Board and in granting or rejecting variance requests arising the Readfield Land Use Ordinance. The Board of Appeals must be maintained in accordance with the provisions of Title 30-A, M.R.S.A., Section 2691.

Authorization

The Appeals Board operates under the appointed authority of the Select Board of the Town of Readfield in accordance with MRSA _____.

Membership

The Appeals Board is a 7-member board. Each member is appointed to a 3-year term.

Officers

Chairperson

Meetings

The Appeals Board meets when needed.

Budget Committee

Mission Statement (or equivalent)

To annually perform an independent review of the Town of Readfield's proposed operating and capital budgets for the upcoming fiscal year, and to make recommendations regarding expenditures to the Select Board and Readfield voters intended to provide necessary funding for services without imposing an unreasonable burden on taxpayers.

Authorization

The Budget Committee operates under the appointed authority of the Select Board of the Town of Readfield.

Membership

The Budget Committee is a 5-member committee. Each member is appointed to a 3-year term.

Officers

Chairperson

Meetings

- Attend and actively participate in Committee meetings during a roughly two-month-long review of the proposed annual operating budget for the upcoming fiscal year. This review typically occupies the months of February and March.
- Meet with the Select Board after all presentations are completed, to review the budget to date; typically in March and April.
- Attend Public Informational Meetings as well as the Annual Town Meeting to respond to questions regarding the Committee's recommendations on specific department and division budgets, as deemed necessary.
- Periodically meet with the Select Board to discuss revisions in the CIP.

Cemetery Committee

Mission Statement (or equivalent)

The Readfield Cemetery Committee endeavors to preserve and maintain the integrity, character, beauty, and historical value of Readfield's cemeteries; and to monitor application of the Cemetery Rules to those ends. The Cemetery Committee will serve as an advisory board to the Select Board, the Town Manager, the Sexton and the Readfield community.

Authorization

The Cemetery Committee was formed by the Select Board in December of 1996 on the recommendation of the Town Manager to act as an advisory committee for all issues related to Readfield's cemeteries.

Membership

The Cemetery Committee is a 9-member committee. The Town Sexton serves as a non-voting 10th member of the committee. Each member is appointed to a 3-year term.

Officers

Chairperson

Secretary

Officers are elected annually by the committee members at the first meeting of the fiscal year.

Meetings

Meetings for the Cemetery Committee shall be at intervals deemed necessary for budget information and input, and overseeing maintenance and management of all of our cemeteries.

Conservation Commission

Mission Statement (or equivalent)

The Readfield Conservation Commission (RCC) is a municipal commission concerned with our local environment and activities which relate to it or affect it. It oversees town-owned open space lands, provides conservation information, and works with landowners, agencies, and organizations to encourage exemplary stewardship of natural resources.

Authorization

Maine state law MRSA 30-3804, Section 3851, provides for the establishment of conservation commissions. Readfield established a commission in the early 1970's.

Membership

The RCC may have up to 7 regular members and 3 alternate members. Term of office is 3 years, beginning and ending with the fiscal year. Application is open to Readfield residents. Application is received by Town Clerk, reviewed by RCC, and approved by Select Board after giving the RCC opportunity for hearing. New members are sworn in by Town Clerk.

Officers

Chair or Co-Chairs, Secretary. Officers are elected annually by members of the commission at first regular meeting of fiscal year.

Meetings

Regular meetings held monthly, usually at the Town Office. Open to the public. Roberts Rules of Order to be generally followed. Other meetings held as needed.

Heritage Days Committee

Mission Statement (or equivalent)

Heritage Days is a one-weekend event held every other year and is usually held the second weekend of August.

Authorization

The Heritage Days Committee operates under the appointed authority of the Select Board of the Town of Readfield.

Membership

The Town is looking for volunteers to be on this committee and will accept applications from interested volunteers during years when Readfield Heritage Days is scheduled.

Officers

Due to the every-other-year schedule of Readfield Heritage Days, there is no formal officer structure to this committee therefore the Committee may elect officers at its discretion or operate by consensus during the years when Readfield Heritage Days is held.

Meetings

The Heritage Days Committee meets when needed.

