

**CEDC Meeting
September 5, 2019 – 6:30 PM
Town Office Conference Room**



Meeting Materials

CEDC
Thursday September 5, 2019
6:30pm – Town Office Conference Room

CALL TO ORDER

- Guest acknowledgements
- Approve minutes
- Review financials

NEW BUSINESS

- Photo contest
- Website – how to maintain, who is going to maintain it, updates/changes
- Update CEDC bylaws to comply with governance policy
 - Liaison positions
 - 7 members, 2 alternates, 4 liaisons clear up this language in the bylaws
- Business of the Quarter
- Business After Hours – still October 17th?

OLD BUSINESS

- Banners

OPEN ISSUES/ OTHER

ADJOURNMENT

CEDC Meeting Minutes

For July 11, 2019 Meeting

CALL TO ORDER

Acting Chairperson Norm Davis called the meeting to order at 6:00 PM with Members Cyndi Robbins, Ray Cloutier, Jennifer Letourneau, Stacey Bsullak, and Sheila Foley present. Jay Kiel absent with notice.

Guest acknowledgements

Guests present – Matt Garside, Nikki Pratt, Jimmy Walker, and Joe Cimino.

Approve minutes

Stacey Bsullak moved to approve the meeting minutes from the June 6, 2019 meeting. Cyndi Robbins seconded the motion. Discussion: None Vote: 6-yes 0-no

Review financials – Matt Garside

Cyndi Robbins moved to approve the financials and invoices. Jen Letourneau seconded the motion. Discussion: None Vote: 6-yes 0-no

NEW BUSINESS

Elect Officers

Ray Cloutier nominated Cyndi Robbins as Chairperson. Sheila Foley seconded the motion. Discussion: None Vote: 5-yes 0-no 1-abstained

Cyndi Robbins nominated Sheila Foley as Vice Chairperson. Stacey Bsullak seconded the motion. Discussion: None Vote: 5-yes 0-no 1-abstained

Cyndi Robbins nominated Stacey Bsullak as Secretary. Ray Cloutier seconded the nomination. Discussion: None Vote: 5-yes 0-no 1-abstained

Request for Temporary Absence form CEDC

A member is finishing up his graduate course work and is unable to make the meetings until he finishes school. A request for a temporary absence from the Committee has been made so as not to be removed from the Committee for missing meetings.

Cyndi Robbins moved to approve the request for a temporary leave of absence. Jen Letourneau seconded the motion. Discussion: None Vote: 6-yes 0-no

Banners

Sarah Merrill and Ray Cloutier gave an update on the progress made thus far and went over what is left to be done. Cyndi Robbins and Ray Cloutier will get together and pick out which banners will go on which poles.

If time permits – recap 6.27.2019 BAH

There was a good turn out for the event. It was unfortunate that everyone on the Committee couldn't attend. The Committee thinks the BAH dates should be in May and November to get the best turnout possible.

The next BAH is tentatively scheduled for October 17 at Cyndi's Dockside. The Committee should revisit this to be sure this is the date they want.

CEDC Meeting Minutes

For July 11, 2019 Meeting

OLD BUSINESS

Town Signs and flowers

Jen Letourneau has gotten flowers for the two signs on Route 26 to freshen up and fill in. The Committee thinks they look great.

Jen Letourneau suggested the Committee look at doing something regarding hardscaping around the sign on Rout 122 because it is on such a steep hill that it looks like it could wash away.

OPEN ISSUES / OTHER ISSUES

Training on the Website and Updates

Cyndi Robbins would like some help with being trained on how to update the website and with creating and updating the page. Jen Letourneau, Stacey Bsullak, and Sheila Foley agreed to help with this project. The website will be set up so that only businesses that pay the \$10.00 yearly business registration fee will be listed on the website. The Committee would like to have the site set so that the businesses can access and update their information themselves.

ADJOURNMENT

Cyndi Robbins moved to adjourn the meeting at 6:23 pm. Jen Letourneau seconded the motion. Discussion: None Vote: 6-yes 0-no

CEDC Meeting Minutes

For August 1, 2019 Meeting

CALL TO ORDER

Chairperson Cyndi Robbins called the meeting to order at 7:45 PM with Members Ray Cloutier, Norm Davis, Sheila Foley, Stacey Bsullak, and Jennifer Letourneau present. Jay Kiel absent with notice.

NEW BUSINESS

Web Meeting

The subcommittee needs to write up the language for the front page of visitpoland.me and figure out what the buttons/tabs will say. The next meeting will be at Cyndi's Dockside on August 5th at 5:00 pm.

Gathering Winds Farm Event

Gathering Winds Farm is having an event on September 14th to bring tourists to Poland similar to Heritage Day. They are asking for a financial contribution for the event.

Sheila Foley moved to approve giving Gathering Winds Farm \$2000.00 for the September 14th event. Jen Letourneau seconded the motion. Discussion: The Committee makes a similar financial contribution to Heritage Day and should support this as well. Vote: 5-yes 0-no 1- abstained Stacey Bsullak abstained from voting on this issue to avoid a conflict of interest.

ADJOURNMENT

The meeting adjourned at 8:15 pm.

CEDC Meeting Minutes

For August 8, 2019 Meeting

CALL TO ORDER

Chairperson Cyndi Robbins called the meeting to order at 5:00 PM with Members Ray Cloutier, Stacey Bsullak, Bill Eldridge, and Jennifer Letourneau present. Jay Kiel absent with notice. Norm Davis absent without notice. Alternate member Bill Eldridge will be a voting member for this meeting.

Guest acknowledgements

Guests present – Matt Garside, Nikki Pratt, Joe Cimino, and Jimmy Walker.

NEW BUSINESS

Wright Pierce – Water/Sewer Extensions

The Committee needs to vote to approve spending money for Wright Pierce to start the next phase of the project.

Jen Letourneau moved to approve spending the money for Wright Pierce to move forward with the water/sewer extension project. Bill Eldridge seconded the motion.

Discussion: None Vote: 4-yes 0-no 1-abstained

Cyndi Robbins abstained from voting on the issue to avoid a conflict of interest.

