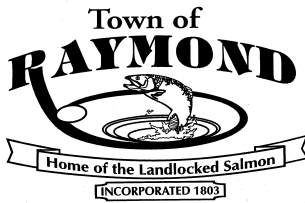


SELECTMEN'S EPACKET
List of Files
June 21, 2011

| | |
|--|-------------------|
| List of Files | Page 1 |
| Agenda | Page 2-3 |
| Agenda Summary | Page 4-7 |
| Letter from D. Sawyer, RE: GIS | Page 8-9 |
| Hazard Mitigation Plan Approval | Page 10-11 |
| Appointments List | Page 12-16 |
| D. Carey Memo & Quit Claim Deed | Page 17-8 |
| C. Mains Memo & Quit Claim Deed | Page 19-20 |
| Abatement Materials | Page 21-5 |
| Letter from C. Gerry | Page 26-8 |
| Letter of Resignation, M. O'Donnell | Page 29 |
| Contract Assessor RFP | Page 30-40 |
| Newspaper Ad: Employee Assessor | Page 41 |
| Assessor Job Description | Page 42-44 |
| Revised Fraud Policy | Page 45 |
| TAP Materials | Page 46-7 |
| TAP Policy | Page 48-9 |
| Recall Ordinance Examples | Page 50-82 |
| Maine Law RE: Recall Ordinances | Page 82-8 |



BOARD OF SELECTMEN

AGENDA

June 21, 2011

7:00 p.m.

Broadcast Studio

SELECTMEN'S MEETING

- 1) Call to order.
- 2) Minutes of previous meeting dated:
 - May 10, 2011
 - May 31, 2011
- 3) New business:
 - a) Election of Chairman, Vice-Chairman, and Parliamentarian
 - b) Recognition and thank you to long time employees Elizabeth Cummings and Jack Cooper
 - c) GIS Quarterly Update- Windham Assessor/GIS Coordinator Dave Sawyer
 - d) Presentation for Possible Videographer/Digital Broadcast Studio Public-Private Business Opportunity- Wendy Gallant, Coldwell Lake Region Properties Real Estate Agent
 - e) Signing of Cumberland County 2011 Hazard Mitigation Plan- Bruce Tupper, Assistant Fire Chief
 - f) Annual Appointments for Approval- Louse Lester, Town Clerk
 - g) Consideration of Quit Claim Deeds as submitted by Deputy Tax Collector Sue Carr
 - h) Consideration of Abatements as Submitted by Contract Assessor Michael O'Donnell
 - i) Letter of Concern Regarding Actions of a Member of the Board of Selectmen- Craig Gerry
 - j) Letter of Resignation: Contract Assessor Mike O'Donnell- Board of Selectmen
 - k) Executive Session pursuant to 1 MRSA § 405(6)(F): Consideration/Award of 2011 Scholarship Awards
- 4) Old (unfinished) business.
 - a) Draft Fraud Policy- Nancy Yates, Finance Director

The Selectmen may take items out of order at their discretion.

b) Review of Tax acquired properties

c) Recall Ordinance Discussion

5) Public Comment This agenda item is for the public to bring attention to any issues and concerns for future Board of Selectmen meetings.

6) Town Manager Report and Communications.

a) Confirm date for next regular meeting:

- **July 12, 2011**

7) Selectmen Communications. This agenda item is for the general discussion of non-agenda items by the Board of Selectmen, and for the purpose of introducing future topics for discussion. No action will be taken. Previously considered agenda items cannot be addressed under Selectmen communications unless approved by formal vote of the Board of Selectmen.

8) Fiscal Warrants – Payroll and Appropriation Warrants – June 21, 2011

9) Adjournment.

The Selectmen may take items out of order at their discretion.

Board of Selectmen Agenda, June 21, 2011

Page 2 of 2

Deadline for next Agenda: July 1, 2011



BOARD OF SELECTMEN

AGENDA

June 21, 2011

7:00 p.m.

Broadcast Studio

SELECTMEN'S MEETING

1) Call to order.

2) Minutes of previous meeting dated:

- **May 10, 2011**
- **May 31, 2011**

3) New business:

a) Election of Chairman, Vice-Chairman, and Parliamentarian

Each year the Selectmen elect a new Chairman, Vice-Chairman and Parliamentarian at their first meeting following annual town meeting. The chairman of the Board of Selectmen consults with the town manager on a weekly basis regarding items for inclusion on the Selectmen agenda as well as coordinates requests for agenda items and other public business from the members of the Board of Selectmen, and occasionally the public at large. The chairman presides over Selectmen meetings, represents the town and board as the chief elected official of the community, and attends to various ceremonial functions throughout the year as required.

The vice chairman fills all the same roles in the chairman's absence. On rare occasions, and at the direction of the chairman, the vice chair may preside over a meeting if the chairman has a conflict of interest or other circumstance arises that would prevent the chairman from serving in this capacity.