Library Committee (Library Board of Trustees)

Mission Statement (or equivalent)

The mission of the Readfield Community Library is to provide quality materials and services for the educational, informational, cultural and recreational needs of the community of Readfield in an atmosphere that is welcoming and respectful.

Authorization

The Library Committee operates under the appointed authority of the Select Board of the Town of Readfield.

Membership

The Library Committee is a 9-member committee. Each member is appointed to a 3-year term.

Officers

Chairperson

Meetings

The Library Board meets the first Wednesday of every month at 6:45 p.m. at the Library during summer months and at the Maranacook Community School during the winter months.

Maranacook Lake Outlet Dam Committee

Mission Statement (or equivalent)

The responsibilities and functions of the Dam Committee are as follows:

- a. Hold periodic meetings to verify and discuss water levels in the Maranacook Lake, with representatives of the Cobbossee Watershed District. They shall meet at least annually.
- b. Recommend to the officials of signatory municipalities those actions the committee believes should be taken by these municipalities to satisfy current and future dam management requirements.
- c. Make operational recommendations to the Dam Custodian, and advise the officials of signatory municipalities when the performance of the Dam Custodian is unsatisfactory.
- d. Prepare a proposed annual budget for operation and maintenance of the Dam, and submit the proposed budget to the officials of signatory municipalities for approval and inclusion in the General Fund Budget of signatory municipalities according to the pro-rata share of each.
- e. At least one member of the Dam Committee appointed to the committee by each signatory municipality will attend the annual Town Meeting for that Town to answer questions voters may have regarding the dam.
- f. All committee actions or recommendations must be supported by vote of committee members, with no actions being taken or recommendations being made in the name of the Dam Committee unless supported by a simple majority of the Committee members present at the meeting. No vote of the Committee will be valid unless there are at least 3 of the appointed members with voting rights present at the meeting.
- g. All Committee meetings will be at the call of the Chair of the Dam Committee and will be made public.

The responsibilities and functions of the Dam Custodian are as follows:

- a. Inspect the dam and determine water levels behind the dam at least once a week, opening or closing gates as necessary to maintain minimum and maximum water levels set by the Cobbossee Watershed District.
- b. Report any damages to the dam to the Dam Committee Chair immediately upon discovery; if the Dam Committee Chair is not available, the report will be made to the Town Manager or other designated official of any of the signatory municipalities.
- c. Report any weaknesses, deficiencies or equipment failures detected at the dam to the Chair of the Dam Committee or the Town Managers of Readfield or Winthrop.

- d. Submit a timesheet or Payroll Report (for payment of hourly wages) and miles driven with private vehicle for dam inspection/operation (for reimbursement of vehicle use at the current annual rate) to the Treasurer, Town of Winthrop, Winthrop Town Office, once every two weeks.
- e. During inspections of the dam, remove any debris that may have come to rest against the dam or the screen protecting the dam. During the winter, break and clear any ice that may have built up against the dam if necessary.
- f. Maintain a written log of inspections, notifications, and maintenance activities.

Authorization

The Maranacook Lake Outlet Dam Committee was established as a result of an Inter-Local Agreement between the Towns of Readfield and Winthrop for Management of the Maranacook Lake Outlet Dam. (available from Readfield Town Clerk)

Membership

The two signatory municipalities to the Agreement will appoint members to serve upon a committee, designated the "Dam Committee", consisting of not more than five (5) regular members with voting rights, appointed to staggered terms. The Town of Readfield will appoint two (2) regular members and one (1) alternate member; the Town of Winthrop will appoint two (2) regular members and one (1) alternate member; and the Cobbossee Watershed District will appoint one (1) regular member and one (1) alternate member on the committee. Upon expiration of initial appointments, subsequent appointments will be for a three-year period.

Officers

There are no officers of the Dam Committee (refer to Agreement document, available from Town Clerk).

Meetings

Meetings are held as needed.