Web Site

The group went over what the concept looks like and what needs to be done still. For the businesses that have paid their yearly registration they will be sent a letter to go to the site and add their business. We'll send out a second letter to businesses that haven't registered to get them to do so.

ADJOURNMENT

The meeting ended at 5:45 pm.

Expense Detail Report

Department(s): E 400-01-5650 - E 400-01-5650
August

Account-----			Current			Unexpended
Date	Jrnl	Desc---	Budget	Debits	Credits	Balance
400 - PSB TIF 1 FUNDS			56,500.00	301.14	0.00	56,198.86
01 - PSB TIF 1			56,500.00	301.14	0.00	56,198.86
5650 - CEDC EXPENSE			56,500.00	301.14	0.00	56,198.86
08/06/19	A 0053	SWALLOWTAIL GARDENS		77.00	0.00	
08/06/19	A 0053	MULCH		26.38	0.00	
08/01/19	P 0056	08/01/19 Payroll (Dist)		101.57	0.00	
08/02/19	G 0064	Reverse FY 19 P/R Accr.		0.00	98.00	
08/08/19	P 0068	08/08/19 Payroll (Dist)		101.57	0.00	
08/15/19	P 0084	08/15/19 Payroll (Dist)		101.57	0.00	
08/20/19	A 0085	SUPPLIES CEDC		104.07	0.00	
08/20/19	A 0085	BUSINESS AFTER HOURS		1,200.00	0.00	
08/20/19	A 0085	ANNUAL FARM FESTIVAL		2,000.00	0.00	
08/22/19	P 0097	08/22/19 Payroll (Dist)		101.57	0.00	
08/29/19	P 0112	08/29/19 Payroll (Dist)		101.57	0.00	
		August	0.00	3,915.30	98.00	52,185.56
		Expense.....	56,500.00	4,216.44	98.00	52,381.56
		Division....	56,500.00	4,216.44	98.00	52,381.56
		Department..	56,500.00	4,216.44	98.00	52,381.56
Final Totals			56,500.00	4,216.44	98.00	52,381.56

Receipt from J.M. Morin Earthworks Inc.

Wednesday, July 24, 2019 1:06 PM

Subject	Receipt from J.M. Morin Earthworks Inc.
From	J.M. Morin Earthworks Inc. via Square
To	Jennifer Letourneau
Sent	Wednesday, July 03, 2019 1:00 PM


Square automatically sends receipts to the email address you used at any Square seller. [Learn more](#)

J.M. Morin Earthworks Inc.

How was your experience?

\$26.38

Black (1/2 Yard Loaded)	\$25.00
A color enhanced softwood bark mulch that is aged to maintain its rich black color throughout the season	
Purchase Subtotal	\$25.00
Sales Tax (5.5%)	\$1.38
Total	\$26.38



J.M. Morin Earthworks Inc.

[207-689-3478](tel:207-689-3478)

Shop Online
[Shop Online](#)



Visa 0645 (Swipe)
VISA

Jul 3 2019 at 12:54 PM
#kNyE

Receipt from Swallowtail Gardens

Wednesday, July 24, 2019 1:06 PM

Subject	Receipt from Swallowtail Gardens
From	Swallowtail Gardens via Square
To	Jennifer Letourneau
Sent	Wednesday, July 03, 2019 11:50 AM

Now when you shop at sellers who use Square, your receipts will be delivered automatically.

[Not your receipt?](#)

Swallowtail Gardens

How was your experience?

\$77.00

Custom Amount \$77.00

Total **\$77.00**



Swallowtail Gardens
266 Summit Spring Rd

Poland, ME 04274

Poland Spring Resort
640 MAINE ST
POLAND SPRING, ME 04274 US
(207)998-4351
Cyndi@polandspringresort.com
<http://www.polandspringresort.com>



Invoice

BILL TO
Poland, town of

INVOICE # 12519
DATE 07/12/2019
DUE DATE 07/27/2019

ACTIVITY	QTY	RATE	AMOUNT
I Food Catering catering the Business after hours at Maine State Building	1	1,200.00	1,200.00

THANK YOU!
We appreciate your business.

BALANCE DUE **\$1,200.00**



Electrical Systems
of Maine, Inc.

1200 Minot Ave - P.O. Box 1395 - Auburn, ME 04211
Tel. 207-783-7126 - Fax 207-795-0311

INVOICE

BILL
TO: TOWN OF POLAND
1231 MAINE ST
POLAND ME 04274

WORK TOWN OF POLAND
DONE 1231 MAINE ST
AT: POLAND ME 04274

PHONE 998 4604 CUST# 89848

GENERAC

**INDUSTRIAL
POWER**

DID YOU KNOW WE ALSO INSTALL AND SERVICE
GENERATORS FOR INDUSTRIAL, COMMERCIAL,
AND RESIDENTIAL CUSTOMERS? CALL US FOR YOUR
FREE CONSULTATION!

JOB NO.	CUST ORDER#	TERMS	INVOICE NUMBER	DATE
023059-000		NET 15	31265	7/30/19

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
INSTALL ROAD SIDE BANNERS			
8	LABOR INCLUDING BUCKET TRUCK	7/24/19 200.00E	1,600.00
8	LABOR INCLUDING BUCKET TRUCK	7/25/19 200.00E	1,600.00
SUBTOTAL MISCELLANEOUS			3,200.00
1	BANDING TOOL	300.00E	300.00
SUBTOTAL MATERIAL			300.00
INVOICE TOTAL			\$3,500.00

A SERVICE CHARGE OF 1.5% PER MONTH TO BE ADDED TO ALL PAST DUE BALANCES.
CUSTOMER IS LIABLE FOR ALL COLLECTIONS AND ATTORNEY FEES

TOWN OF POLAND

Bylaws of the Poland Community and Economic Development Committee

Article I: Authority and Name

By authority of the Poland Board of Selectpersons there shall be formed an entity named "Poland Community and Economic Development Committee (CEDC)."

Article II: Purposes

To promote the development of Poland's community and economic resources by advising and recommending to the Board of Selectpersons appropriate strategies to build a stronger economy, tax base and employment base; to assist local businesses in locating and expanding their commerce in Poland, to advise and assist in the management and utilization of TIF districts and other economic development tools, to assist the Town Manager in the management of grants and other funding as may become available for community and economic development.

