

# Article 11 – Charter Amendment

**Article 11.** To see if the Town will vote to adopt the 2020 Amendment to the **Poland Town Charter** – Section 1.2 Powers and Duties “Amendment to the operations of RSU 16 following State Law and not the Charter unless the RSU is dissolved”.

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**1.2 Powers and Duties.** The Town shall have, exercise and enjoy all the rights, immunities, powers, privileges and franchises, and shall be subject to all the duties, liabilities and obligations provided for herein, or otherwise pertaining to or incumbent upon said Town as a municipal corporation, or the inhabitants or municipal authorities thereof. It may enact bylaws, regulations and ordinances not inconsistent with the Constitution and laws of the State of Maine (“the general law”), and impose penalties for the breach thereof, to be recovered for such uses as said bylaws, regulations and ordinances shall provide. The Town with the approval of the legislative body may acquire property within or without its corporate limits for any town purpose, in fee simple or any lesser interest or estate, by purchase, gift, devise, lease or condemnation, and may sell, lease, mortgage, hold, manage and control such property as its interest may require.

[The Town of Poland is part of a Regional School Unit \(RSU\) in which operations are conducted in accordance with State law. With the exception of the procedures for election of members of the School Committee as set forth in sections 4.1, 4.2, 4.5, 8.1 and 8.2 of this Charter, the RSU shall be governed by the applicable requirements of State law \(Title 20-A\). If the RSU is dissolved, the School Board shall be governed by the applicable provisions of this Charter.](#)

# Article 12 – Charter Amendment

**Article 12.** To see if the Town will vote to adopt the 2020 Amendment to the **Poland Town Charter** – Sections 2.4.A, 2.6.B, and 3.3.A “adding consistent language that states “of three (3) or more affirmative votes””.

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## 2.4 Chair.

- a. **Election and Term.** At the first meeting of the Board of Selectpersons held after each regular election, or as soon thereafter as practicable, it shall elect, by a majority vote ~~of the entire Board of Selectpersons of three (3) or more affirmative votes~~, one of its members as Chair and one of its members as Vice-Chair for the ensuing year, and the Board of Selectpersons shall fill, for an unexpired term, any vacancy in the office of Chair or Vice-Chair that may occur. The Chair shall be recognized as head of the Town government for all ceremonial purposes and by the Governor for purposes of military law, but the Chair shall have no regular administrative duties. In the temporary absence or disability of the Chair, the Vice-Chair shall exercise all the powers of the Chair during such temporary absence or disability of the Chair. It shall be the duty of the Chair to: (1) preside at all meetings of the Board of Selectpersons; (2) develop, after consultation with the Town Manager, the agenda for Board of Selectpersons meetings, provided that no Selectpersons shall be denied the right to place an item on the agenda; and, (3) after consultation with the Board of Selectpersons, represent the Board of Selectpersons in all dealings with the Town Manager and with all statutory and advisory boards, commissions and committees in person or by delegation.

## 2.6 Proceedings of the Board of Selectpersons.

- a. **Emergency Meetings.** Emergency meetings may be called at the discretion of the Chairperson or upon request of a majority of three (3) or more affirmative votes 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.

**3.3 Removal.** The Board of Selectpersons may remove the Manager from office in accordance with the following procedures:

- a. The Board of Selectpersons shall adopt by ~~affirmative vote of~~ a majority of three (3) or more affirmative votes ~~of all its members~~ a preliminary resolution, which shall state the reasons for removal and may suspend the Manager from duty for a period not to exceed thirty (30) days. A copy of the resolution shall be delivered to the Manager within five (5) days of the vote.

## Article 13 – Charter Amendment

**Article 13.** To see if the Town will vote to adopt the 2020 Amendment to the **Poland Town Charter** – Section 2.6.A “Amendment stating that email is a viable option to notify Selectpersons”.

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### 2.6 Proceedings of the Board of Selectpersons.

- a. **Meetings.** The Board of Selectpersons shall meet regularly at least once each month at such times and places as the Board of Selectpersons may prescribe. Special meetings may be held on the call of the Chair or of three (3) or more members of the Board of Selectpersons by causing notification to be [given in hand, left at the usual dwelling place of each Selectperson, or sent by email to the address on file at the Town Office for such purpose.](#) 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.

# Article 14 – Charter Amendment

**Article 14.** To see if the Town will vote to adopt the 2020 Amendment to the **Poland Town Charter** – Sections 4.2 and 10.1 “amending the term of the School Committee from June 1<sup>st</sup> – July 30<sup>th</sup>”.