Planning Board

Mission Statement (or equivalent)

The Planning Board is responsible for reviewing and making decisions on all land use, construction, and development applications requiring Planning Board approval under the provisions of Readfield's Land Use Ordinance ("LUO"). The LUO provides that the purposes of development review are to: "provide a level of municipal review that would not otherwise occur for projects that could adversely impact the surrounding community as a whole; maintain and protect the Town's rural character and natural resources, including scenic and historic resources, by requiring that structures, signs and other alterations on, or to the land, are sited and developed in accordance with certain standards; promote and protect health and welfare of the townspeople; and, provide permanent records of conditions that run with ownership of property."

Authorization

It was voted at the June 13, 1989 Town Meeting that the Planning Board shall consist of 7 members and 3 associate members, all with terms of 5 years. An associate member may attend all meetings of the Board and participate in its proceedings, but may vote only when designated by the chairperson to sit for a member. The chairperson shall call at least one regular meeting of the board each month. See full document on the Town of Readfield website.

Membership

The Readfield Planning Board is comprised of 7 members and 3 alternate members. Each member serves a term of 5 years.

Officers

Chair and Vice-Chair

Meetings

The Planning Board meets the second and fourth Wednesdays at 6:30 pm at the Town Office.

Recreation Association

Mission Statement (or equivalent)

The mission of the Readfield Recreation Association Board of Trustees is to provide self-supporting recreation and athletic program opportunities for the citizens of our community through the support of our volunteers.

Authorization

The Recreation Association operates under the appointed authority of the Select Board of the Town of Readfield.

Membership

The Readfield Recreation Association is to be comprised of not less than 5 or not more than 9 members. Members serve 3-year terms.

Officers

Chairperson

Vice Chairperson

Treasurer

Meetings

The Recreation Association Board meets at the Recreation Building on the Maranacook Campus every 2nd Wednesday at 6:30 p.m.

Road Committee

Mission Statement (or equivalent)

Provide the Town of Readfield with an annual repair and maintenance plan and long-range capital improvement plan for the road network.

Authorization

The Road Committee operates under the appointed authority of the Select Board of the Town of Readfield.

Membership

Readfield Road Committee is a 7-member committee. Members serve 3-year terms as voted by the Readfield Select Board on 11/16/15.

Officers

Chairperson

Vice-chairperson

Meetings

The Road Committee does not have a regular meeting schedule, but tends to meet as needed through the year - mostly for planning purposes and to review road work underway or completed. Please look for postings as they are scheduled.

Solid Waste & Recycling Committee

Mission Statement (or equivalent)

Purpose and Composition

The Solid Waste and Recycling Committee (hereafter the "Committee") shall be a standing committee composed of the following voting members: one member from each participating Select Board, and at least three community members from participating municipalities; and the following non-voting members: the Transfer Station Manager and participating Town Managers. The Committee shall review and provide input and recommendations to the Transfer Station Manager and participating Select Boards regarding:

- I. All Transfer Station operations, including: the Manager's forecasts and plans for the generation, transmission and distribution of recyclables, Municipal Solid Waste (MSW) and other waste materials brought to the Transfer Station; customer service; public education and awareness; advocacy for increased recycling; implementation of guidelines established for site/facility design, operation and storage at the Transfer Station; and hours of operation (year-round and summer only).
- II. The Transfer Station's compliance with established policies, procedures and practices pertaining to the protection of the environment and health/safety of employees, contractors and general public; ensuring said are sufficient to achieve and maintain compliance with applicable laws and regulations.
- III. Environmental and/or health/safety related issues.
- IV. Recycling: methods, materials, tracking, advocacy, awareness, and public education.

Authorization

The Solid Waste & Recycling Committee operates under the appointed authority of the Select Board of the Town of Readfield.

Membership

Solid Waste & Recycling Committee (SWRC) members include the Town Managers from each town (Readfield & Wayne), 1 Select Board Member from each town, and 2 citizens at large from each town.

Officers

Chairperson

Meetings

The Solid Waste & Recycling Committee (SWRC) meets in February, May, August, and November, from 5:00 pm to 6:30 pm, with the location alternating between Readfield (February and August) and Wayne (May and November) Offices.

Trails Committee

Mission Statement (or equivalent)

The Readfield Trails Committee will plan and coordinate the development of environmentally acceptable trails within the town of Readfield. The committee will promote safe, functional connections between the various activity centers of the town and provide linkage, where possible, between recreational trails within the town and with adjacent towns.