Article III: Offices

The public records of the CEDC shall be maintained at the Poland Town Office, 1231 Maine Street, Poland ME 04274. Confidential records shall be so marked and shall also be kept at the aforementioned location.

Article IV: Members

There shall be eleven members and two alternate members on the CEDC, all appointed by the Board of Selectpersons for staggered three year terms. Nine of those members shall be from registered Poland voters at large and/or Poland business owners. Four shall be liaison positions, representing the Municipal Department, Budget Committee, Code Enforcement and a member of the Board of Selectpersons. There are no inherent term limits for CEDC members, except as may be determined through the Board of Selectpersons' appointment process. Alternate members will be used if a regular member is not present at a meeting and this shall be noticed at the beginning of the meeting and recognized in the minutes that the alternate member is a voting member for the meeting.

Attendance is essential; three (3) or more consecutive unexcused absences may result in a member's removal from the CEDC by the Board of Selectpersons.

If a vacancy occurs on the CEDC before a member's term is complete, the new appointee shall complete the term that is vacant.

Article V: Code of Conduct

All members of the CEDC are expected to handle themselves in a professional manner. No use of the privilege of membership on the CEDC, nor any information obtained thereby, shall be used to secure personal profit, special privileges, favors or exemptions for themselves or any other person.

Members of the CEDC must declare a conflict of interest and recuse themselves from debate and

voting on any matter where they have a financial interest, or the potential to benefit personally or professionally from participation in a matter.

Article VI: Officers

Each July, the CEDC shall elect officers from among their members to serve for one fiscal year. Any member of the CEDC, including the liaison positions, may hold any office. The officers of the Board shall be Chairperson, Vice Chairperson, Secretary, and Treasurer. There are no inherent term limits for these officer positions.

Chairperson: It shall be the duty of the Chairperson of the CEDC to establish the agenda and to conduct orderly meetings, to ensure minutes are kept and properly distributed and stored, and to ensure that the CEDC budgets and funding are properly accounted. Any member may request an item be placed on the agenda by notifying the Chair in writing at least 72 hours of the next stated meeting.

Vice Chairperson: It shall be the duty of the Vice Chairperson of the CEDC to fulfill the duties of the Chairperson in their absence. The vice Chairperson will also chair sub-committees of the CEDC as delegated by the Chairperson.

Treasurer: It shall be the duty of the Treasurer of the CEDC to ensure that the CEDC budgets and funding are properly accounted and reported to the CEDC.

Secretary: It shall be the duty of the Secretary of the CEDC to ensure that attendance is taken and that minutes of the proceedings are kept and properly distributed and stored, and to demarcate said minutes and notes into those that are "public records" and those that are "confidential."

Paid consultants or Town staff may be called upon to assist in the fulfillment of any of the above duties.

Any officer may be removed by a two-thirds (2/3) vote of a quorum of the CEDC. The secretary shall give notice of removal to the officer not more than ten (10) days subsequent to the action. A vacancy in the officers of the CEDC may be filled by a majority of the members of the CEDC.

Article VII: Meetings

Meetings shall be held monthly at a time and place to be determined annually each July 1. Meetings shall be open to the general public, except where a discussion item is of a confidential nature, in which case the CEDC shall reference the section of Maine State Law that provides for discussions in executive session.

Quorum: 50% of the number of filled positions (4 needed at 7) constitutes a quorum. A quorum is required for conducting any business of the CEDC.

When voting, if a procedural question should occur, the CEDC will use Robert's Rules of Order.

Article VII Section 2: Special Meetings

Special meetings may be called at any time by order of the Chairperson or by written request of three (3) regular members. Notice of any formal special meeting shall be given to all Committee members at least forty-eight (48) hours prior to the scheduled starting time of the meeting by a personal conversation with each Committee member, and/or voice mail, and/or e-mail.

Notice of special meetings will be as dictated by the Town for open meetings.

Article VII Section 3: Informal Meetings

Informal meetings (such as Annual Report preparation meetings, preparation for issue discussion, ad-hoc sub-committees, etc.) may be called by any member. These meetings have no requirement for committee member attendance, written record or documentation or prior announcement to the public. Any recommendations formulated at these meetings shall be brought to a regular meeting. No votes shall be taken.

Article VIII: Ad-Hoc Groups

Ad-hoc groups may be created by the Committee, as it may deem necessary, to expedite its work. The Chairperson will appoint members of ad-hoc groups. Ad-hoc groups shall make reports at regularly scheduled meetings.

Article IX: Consultant Oversight

The CEDC will serve as a steering committee for any paid consultant hired by the Selectpersons for the sole purpose of economic development. Consultants will report monthly to the CEDC, submitting an itemized scope of work, as well as invoices for recommendation of payment by the Board of Selectpersons.

Article X: Contracts, Checks, Deposits and Funds

The CEDC may not enter into legally binding contracts; only the Board of Selectpersons may do so.

The CEDC may authorize such expenditures as they deem appropriate and within their budget and scope. The CEDC must have all financial transactions (deposits and expenditures) conducted through the Town's staff, accounting software and bank funds.

Article XI: Books and Records

The fiscal year of the CEDC shall be July 1st through June 30th annually. The CEDC shall ensure that an annual reporting of attendance, activities and fund utilization is filed with the Board of Selectpersons upon conclusion of the fiscal year.


Article XII: Amendment to Bylaws of Community and Economic Development Committee (CEDC)

These by-laws may be altered, amended or repealed by the Board of Selectpersons with at least thirty (30) days written notice to the full membership of the CEDC at such meeting of an intention to alter, amend, or repeal these by-laws.

Amended by the Poland Board of Selectmen this 2nd day of August,
2016.

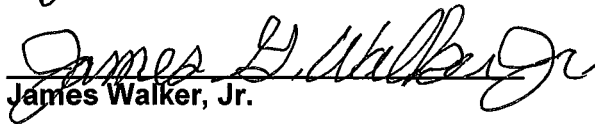
Board of Selectmen


Walter Gallagher, Chairperson


Stanley Tetenman, Vice Chairperson


Janice Kimball

Stephen E. Robinson


James Walker, Jr.