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**4.2 Powers and Duties.** The School Committee shall have all the powers and duties prescribed for superintending school committees by the general laws. The School Committee shall direct the operations of the School Department of the Town and for financial purposes shall be governed by Article VI. Subject to the general law, and the limitations set forth in this Charter, the School Committee shall have the authority to authorize the expenditures of grants, gifts, devises, bequests, any additional State money over and above the amounts anticipated as revenues in the approved School Budget, unexpended balances, tuition receipts, local appropriations, state subsidies, and any other receipts for the support of schools, which may be available through State allocation funds to support education. [School Committee terms begin on July 1<sup>st</sup> and end on June 30<sup>th</sup>.](#)

**10.1 Terms of Elected Officials.** The terms of all elected officials shall begin at the first regular meeting following the annual Town Meeting upon their taking the prescribed oath of office. Every elected official shall serve for his or her prescribed term and thereafter, if necessary, until his or her successor is elected and qualified. [This does not apply to elected School Committee members as their term shall be served from July 1<sup>st</sup> until June 30<sup>th</sup>.](#)

## Article 15 – Charter Amendment

**Article 15.** To see if the Town will vote to adopt the 2020 Amendment to the **Poland Town Charter** – Section 5.5.6 “amendment to list the Town’s Boards”.

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**5.5.6 Appointments Generally.** Except if prohibited by the general law or this Charter, any qualified voter of the Town may be nominated for, or be appointed to, only one Town board. [Boards subject to this restriction are the Planning Board, Board of Appeals, and Library Board of Trustees.](#)

## Article 16 – Charter Amendment

**Article 16.** To see if the Town will vote to adopt the 2020 Amendment to the **Poland Town Charter** – Section 5.5.5 “amendment pertaining to the Library Board of Trustees composition and term”.

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**5.5.5 Ricker Memorial Library.** The Ricker Memorial Library shall be considered [an administrative](#) department of the town ~~administration~~ subject to the general supervision and oversight of the board of trustees elected according to Article VIII, who shall select and appoint the librarian and other employees subject to the general personnel rules of the town adopted according to Part 2 above. [The Library Board of Trustees shall consist of a five \(5\) member board with a three year term. No member may be elected to more than two \(2\) consecutive terms as Chair.](#)

# Article 17 – Charter Amendment

**Article 17.** To see if the Town will vote to adopt the 2020 Amendment to the **Poland Town Charter** – Sections 5.5.1, 5.5.3, 6.9.b.2, 6.9.c “amending the responsibility of reviewing the Capital Program from the Planning Board to the Budget Committee, placing consistent language about serving as chair, and addressing the cost associated with what is defined as a Capital Improvement”.

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**5.5.1 Planning Board.** There shall be a Planning Board consisting of five (5) members, serving staggered terms of three (3) years, appointed by the Board of Selectpersons. Each Planning Board member shall be a qualified voter of the Town. The Planning Board shall annually elect one (1) of its members as its Chair. 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 two (2) associate members of the Planning Board. The Planning Board shall have such powers and perform such duties as are provided by the general law, this Charter, or ordinances duly adopted by the Town. Among other things, the Planning Board shall be responsible for evaluating and updating the Town’s comprehensive plan. ~~and shall annually review the capital program as provided for in Article VI.~~

**5.5.3 Budget Committee.** There shall be a seven-member Budget Committee, four (4) elected by the registered voters of the Town and three (3) appointed by the Board of Selectpersons, to staggered three-year terms, pursuant to Articles VIII, X, and XI of this Charter. The Budget Committee shall meet at least annually, and shall elect annually a Chair from its membership. No member may be elected to more than two (2) consecutive terms as Chair. The Budget Committee shall review all budgets submitted in accordance with Article VI of this Charter and budget amendments after adoption proposed in accordance with Section 6.6 of this Charter and shall make recommendations to the Board of Selectpersons thereon. The lack of such review or making of recommendations shall not be cause for delay of Board of Selectpersons procedures, nor affect the validity of the adoption of the Annual Budget, any amendment thereto, or any budget article or appropriation properly adopted under this Charter.

## 6.9 Capital Program.

**b. Contents.** The capital program shall include:

1. A general summary of its contents;
2. A list of the capital improvements proposed to be undertaken during the next five years together with documentation of need. “Capital improvement” shall mean any construction project or equipment purchase exceeding ~~ten~~ five thousand dollars (\$~~405~~,000) and any project or equipment purchase to be bonded or to be budgeted (through the creation of reserves or otherwise) in more than one fiscal year;
3. Cost estimates, methods of financing, and recommended time schedules for each improvement; and
4. The estimated annual cost of operating and maintaining any new equipment or facilities.

**c. ~~Planning Board~~ Budget Committee Review.** The ~~Planning Board~~ Budget Committee shall review the proposed capital program each year and forward its recommendations to the Board of Selectpersons no later than the first day of ~~February~~ March.

## Article 18 – Charter Amendment

**Article 18.** To see if the Town will vote to adopt the 2020 Amendment to the **Poland Town Charter** - Section 7.2 Annual Town Meeting “amending language to state if the first Saturday falls on Easter weekend the Board can hold Town Meeting the second Saturday”.

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**7.2 Annual Town Meeting.** The annual Town Meeting shall be the first Saturday of April, except when it falls on Easter weekend, in which case it shall then be held the second Saturday of April, at the time and place decided by the Board of Selectpersons and shall be announced in accordance with Section 7.3.