Authorization

The Readfield Trails Committee (RTC) was established by vote of the Readfield Select Board on May 29, 2007 and can be composed of up to 13 members each appointed by vote of the Select Board.

Membership

The Readfield Trails Committee is comprised of 13 members and 1 alternate serving 3-year terms.

Officers

Officers are elected in July of each year (beginning of the Town's fiscal year) by the RTC membership present and voting unless there is a vacancy in an office of the RTC during the year. The officers of the RTC are a Chairman and a Secretary and are elected for one-year terms. In the event of a vacancy in an office, the RTC shall elect another member to the vacant position for the remainder of the term of office.

Meetings

The Trails Committee meets the 4th Tuesday of every month at the Town Office at 6:30 pm.

Standards of Conduct
for
Public Meetings¹

- **Be courteous, patient, and civil.**
- **Keep emotions in check.**
- **Respect others' points of view.**
- **Assume opponents have positive intentions.**
- **Don't take things personally.**
- **Identify problems, propose solutions**
- **Understand before disagreeing.**
- **Disagree without being disagreeable.**

***Remember we are all neighbors and
community members.***

¹ Adopted by the Select Board on 31 May 2016.

Guidelines for BCC Chairs

GUIDELINES FOR BOARDS, COMMITTEES AND COMMISSIONS (BCC)

CHAIRS DUTIES AND RESPONSIBILITIES:

In addition to their duties and responsibilities as members of their respective Boards, Committees and Commissions (BCC), the Chair may have additional duties and responsibilities. These additional duties are discussed below. In the event that any of the following occurs: (a) the Chair is absent from a meeting; (b) the Chair has a conflict of interest, as defined by law, with the business being conducted by the BCC, or; (c) a circumstance arises at the reasonable discretion of the Chair when he/she feels it is inappropriate for him/her to preside as chair, then a vote of other members present shall determine who will preside over the meeting.

Duties of the Chair:

1. The Chair is expected to conduct all meetings.
2. The Chair, or designee is expected to prepare an agenda for each meeting using the following guide:
 - Establish a quorum.
 - Review and approval of minutes of previous meeting.
 - Oral and Written Communications
 - Opportunity for members of the public to address the BCC.
 - Old (unfinished) business.
 - New business.
 - Adjournment.

Each agenda shall be sent to the Town Clerk for posting.

3. The Chair should maintain an annual work plan for the BCC, including anticipated deliverables and deadlines.
4. The Chair should routinely meet with the Town Manager to ensure that they stay current with Town issues.
5. The Chair is considered to be the public spokesperson for the BCC although he/she can designate this responsibility freely.
6. All members of BCCs are eligible for election as Chair and may serve any number of consecutive terms, as elected annually by fellow members.
7. A vacancy in the position of Chair will be filled as soon as possible
8. The Chair, or designee is responsible for writing an article for the Town Report each year and for the Readfield Messenger if meetings are held that month.
9. Each chair shall request a copy of the Procedures for Application for Appointment and Reappointment to BCC upon election as Chair. The Chair of each BCC shall notify the Town Clerk when a vacancy occurs on the BCC that the Chair represents. The Chair shall also supply the Town Clerk with the title of the position to be filled, a brief outline of the duties of the position and the length of the term of the position.

10. The Chair will notify members of any changes to the Town's Procedure for Application for Appointment and Reappointment document along with a copy of these guidelines.
11. The Chair will ensure that all members appointed for the first time to the Planning Board or Board of Appeals complete the Basic workshop for Planning Board or Board of Appeals members offered by Maine Municipal Association. Upon completion of the basic workshop, members are responsible for providing a certificate of completion to the Town Clerk. This requirement does not preclude Planning Board or Board of Appeals members from serving on their respective committees prior to completing workshops.
12. Chair, or designee is responsible for keeping minutes of meetings.
13. Approved minutes shall be submitted to the Town Clerk for filing and posting on the web site.
14. The Chair is expected to notify all members of meetings.
15. Chair, Secretary or designee is expected to attend the Annual Chairs Meeting.
16. Annually, by February 1st, the Chair shall update the Goals and Missions statement and BCC Responsibilities. Any revisions shall be submitted to the Select Board for review and considered for possible amendment/ possible adoption.
17. The Chair shall also supply a brief outline of the responsibilities of the BCC to the Clerk for advertising. Written responsibilities for each BCC are developed by the Select Board or Town Manager and are available from the Town Clerk.
18. The Chair, in consultation with BCC members, may request a reconfiguration (such as changing the number of BCC members, or adjusting the job description) of any BCC.