Article IV: Members

There shall be a (NINE) member CEDC Board with (SEVEN) regular members and two alternate members, all appointed by the Board of Selectpersons for staggered three year terms. All (NINE) members must be registered Poland voters at large and/or Poland business owners. In addition, four liaison positions may exist, representing the Municipal Department, Budget Committee, Code Enforcement, and a member of the Board of Selectpersons. There is no inherent term limits for CEDC members, except as may be determined through the Board of Selectpersons' appointment process. Alternate members will be used if a regular member is not present at a meeting and this shall be noticed at the beginning of the meeting and recognized in the minutes that the alternate member is a voting member for a meeting.

Article VI: Officers

Each July, the CEDC shall elect officers from among their members to serve for one fiscal year. Any member of the CEDC, ~~including the liaison positions,~~ may hold any office. The officers of the Board shall be Chairperson, Vice Chairperson, Secretary, and Treasurer. There are no inherent term limits for these officer positions.

Town of Poland

Governance Policy

Adopted September 18, 2012

Amended November 17, 2015

AMENDED

11/17/2015

Judith A. Allen
Town Clerk of Poland

TOWN OF POLAND

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I. PURPOSE

The purpose of this policy is to provide the Board of Selectpersons, and all its associated agencies, with a comprehensive and standardized composition of regulations by which all agencies shall operate. This policy is in compliance with the town Charter and shall be judiciously understood so as to accomplish its purpose. Conditions not addressed in the Town Charter or this policy shall be governed by the general law.

This policy, or any provision thereof, may be waived on any occasion by majority vote of the Board of Selectpersons unless otherwise provided by the Charter or state law. This policy may be amended at any time in writing by a majority vote of the Board of Selectpersons.

Any conflict or inconsistency in this policy shall be resolved in favor of the town Charter or applicable law.

II. GOVERNMENTAL POSITIONS

A. Elected Officials

Board of Selectpersons (5 Members)
 Budget Committee (4 Elected Members / 3 Appointed)
 Ricker Memorial Library Board of Trustees (5 Members)
 Regional School Unit #16 Directors (5 Members)

1. **Terms** - Elections for all listed officials shall take place on the first Friday in April. Officials shall serve staggered terms of three (3) consecutive years. Each term shall end upon the conclusion of the annual town meeting, except that the term for RSU #16 Directors terms shall run from 7/1 to 6/30 in accordance with regional school unit regulations.
2. **Term Limits** - Selectpersons shall serve no more than two (2) consecutive three (3) year terms. Service as an appointed member of the Board to fill a vacant position shall not count toward the maximum six-year period of consecutive service. After an absence of one year, a person may run for and hold the office of Selectperson again. (Charter 2.1)
3. **Oath of Office** - Before assuming the duties of office or acting on any business, each newly elected official shall be sworn by the Town Clerk in accordance with 30-A M.R.S.A. Section 2526(9) as well as complete a Personal Contact Information & Consent form. (MRSA Title 1, Chapter 13, Subchapter 1 Freedom of Access §402, §O-1)
4. **Recall of Elected Officials** - Any elected member of the Board of Selectpersons, Budget Committee, or Library Board of Trustees is subject to recall in accordance with the provisions set forth in the Charter. (Charter 9.3.1) RSU directors are subject to the election and vacancy provisions of Title 20-A, which do not provide for recall.
5. **Prohibited Positions** - Except pursuant to an agreement under the Interlocal Cooperation Act, no Selectperson shall hold any other Town office or employment by the Town while holding the office of Selectperson, and no former Selectperson shall hold any compensated appointive Town office or Town employment until one year after leaving office of Selectperson. (Charter 2.9) A Planning Board member may not serve as member of the Board of Appeals. No Selectperson or spouse of a Selectperson shall serve on the Board of Appeals. (30-A M.R.S.A. § 2691)

6. **Appointments Generally** - Except if prohibited by the general law or the Town Charter, any qualified voter of the Town may be nominated for, or be appointed to, only one Town Board. (Charter 5.5.6)
7. **Holding an Agency Position** - An elected or appointed Board member may hold one or more appointed agency position based on the determination of the Board of Selectpersons and the agreement and understanding that there are no conflicts of interest. All decisions on appointments lie within the sole discretion of the Board of Selectpersons. A list of agencies is set forth in Section II.F.
8. **Former Elected or Appointed Officials** - Any former elected or appointed Board member shall be upon the expiration of their term be eligible for appointment to another Board or a town agency as deemed appropriate by the Board of Selectpersons, except that Selectpersons shall not be appointed to any compensated appointive Town office until one year after leaving the office of Selectperson.

B. Appointed Municipal Administrative Officers

1. **Term** - In general, these terms are for one (1) year and shall run with the town's fiscal year unless otherwise established by the Charter or by ordinance.
2. **Oath of Office** - Before assuming the duties of office or acting on any business each newly appointed official shall be sworn by the Town Clerk in accordance with 30-A M.R.S.A. Section 2526(9) and shall provide a Personal Contact Information & Consent form. (MRSA Title 1, Chapter 13, Subchapter 1 Freedom of Access §402, §O-1)
3. **Town Manager Appointments** - The Town Manager's appointments to the offices and positions listed in the Charter shall be subject to confirmation by the Board of Selectpersons. The Town Manager, with the consent of the Board of Selectpersons, may serve as the head of one or more of such departments, offices or agencies or may appoint one person as the head of two or more of them. (Charter 5.1.2)

Animal Control Officer	Plumbing Inspector
Building Inspector	Public Access Officer
Code Enforcement Officer	Treasurer
Emergency Management Director	Town Clerk/Voter Registrar*/Deputies
Fire Rescue Chief	Tax Collector
Electrical Inspector	Library Director
Road Commissioner/Road Foreman	Recreation Director

Registrar of Voters - mandated - 2 year term beginning January 1st of each odd-numbered year (MRSA 21-A Chapter 3, § 101).