These Guidelines were originally adopted by the Select Board on 10/21/2013 and amended by the Selected Board on _____, _____.

**Conflict of Interest
and Recall Process
Ordinance**

CONFLICT OF INTEREST AND RECALL PROCESS ORDINANCE

10.1 CONFLICT OF INTEREST

10.1.1 In accordance with Title 30-A M.R.S.A. Section 2605, any municipal officer or official of the Town, elected or appointed, who himself or herself or any family member, close friend or business associate, has any financial interest, direct or indirect, or by reason of ownership of stock in any corporation, in any contract with the Town, or in the sale of any land, material, supplies, or services to the Town or who is a contactor supplying the Town with services or material shall make known the interest and shall refrain from voting upon or otherwise participating in his or her capacity as an officer or employee in making such sale or the making or performing of such contract.

10.1.2 Any municipal officer or official of the Town who willfully conceals such financial interest or willfully violates the requirements of this section shall be guilty of malfeasance in office or position and shall forfeit such office or position immediately upon a determination of malfeasance by the Select Board as hereinafter provided under Section 10.2.2.

10.1.3 Any violation of this section, with the knowledge, expressed or implied, of the person or corporation contracting with or making a sale to the Town, shall render the contract or sale voidable by the Select Board.

10.2 FORFEITURE OF OFFICE

10.2.1 A municipal officer or official, elected or appointed, shall forfeit his or her office or be subject to a recall or forfeiture proceedings as hereinafter provided if such person:

- a. lacks, at any time during his or her tenure of office, any eligibility or other qualifications for the office prescribed by this ordinance or by law;
- b. intentionally violates any expressed prohibition of this ordinance;
- c. fails to fulfill the requirements of his or her office, including, but not necessarily limited to, failure to attend 3 or more consecutive regular meetings without being excused beforehand or actively participate in the functioning of the board or committee;
- d. is indicted or convicted of a felony or is indicted or convicted of any other offense which prevents him or her from fulfilling his or her obligation as a municipal officer or official;
- e. is banned by a court of law from attending meetings or carrying out their duties of office as prescribed herein.

10.2.2 Upon any allegation of charges of conflict of interest or violation of the provisions set forth under Section 10.1, the Select Board shall hold a hearing to determine if there is any malfeasance or violation of the provisions set forth under Section 10.1. Forfeiture and immediate removal of office shall require a majority vote of the Select Board. In the event that the Select Board fail to take any action or do not vote to remove the person from office, the Registered Voters of the Town may initiate recall proceedings in accordance with the provisions set forth under Section 10.3.

10.3 RECALL OF ELECTED OFFICERS AND OFFICIALS – REMOVAL FROM OFFICE

10.3.1 Any elected officer or official of the Town may be recalled and removed from elective office by the Registered Voters of the Town as hereinafter provided. Recall may be used when an elected official has violated any of the conflict of interest or forfeiture of office provisions set forth under Sections 10.1 and 10.2.

10.3.2 Any twenty-five (25) Registered Voters of the Town may make and file with the Town Clerk an affidavit containing the name of the officer or official whose removal is sought and a general statement of the reasons why such removal is desired because of any violations of the provisions set forth under Sections 10.1 and 10.2.

a. The Town Clerk shall prepare and sign a petition for such removal, a copy of said affidavit and general statement either included thereon or attached thereto, which shall be impressed with the official Town Clerk's seal, dated, and addressed to the Select Board containing the name of the officer or official whose removal is sought.

b. The petition shall be signed only by registered voters of the Town . Every signature shall include the address of the registered voter, indicating the street and number or other description sufficient to identify such address, such as tax map and lot number.