4. **Additional Appointments** - In accordance with requirements of State law, the Board of Selectpersons shall appoint the following positions as necessary.

Election Warden
Fire Warden
Election Clerks

C. Appointed Liaisons

1. **Purpose** - Liaisons are appointed by the Board of Selectpersons and assigned the task of coordinating communications between two or more boards and/or agencies. The principal function is to observe the assigned board or agency's proceedings and provide a monthly update to the Board of Selectpersons. In some instances, the Board of Selectpersons may not provide guidance, such as applications before the Board of Appeals and the Planning Board; the Selectpersons may give individual guidance to liaisons based upon the specific Board or agency.
2. **Liaisons from other Board or Agencies** - The Board of Selectpersons may also request other Board and Agencies to select from their membership a liaison to any Board or agency, as well as to the Board of Selectpersons.
3. **Term** - The term of a Liaison shall coincide with an individual's elected or appointed term and shall run with the town's fiscal year.
4. **Oath of Office** - Liaisons are **not** required to take an Oath of Office or complete a consent form through the Town Clerk's office.
5. **Participation** - Liaisons shall **not** serve as an officer, officiate a meeting or vote on any issues of the board or agency to which they are assigned. Liaisons may speak about issues being discussed by the assigned board or agency, but must comply with the limitations of their role.

D. Appointed Boards

1. **Planning Board** - No member may be elected to more than two (2) consecutive terms as Chair. The Board of Selectpersons may, but need not, provide for the appointment of the two (2) associate members. (Charter 5.5.1)

The Planning Board shall have such powers and perform such duties as are provided by the general law, the Charter, or ordinances duly adopted by the Town. (Charter 5.5.1)

The Board of Selectpersons shall not dictate outcomes to the Planning Board. The Planning Board is autonomous in its responsibility to review applications under land use ordinances and regulations and to make recommendations concerning amendments to those ordinances and regulations.

2. **Board of Appeals** - No member may be elected to serve more than two (2) consecutive years as Chair. The Board of Selectpersons may, but need not, provide for the appointment of the two (2) associate members. (Charter 5.5.2)
3. **Budget Committee** - Shall meet at least annually, and shall elect annually a Chair from its membership. (Charter 5.5.3)
4. **Term** - Appointed terms shall run with the town's fiscal year for the period established by the Charter or by ordinance.

5. **Term Limits** - While there are no term limits for Board appointees decisions as to whether to reappoint members lie within the sole discretion of the Board of Selectpersons.

E. Appointed Agencies

1. Unless otherwise required by State law, the Charter or ordinance, an agency shall consist of no less than five (5) members and no more than eleven (11) and total membership shall be that of an odd number.
2. Liaisons shall not be considered part of the agency membership.
3. Agency members that serve on more than one appointed Board or Agency may be required by the Board of Selectpersons to abide by specific duties and authorities as instructed by the Selectpersons for the two separate offices.
4. Total agency membership to any one agency may be amended in its total membership within the abovementioned guidelines, at the discretion of the Board of Selectpersons.
5. While there are no term limits for appointees decisions as to whether to reappoint members lie within the sole discretion of the Board of Selectpersons.

- F. **Active Agencies** - An agency established by the Town Charter or the Board of Selectpersons, including but not limited to:

Comprehensive Planning Committee
 Community and Economic Development Committee
 Scholarship Committee
 Budget Committee
 Conservation Commission

- G. **Related Agencies** - An agency established other than by the Town Charter or the Board of Selectpersons but that receives indirect support through town departments and or the Board of Selectpersons.

Established but not limited to:

Safety Committee
 Poland Historical Society
 Trail Committee
 Tri-Town Seniors Committee

III. APPOINTMENTS

- A. **Providing for New Membership** - For the purpose of maintaining stability and innovation to all boards, committees and commissions it is encouraged to promote interest in new ideas and new members. It is required that the town advertise these available positions in the town newsletter, on the cable television bulletin board, town website, and posted notices. All notices should contain language stating that although there are incumbents, new applicants or alternate members of a boards seeking full status are welcomed to apply for positions at anytime.

B. Requirements of Applicants

1. All applicants must be a registered voter in the Town of Poland with the exception fo the CEDC.
2. Applicants who have never held a position on a town board or agency shall be required to fill out an application for appointment.
3. Appointment interviews shall be conducted by the Board of Selectpersons at regularly scheduled meeting. New applicants are required to attend. All new applicants shall be interviewed prior to any final appointments.
4. If a volunteer meets the qualifying requirements and there are sufficient open positions, any applicant who applies to serve on a board or committee may be appointed.
5. In cases where the number of applicants exceeds the number of open positions, the Board of Selectpersons will consider whether an individual is already serving on another board or committee as part of their decision

C. Incumbents - Prior to the annual appointment all incumbents up for reappointment shall receive written notification from the Town Clerk which will require the incumbent's reply as to whether or not they are seeking reappointment. All decisions on appointments lie within the sole discretion of the Board of Selectpersons, which may waive application and interview requirements for incumbent members.

D. Oath of Office - Before assuming the duties of office or acting on any business each newly elected official shall be sworn by the Town Clerk in accordance with 30-A M.R.S.A. Section 2526 § 9 and shall submit a Personal Contact Information & Consent form. (MRSA Title 1, Chapter 13, Subchapter 1 Freedom of Access §402, §O-1)

E. Term Limits - In general, appointed terms shall run to coincide with the town's fiscal year.

F. Conducting Interviews - The following areas shall be discussed with applicants as part of the appointment process.

1. General background.
2. Interest in position(s).
3. Availability for meetings and other activities if applicable.
4. Prior service in the same or similar position(s).
5. Conflicts of Interest - the Board shall consider any and all possible conflicts of interest as described in the following section of this policy.

IV. CONFLICTS OF INTEREST - As a general rule, a conflict of interest occurs when an official has a pecuniary (i.e., financial) interest in a matter of official business.

A. Existence of Any Conflicts**1. Business Interests**

- a. **Statutory Test** - 30-A M.R.S.A. § 2605 provides that a decision can be voided if any voting official has a "direct or indirect pecuniary interest" in the vote, which means a

10% or more interest in an affected business as an officer, director, partner, association, employee or stockholder, or direct or indirect ownership of at least 10% of the stock of the private corporation. To avoid the conflict, the interested Board member must (1) make full disclosure of the interest before any action is taken; (2) abstain from voting; and (3) otherwise refrain from or negotiating the subject contract or attempting to influence the Board's decision. The Recording Secretary shall keep a record of any such disclosure and abstention from voting.

b. **Case Law Test** - The conflict of interest standard in case law is broader, providing generally that the question is whether the official, by reasons of his/her personal interest, is "placed in a situation of temptation to serve his own personal interests to the prejudice of the interests of those for whom the law authorized and required him to act". Thus even if a Town official does not meet the statutory test for conflict of interest, he/she could still be considered to have a conflict of interest under the broader case law standard.

2. **Charter Provisions on Conflicts** - Section 10.3 of the Town Charter expands upon the state statutory provisions discussed above regarding what constitutes a prohibited conflict of interest in a governmental action. The Charter prohibits action when an elected or appointed officer, official, employee or spouse of any such person has a substantial financial interest, direct or indirect in "any contract with the Town or in the purchase of or sale of any land, material, supplies, or service to the Town or to a contractor supplying the Town."

3. **Appearance of Conflict of Interest** - Even when a Town official's conduct is not specifically prohibited by law, competing interests and personal relationships could create an appearance of wrongdoing that could undermine the public trust in the integrity and impartiality of local government. 30-A M.R.S.A. § 2605 addresses this issue by providing that Town officials shall "attempt to avoid the appearance of a conflict of interest by disclosure or by abstention."

B. Employee/Familial Disqualifications

1. **Prohibited Appointments/Employment** - 30-A M.R.S.A. § 2606 provides that a selectperson may not be appointed to or employed in any civil office of profit or employment position of the Town that was created, or the compensation of which was increased, by the action of the selectperson during that selectperson's term. This prohibition extends through the selectman's full term plus one calendar year thereafter.

2. **Prohibition against Town Employee or Family Serving as Town Official** - Under Town Charter Sections 10.4 and 10.5, neither a Town employee nor any member of his/her immediate family may hold an elected or appointed board position that could influence the employee's employment, compensation or benefits directly or indirectly. An employee's immediate family is defined as: spouse, domestic partner, and the employee's spouses or domestic partner's great-grandparent, grandparent, parent, siblings, child, grandchild, or great-grandchild, step-parent, and step-child; the spouses or domestic partners of any of the people listed are also included, as are individuals for whom the employee is the current legal guardian.

3. **Prohibition against Immediate Family Serving on Same Board** - Under Town Charter Section 10.4, no two members of the same immediate family may serve on the same elected body.

4. **Nepotism** - Under Town Charter Section 10.5, no officer, official or employee of the Town shall solicit a position of employment for an immediate family member or relative.

C. **Incompatibility of Office** - Offices may be incompatible even if they are not specifically listed as such in state statute. If the duties of one office provide a check on the duties of another, or if one office could oversee, review or supervise the work of the other, than the two offices should not be held simultaneously by the same person. Two offices are incompatible when the holder cannot in every instance discharge the duties of each.

1. **Examine Other Offices Held** - Incompatibility generally exists where two municipal offices, which are separated vertically in terms of authority, may be required to perform the same function or authorize its performance.

2. **Statutory Incompatibility**

a. A Town Manager may not serve as Moderator, Selectperson, Assessor or member of the school committee (30-A M.R.S.A. § 2632);

b. Treasurers and Tax Collectors may not simultaneously serve as either Selectperson or Assessor (30-A M.R.S.A. § 2526);

c. A County Commissioner may not simultaneously serve as either Selectperson or Assessor (30-A M.R.S.A. § 52); and

d. Neither a municipal officer nor his or her spouse may simultaneously serve as a Board of Appeals Member or Associate (30-A M.R.S.A. § 2691).

D. **Bias** - A Board's quasi-judicial functions must be performed by municipal officials capable of being impartial decision-makers who are entirely objective and disinterested as to the outcome of the proceeding. Aside from financial bias covered in section IV.A.1, the following two area of bias shall be considered.

1. **Familial Bias** - 1 M.R.S.A. § 71(6) provides that when an official is acting as a quasi-judicial officer to decide on a matter involving a relative by blood or marriage who is a second cousin or more closely related, or within the 6th degree of relationship by consanguinity or of affinity according to the civil law, the official must abstain from taking action in the case or get written consent from all of the parties involved.

2. **Other Bias** - A municipal official must step down as a quasi-judicial officer when he or she is sufficiently biased that he or she cannot fairly and impartially review the application.

V. **CONDUCT OF BOARDS AND AGENCIES**

A. **Regulations**

1. The Town's fiscal year shall run July 1st to June 30th.

2. E-mail communications among board or agency members shall be limited to meeting scheduling and fundamental communication. No substantive discussions shall be allowed.
3. Boards or agencies shall hold no less than one meeting a month at a time and place to be determined on an annual basis, except that the monthly meeting need not be held if there are no applications or other business for the board or agency to consider.
4. No business and/or communications about pending or anticipated business may be conducted by any boards or agencies except at a duly called and noticed meeting.
5. A quorum consisting of a majority of the board or agency must be present to conduct business, other than the rescheduling of a meeting.
6. All boards and agencies must comply with applicable statutes, Charter and town ordinances.
7. All members of agencies should at all times avoid any appearance of a conflict of interest or bias.
8. Investigations Conducted by Members - No members of a board or agency is authorized to act independently of the board or agency and all actions of the board or agency are by majority vote of the agency, unless otherwise established by law or regulation.
9. No board or agency may enter into any contracts. Only the Board of Selectpersons or their approved designees may do so.
10. Authorization to contact the Town attorney must be given by the Town Manager only under the direction of the Board of Selectpersons.