10.3.3 The recall petition, to be effective, must be signed by a number of Registered Voters of the Town equal to at least twenty-five percent (25%) of the votes cast at the previous gubernatorial election.

10.3.4 At the expiration of the said thirty (30) days, the Town Clerk shall declare the petition closed and shall certify the petition as sufficient or insufficient within five (5) business days thereafter.

10.3.5 If the recall petition is determined to be insufficient, the filing official shall notify the person or organization sponsoring the recall of the insufficiency of the petition. It is not

necessary to give notification unless the person or organization sponsoring the recall files with the filing official a written notice of sponsorship and a mailing address.

10.3.6 If the petition is sufficient, it and the certificate shall be submitted to the Select Board at their next regular meeting. The Select Board shall forthwith give written notice to said official of the receipt of said petition and certificate.

10.3.7 If the official sought to be removed does not resign within five (5) days of receiving such notice, the Select Board shall within ten (10) business days of the receipt of the Town Clerk's certificate order an election to be held within thirty (30) calendar days. The Select Board shall schedule a public hearing, upon public notice as provided for Town Meetings, to be held within seven (7) calendar days prior to the date of said election. At said hearing, which shall be presided over by a moderator, the petitioners and the officer or official whose recall is sought shall be provided opportunity to present reasons for or against recall.

10.3.8 The official shall continue to perform the duties of the office until the results of the recall election are certified. If not recalled, the official shall continue in office for the remainder of the unexpired term, subject to subsequent recall only as provided in Section 10.3.9. If recalled by the voters, the official shall be deemed removed upon the certification of the voting results and may not seek election to any municipal office for a period of at least three (3) years from the date of such recall.

10.3.9 No recall petition shall be filed against an official within six (6) months after such official takes office, nor during the last six (6) months of the term of office, nor in the case of an official subjected to a recall vote and not removed thereby, until at least twelve (12) months after such vote.

10.4 HOLDING OTHER OFFICE

Neither the Select Board members, Town Clerk, nor Assessors' Agent shall hold appointed positions in the Town with the exception of members of the Fire Department, unless the law or ordinance creating the appointed office requires or allows it. During Budget Committee deliberations, if any member of the Budget Committee is also a member of another board or committee or Fire Department, such member shall make such fact known and refrain from any discussion or voting on matters relating to the Fire Department or such other board or committee unless allowed to do so by a majority vote of the Budget Committee.

This Conflict of Interest and Recall Process Ordinance was originally adopted by the Select Board on _____, _____ and amended by the Selected Board on _____, _____.

Freedom of Access Act (FOAA) Responsibilities

**TOWN OF READFIELD, MAINE
POLICY GOVERNING ACCESS TO PUBLIC RECORDS UNDER THE MAINE
FREEDOM OF ACCESS ACT M.R.S.A. Title 1 §408-A
(Amended: 02/09/2016)**

1. SUMMARY AND PURPOSE

This policy governing access to public records is established to implement the provisions of the Maine Freedom of Access Act, M.R.S.A. Title 1 Sections 400-414. The purpose of these rules is to support the policy of providing public access to the public records in the possession of the Town while, at the same time, complying with state law requirements as to confidential information and maintaining administrative efficiency.

2. DEFINITIONS

Terms used in this Policy Governing Access to Public Records shall have the same meaning as in the Maine Freedom of Access Act.

3. PROCEDURES FOR REQUESTING PUBLIC RECORDS

Written requests are preferred but are not mandatory by State Law and to be submitted to the Public Access Officer or his/her designee in their absence. Please submit request at the following addresses or by phone at 207-685-4939:

Public Access Officer
Readfield Town Office
readfield.clerk@roadrunner.com

OR:
8 Old Kents Hill Rd.
Readfield, Maine 04355

Written or oral requests submitted to Town Officials or Town employees will be referred to the Town's Public Access Officer or his/her designee for processing and response. The Public Access Officer will confer with the Town Manager as needed regarding any information requested. The Public Access Officer or his/her designee shall be responsible for ensuring that each record request is acknowledged and that an estimate of the response time and cost are provided.

4. FORM AND CONTENT OF REQUEST

Requests in accordance with the State FOAA Laws and the Town of Readfield Policy Governing Access to Public Records are requested to be made in writing but not mandatory. For the requestor's convenience, e-mail shall be considered a written request or they may use the "Request for Public Records" form provided by the Town Office.

The following information is helpful but not mandatory when submitting an FOAA request:

- A. The requestor's full name, address and phone number. If a requestor does not wish to provide this information, the requestor will be informed as to when the requested information, or an estimate, will be available.
- B. A specific description of the public records being sought, being as specific as

possible. If you do not know what document you are seeking please state which specific information is being sought.

- C. Clarification of whether the request is for inspection of public records, copies of public records, or both.

5. ACKNOWLEDGMENT FOR TOWN RESPONSE TO REQUEST FOR PUBLIC RECORDS

The FOAA or his/her designee shall:

- A. Acknowledge receipt of the request received within 5 working days of receipt of the request
- B. Record the receipt date of the request when a “sufficient description” of the record is received by the FOAA Officer or his/her designee or official at the office responsible for maintaining the record.
- C. Forward a request made to a department or custodian to the official who maintains the record “without willful delay.”
- D. Notify the requester that the request was forwarded to the custodian of the records requested.
- E. Insure that the request is acknowledged by the custodian to whom the request was forwarded to within 5 working days of receipt of the request or record failure of the custodian to complete that action.
- F. Review any fee waiver request.

6. ESTIMATE FOR TOWN RESPONSE TO REQUEST FOR PUBLIC RECORDS

The FOAA Officer or his/her designee shall:

- A. Provide an estimate of time within which the town will comply with the request within a reasonable amount of time of receiving the request. Factors defining “reasonable time” shall include administrative work load, complexity of request or amount of staff/custodial time required to fill request.
- B. Provide estimate of fees within a reasonable amount of time of receiving the request.
- C. Seek confirmation from requester before proceeding with response for estimate greater than \$30.

7. CLARIFICATION OF REQUEST IF NEEDED

The FOAA Officer or his/her designee may:

- A. Restate the language of the request in the acknowledgment to confirm scope and

content.

- B. Confer with the requester to narrow a broad request to avoid denial in accordance with State Law
M.R.S.A. Title 1 §408-A.

8. PROCEDURES FOR NOTICE OF A DENIAL

A request may be denied if the requested is too broad, confidential, privileged, or they do not exist. The FOAA Officer or his/her designee shall:

- A. Provide, if denying access to any public records, written notice to requester within 5 working days of receipt of the request. State the reason for denial.
- B. Provide written notice to the requester within 5 working days of receipt of the request explaining that some public records may require more time to review and may be denied after the review is complete if the records are found to be confidential or don't exist.
- C. Provide, depending on the circumstances, a supplemental denial or further explanation of the grounds for denial.
- D. Inform the requestor whose FOAA request has been denied that they may appeal in accordance with the requirements of Maine Law.

9. SEARCH

The FOAA Officer or his/her designee shall:

- A. Identify who may have responsive records.
- B. Explain scope of the request such as period of time encompassed, types of public records requested and time frame for responding.
- C. Identify repositories where responsive records may be stored such as:
 - Paper files (in-office, home or records center if relevant)
 - Email in-box, drafts, deleted items, sent mail, archived emails
 - Documents on computer desktop
 - Documents in recycle bin
 - Documents in file server folder
 - Computer backup files/tapes/disk, if relevant
- D. Determine multiple key words to be used for searching, if the subject of an FOAA request may have been described in electronic records (emails, word documents, etc.) using various words, such as:
 - Names of individuals, business entities
 - Project names
 - Towns, cities, etc.

- Common misspellings of names
- Note: In some circumstances, it may be helpful to agree with requester on key words.

10. CONFIDENTIALITY REVIEW

The FOAA Officer or his/her designee

- A. Determine if any public records requested are confidential, privileged or otherwise protected from disclosure.
- B. Redact confidential or privileged material where reasonably possible rather than withholding entire public record.
- C. Provide a written notice of denial and state reason for denial if access is denied in whole or in part.
- D. Provide, depending on the circumstances, including the types and numbers of records requested, written notice may take the form of a letter summarizing the reasons for denial of access or of a more formal privilege log.