B. Organizational Duties

1. At the beginning of each fiscal year (July 1st) or as soon thereafter as practicable, boards and agencies shall elect from their current membership a minimum of a Chair and Vice Chair for the ensuing business year unless otherwise provided by law or ordinance. The positions of Secretary and Treasurer are optional according to need, except that the Board of Appeals shall elect a secretary from its membership, as required by 30-A M.R.S.A § 2691, who may also serve as the Vice Chairperson.
2. Members of the Board of Selectpersons, Planning Board and Board of Appeals shall be eligible for election as Chair or Vice-Chair for no more than two (2) consecutive one-year terms. Election to an unexpired term of less than six (6) months shall not be considered a term. (Charter 2.4/5.5.1, 5.5.2) These are the only positions with this limitation in the Charter therefore it does not apply to other Boards and agencies through a policy.
3. All boards and agencies shall file an annual report of activities and fund utilization, if applicable, upon the conclusion of the fiscal year.

4. Recording Secretary - The Town Manager will assign a staff member to the board or agency as the recording secretary unless the board or agency chooses or is required to assign one of its members to serve as the recording secretary to the board or agency.
5. Officer Removal - Board of Selectpersons may remove the Chair of the Board of Selectpersons by a vote of three (3) Selectpersons, after public notice, notice in writing to the Chair, and a hearing conducted in open session. The Chair may elect to waive the requirements for public notice and/or a hearing conducted in open session.
6. Vacancies of officers shall be filled by regular election procedures.

C. Order of Business - The order of business at regular meetings shall normally be as follows, but the order of the agenda may be varied for purposes of operational convenience and necessity as required for the efficient and orderly conduct of business during the meeting.

1. Standard Order of Agenda - Board of Selectpersons

- a. Call to Order and Determination of a Quorum.
- b. Review and Acceptance of Minutes of the Previous Meeting.
- c. Recognition of Visitors - Open public session for comments and questions pertaining to items not on the agenda.
- d. Public Hearings (if any)
- e. Bid Openings (if any)
- f. Appointments (if any)
- g. Management Reports, Financial Reports & Financial Report Approval
- h. Informational Communications
- i. Old Business from previous meetings
- j. New Business (scheduled on the agenda)
- k. Assessing Business (if any)
- l. Review and acceptance of bills payable (if applicable)
- m. Any Other Business
- n. Executive Session (if any/may also be held at the beginning of the meeting)
- o. Adjournment

D. Public Participation - All meetings shall be open to the public except for executive sessions in accordance with the requirements of 1 M.R.S.A. § 405. The Chair may also accept comments regarding agenda items when the citizens have pertinent information relating to the topic, even if the matter is not scheduled as a public hearing. The Chairman reserves the right to limit the duration of citizen comments in order to allow for the orderly conduct of business. All comments are to be constructive and to the point. Some Boards, including the Board of Appeals and the Planning Board, may not discuss matters not on their agenda and for which notice has not been given.

E. Confidential Subjects - Prior to entering into executive session, a motion must be made that specifies the precise nature of the proposed session and includes the appropriate statutory citation(s) for each topic to be addressed. No action shall be taken in an executive session (1 M.R.S.A. Section 405).

- F. Public Hearing Procedures** - Public hearings shall be called as required by law or on such other occasions, as a majority of the members may deem appropriate. Notice of all such hearings shall be given as required by law and shall include the date, time and place of the hearing and a general description of the subject matter.

The Chair shall convene all hearings by describing the purpose of the hearing and the general procedures to be followed. The Board may receive any oral or documentary evidence but shall exclude irrelevant immaterial or unduly repetitious evidence provided. However, formal rules of evidence shall not apply. Every party shall have the right to present its case in the order determined by the Chair and without interruption, provided that the Chair may impose such reasonable time limits as may be necessary to ensure that all parties have an adequate opportunity to be heard. Where appropriate, the parties shall be allowed to submit rebuttal evidence or testimony. Any questions, whether by interested persons, members of the public, or members of the board, shall be made through the Chair.

- G. Special Meetings** - Special meetings of the Board of Selectpersons may be held on the call of the Chair or of three (3) or more members of the agency by causing notification to be given in hand or left at the usual dwelling place of each member. If practicable, such notice shall be given not less than forty-eight (48) hours before the special meeting. No business may be conducted other than as specified in said notice. (Charter 2.6)

- H. Emergency Meetings** - Emergency meetings of the Board of Selectpersons may be called at the discretion of the Chair or upon request of a majority of the Board of Selectpersons, provided, however, that notice thereof shall be given to each member of the board and to the local media by the same fastest means possible and that no business may be conducted other than as specified in said notice. (Charter 2.6)

I. Adoption and Amendments of Bylaws

1. The Board of Selectpersons shall determine its own rules of procedure and order of business consistent with the Charter, and may adopt, amend, and replace formal rules of procedure. In the absence of other rules the Board may, but need not, consult Robert's Rules of Order, the Maine Moderator's Manual, or another recognized manual of parliamentary procedure. (Charter 2.6)
2. Boards or agencies may adopt bylaws or rules for the purpose of conducting their business all of which, prior to implementation, shall be subject to modification and final approval by the Board of Selectpersons. Statute authorizes the Board of Appeals to adopt its own regulations, which does not require the Board of Selectpersons' approval.
3. The Board of Selectpersons may recommend revisions and or amendments to board or agency bylaws as deemed necessary.
4. Exception: The Planning Board and Zoning Board of Appeals may, upon a majority vote of each Board, adopt and/or amend their bylaws. Upon adopting or amending these bylaws, the Board shall give a copy to the Board of Selectpersons.

J. Participation and Voting

1. All motions shall be made in a clear and positive manner. Motions must receive a confirmation or "second" to be considered, discussed and voted on by the agency.
2. No member may participate or vote in any matter in which the member has a conflict of interest or other disqualification as defined by law. Any question of whether a member has such a conflict of interest or other disqualification shall be decided by a majority vote of the remaining members.
3. No member may participate or vote in any adjudicatory proceeding, including proceedings for licenses, permits or other approvals, unless the member was present during all hearings thereon or has reviewed the entire record of all such hearings and affirms this review on the record.
4. Any action of a board or agency shall require the affirmative vote of a majority of its membership unless otherwise provided by law. All members who are present and not disqualified as provided herein shall vote in every matter to be voted upon unless excused by the Chair for good cause shown.
5. Voting shall be by show of hands except that a vote recording the yeas and nays of the members shall be taken upon the request of any members. No action of the Board of Selectpersons shall be binding or valid unless adopted by three (3) or more affirmative votes. (Charter 2.6)

K. Decisions

1. All decisions of boards and agencies shall be made within the time limits, if any, established by law. All final decisions shall be in writing, shall become a part of the board or agency's permanent record, and shall, where required by law, include a statement of findings and conclusions and the reasons or basis therefore all such decisions, together with any recorded or transcribed testimony and deliberations, and any documents and exhibits, shall constitute a public record.
2. A notice of any decision, if required, shall be given as prescribed by law.