11. PROVIDE ACCESS

The FOAA Officer or his/her designee shall:

- A. Inform the requester that arrangement for inspection of records will be made during normal working hours of the Readfield Town Office unless otherwise arranged.
- B. Segregate documents during the course of the inspection which the requestor wishes to have copied.
- C. Be present throughout the inspection.
- D. Perform all copying.
- E. Prohibit a requestor from bringing bags, brief cases or other containers into the inspection room.
- F. Provide a record that does exist but is not required to create a record that does not already exist
- G. Provide access to electronically stored records either as a printed document or in an electronic medium in which the record is stored at the requestor's option, except that an agency or official is not required to provide access to a computer file if they have no ability to separate or prevent disclosure of confidential information in that file. The law does not require the Town to provide access to a computer terminal. Nor does it require that an electronically stored record be provided in a different electronic medium or format. If an electronically stored record must be converted

into a comprehensible or usable format in order to provide access to it, the Town may charge for the actual cost of conversion.

12. TIME AND EXPENSE

The FOAA Officer or his/her designee shall:

- A. Charge for copies of public records assessed in accordance with the “fee schedule” as approved by the Select Board and State Law.
- B. Record and document staff and custodial time, actual costs and copying fees.
- C. Provide an invoice that will account for the recorded costs and any fee waiver that has been granted.
- D. Assess Fees:
 - Reasonable copying fee as set by the Select Board.
 - Actual cost of searching, retrieving & compiling (compiling includes reviewing and redacting confidential information) will be the dollar amount provided by State law per hour after the first hour of staff/custodian time.
 - Actual cost to convert into form susceptible of visual or aural comprehension or into usable format.
 - Actual mailing costs.
 - Copies of public records shall be provided to the requestor only upon payment of any charges which are due.
- E. Allow for inspection of public record at no charge unless the records cannot be inspected without being compiled or converted.
- F. Notify requester if fee cost is greater than \$30 (preferably in writing before proceeding).
- G. Notify requester if fee cost is greater than \$100.
 - If estimated total cost is greater than \$100, requester may be required to pay all or a portion of estimated costs before search, retrieval, compiling, conversion and copying.
 - Payment in advance may be required if requester has previously failed to pay properly assessed fee in a timely manner.
- E. Waive part or all of the fee if:
 - Requester is indigent, or
 - The Town determines release of public record requested to be in public interest because doing so is likely to contribute significantly to public

understanding of operations or activities of government and is not primarily in commercial interest of requester.

13. CLOSE THE FOAA REQUEST

The FOAA Officer or his/her designee shall:

- A. Record and keep a record of all requests, dates acknowledged and dates filled.
- B. Copy the invoice to the Collection Clerk for record of payments.
- C. Confirm with the requestor when possible in writing or verbal that the request has been filled.

14. TRAINING

- A. As required by State Law a Public Access Officer, municipal officers, clerks, treasurers, assessors and budget committee members shall complete a course of training on the requirements relating to public records and proceedings. The official or Public Access officer shall complete the training not later than the 120th day after the date the elected official takes the oath of office to assume the person's duties as an elected official or the person who is designated as a public access officer.
- B. Upon completion of the training course the elected official or public access officer shall make a written or an electronic record attesting to the fact that the training has been completed. The record must identify the training completed and the date of completion. Copies of all certifications shall be filed with the Town.
- C. It is preferred but not mandatory that all committee, board or commission members take an FOAA training.

15. TECHNOLOGY AND EFFICIENCY

In an effort to be efficient and transparent the Town of Readfield will provide and work towards making all public documents accessible to the public using technology that will allow the public to access information as quickly and as easily as possible.

16. STATE PUBLIC ACCESS OMBUDSMAN

The new law funds an Assistant State Attorney General position to serve as a Public Access Ombudsman. The Ombudsmen's duties include working to informally resolve complaints by the public and public officials concerning FOAA and, upon request, issuing advisory opinions on the interpretation of and compliance with the FOAA.

Link to FOAA information www.maine.gov/foaa
www.readfield.govoffice.com