- L. Reconsideration** - When a vote is passed, it shall be in order for any member who voted on the prevailing side, or on the failing side in a tie vote, to move for a reconsideration thereof at the same meeting, or the next regular meeting, but not afterwards; and when a motion of reconsideration is decided, that vote shall not be reconsidered. No motion to reconsider a vote passed at a previous meeting shall be in order for consideration at the next regular meeting unless an item to that effect is contained on the agenda for such the next regular meeting or unless three of the members present consent to such reconsideration. This subsection shall not apply to the Zoning Board of Appeals, which is subject to the reconsideration provisions set forth in 30-A M.R.S.A. § 2691.

VI. VACANCIES

A. Elected Officials

1. **Board of Selectpersons** - The office of Selectperson shall become vacant upon a Selectperson's non-acceptance, death, resignation, failure to qualify for the office within ten days after written demand of the Board of Selectpersons, forfeiture of office, or failure of the municipality to elect a person to the office. (Charter 2.10)
2. **Forfeiture of Office** - A Selectperson shall forfeit the office if the Selectperson (1) lacks at any time during his or her term of office any qualifications for the office prescribed by the Charter or by law, (2) violates any express prohibition of the Charter, (3) is convicted of any crime or offense which is reasonably related to his or her ability to serve as Selectperson, or (4) fails to attend three (3) consecutive regular meetings of the Board of Selectpersons without being excused by the Board of Selectpersons. If a Selectperson is convicted of a crime or offense which is reasonably related to his or her ability to serve as Selectperson, he or she shall not be eligible to run for the office of Selectperson for a period of three (3) years beyond the later of the date of conviction or the expiration of his or her period of incarceration or probation. (Charter 2.10)
3. **Filling of Vacancies** - If a seat on the Board of Selectpersons becomes vacant more than six (6) months prior to the next regular Town election, the vacancy shall be filled for the unexpired term by a special election held within sixty (60) days from the date the vacancy occurred. If a seat on the Board of Selectpersons becomes vacant within six (6) months prior to the next regular Town election, the Board of Selectpersons shall appoint a qualified person to fill the vacancy until the next regular Town election. (Charter 2.10)

B. Board Vacancies

1. Positions and Offices on the Planning Board, Board of Appeals, Conservation Commission, and Budget Committee shall be deemed vacant or forfeited for the same reasons that the office of Selectperson shall be deemed vacant or forfeited as provided in Section 2.10 of the Charter. If any vacancy shall occur on any of said bodies, the vacancy shall be filled by the Board of Selectpersons, provided that any vacancy in the position of an elected Budget Committee member shall be filled only until the next regular election, at which time a newly elected member of the Budget Committee shall be elected to serve for the remainder of the term. (Charter 5.6)

C. Appointed Municipal Officials Vacancies

1. Municipal official vacancies shall be filled by the Town Manager, subject to confirmation by the Board of Selectpersons where required.

D. Board, Agency and Liaison Resignations/Vacancies – Resignations should be submitted in writing to the Town Clerk or Town Manager; Emails will be considered acceptable.

1. Should a vacancy occur during the term of appointment the position shall not be filled in the first 30 days of the vacancy to allow sufficient time for advertising and submission of

applications. This does not apply if it is an emergency appointment required to meet a quorum for an upcoming meeting.

2. A vacancy in any appointed office shall be filled by the Board of Selectpersons. The new appointee shall complete the term that is vacant.

VII. RECORDS


- A. **Records of Proceedings** - The recording secretary assigned or nominated to each agency shall maintain a permanent record of all meetings and all correspondence. Such records shall be open to the public except as otherwise provided by law. All records shall be maintained at the Poland Town Office, 1231 Maine Street, Poland ME 04274, unless otherwise authorized by the Board of Selectpersons. Confidential records shall be so marked and shall also be kept at the aforementioned location, unless otherwise authorized by the Board of Selectpersons.
- B. **Retention and Maintenance** - All records shall be maintained in a designated area of the Town Office or other location authorized by the Board of Selectpersons. Only authorized personnel shall have access to these records. No original records shall leave the Town Office or other designated storage location unless required by a court of law. Documents submitted at meetings become part of the record of that meeting. All state rules for Disposition of Local Government Records shall apply.

VIII. FREEDOM OF ACCESS REQUIREMENTS

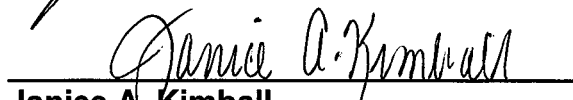
- A. **Public Access** - Allows public access to the public records in the possession of the Town while at the same time complying with state law requirements as to confidential information and maintaining administrative efficiency. Any municipal officer or official receiving such a request shall promptly provide it to the appointed Public Access Officer for processing and the town shall respond to a request in a reasonable time after the receipt of such a request, as required by State law. (1 M.R.S.A. Sections 401-412)

Amended by the Poland Board of Selectpersons this 17th day of November, 2015.

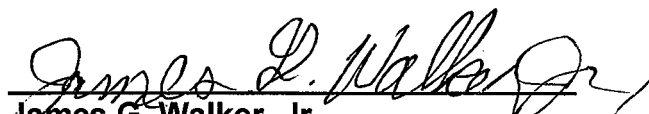
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Stephen E. Robinson, Chairperson


Walter J. Gallagher, Vice Chairperson


Janice A. Kimball


Stanley L. Tetenman


James G. Walker, Jr.