The function of a Parliamentarian is to advise the Selectmen about correct parliamentary procedure in order to conduct meetings in an orderly and professional manner. Qualifications for a parliamentarian include a thorough knowledge of and experience in facilitating meetings under "Roberts Rules of Order Newly Revised" as adopted as the official meeting guide of the Town.

b) Recognition and thank you to long time employees Elizabeth Cummings and Jack Cooper

This agenda item will be to recognize and thank retiring, long time employees Elizabeth Cummings and Jack Cooper. The Chairman of the Board of the Selectmen will recognize these employees and present plaques to former Finance Director/Interim Town Manager and Assessor's Assistant Elizabeth Cummings as well as former CEO/Fire Chief Jack Cooper. Elizabeth served for 25 years and Jack for 34 years.

c) GIS Quarterly Update- Windham Assessor/GIS Coordinator Dave Sawyer

Windham Assessor, Dave Sawyer, will provide a detailed overview of GIS Contract Project work completed and ongoing for Windham employee, Elisa Trepanier, since

The Selectmen may take items out of order at their discretion.

the last update in December. Attached to the ePacket is a summary of the nine most recent activities, related to this project, undertaken and completed since the last report.

d) Presentation for Possible Videographer/Digital Broadcast Studio Public-Private Business Opportunity- Wendy Gallant, Coldwell Lake Region Properties Real Estate Agent

Coldwell Bank Real Estate Agent, Wendy Gallant, approached the Town this spring about a business opportunity that would promote the sale of local houses as well as the Town. She has worked with the Town's Videographer to create a pilot video to demonstrate the general format of the video. She is asking the Selectmen to consider making this a regular opportunity for her and the other real estate agents working in the area. The video is currently on the Town's website for the purpose of review but this will not be the case if the project moves forward, as Coldwell Banker has an agreement with Youtube to host the videos.

The specific request that Ms. Gallant is making is utilize the services of the videographer and the Town's equipment on a "pay per use" basis, to be negotiated between the parties. This would represent an opportunity for the Town to receive revenue for use of its equipment and to provide additional employment opportunity for the videographer.

e) Signing of Cumberland County 2011 Hazard Mitigation Plan- Bruce Tupper, Assistant Fire Chief

The Cumberland County Emergency Management Agency (CEEMA) has received conditional approval from the Federal Emergency Management Agency (FEMA) , which means that that the plan meets all their requirements for incorporation into the County's emergency management plan. They have asked that all 28 Cumberland County communities to review and adopt the plan. Once all signatures have been received, this plan will be brought to the Cumberland County commissioners for final approval. Final approval of the plan allows municipalities to compete for Hazard Mitigation grant funding. Because the file for the digital plan is too large to upload onto the website, hard copies and a disk are available at the Town Office and Public Safety Building for review upon request.

f) Annual Appointments for Approval- Louse Lester, Town Clerk

Annually, Town Clerk, Louise Lester provides a slate of committee appointments, including Board of Selectmen committee assignments, for approval by the Board of Selectmen. These lists are included with the e-packet. Subsequent to appointment by the board, all volunteers are sworn in as prescribed under Maine law and agree to adhere to the town's Code of Ethics for Appointed and Elected Officials (Attached to the ePacket).

g) Consideration of Quit Claim Deeds as submitted by Deputy Tax Collector Sue Carr

Deputy Tax Collector Sue Carr has prepared a quit claim deeds for the estate of Claude Mains for the property at 30 Murch Landing (Map 74, Lot 12A) and David Carey for property at 81 Haskell (Map 30, Lot 43). All back taxes, interest and lien costs have now been paid for both properties.

h) Consideration of Abatements as Submitted by Contract Assessor Michael O'Donnell

Contract Assessor Michael O'Donnell has a short list of abatements (attached to the ePacket) for

The Selectmen may take items out of order at their discretion.

Selectmen review.

i) Letter of Concern Regarding Actions of a Member of the Board of Selectmen- Craig Gerry

Raymond resident, Craig Gerry, has written to Chairman Joe Bruno outlining concerns he has with respects to actions taken related to a project on his property by a member of the Board of Selectmen. This letter is attached to the ePacket for information.

j) Letter of Resignation: Contract Assessor Mike O'Donnell- Board of Selectmen

Longtime Contract Assessor, Mike O'Donnell, has submitted his company's letter of resignation to the Board of Selectmen. This comes after a discussion with the Town Manager regarding a decision made by the company that the Town's current assessing program does not fit their firm's business model and Mr. O'Donnell did not think that it was feasible to work out another arrangement for compensation.

The Selectmen will also be considering three possible options brought forward by the Town Manager to fill this position. These are to seek firms for a new contract assessor's agent (RFP is attached to the ePacket); a full time 32 hour employee to cover both the assessing and administrative clerical work (advertisement attached to the ePacket) or an inter-town contract assessor arrangement between Raymond and Windham for a one day a week assessor (if that Town has interest for such an arrangement).

k) Executive Session pursuant to 1 MRSA § 405(6)(F): Consideration/Award of 2011 Scholarship Awards

Town Clerk Louise Lester has presented the Selectmen with a list of 2011 Scholarship Applicants and possible levels of available money by scholarship fund. The Selectmen will announce scholarship recipients at the end of the executive session.

4) Old (unfinished) business.

a) Draft Fraud Policy- Nancy Yates, Finance Director

Attached to the ePacket is a draft fraud policy that was revised at the Selectmen's request.

b) Review of Tax acquired properties

At the beginning of the year, the Selectmen made a decision to sell Tax Acquired Properties, including five parcels formerly belonging to Mr. Carey and his family. Because Mr. Carey brought forward a significant payment and made a payment arrangement for the balance, the properties were removed from the sale list. Mr. Carey has since defaulted on his payments and four of the properties have now gone into foreclosure for the 2010 balance. At the last meeting, the Selectmen decided to send out 30 Demand letters to all foreclosed properties to warn them of the possibility of sale. Attached to the ePacket is information regarding additional recently foreclosed properties for further consideration.

c) Recall Ordinance Discussion

Raymond Residents, Jack Fitch and Frank McDermott, asked the Board of Selectmen to consider

The Selectmen may take items out of order at their discretion.

creating an Elected Official's Recall Ordinance at their April 5, 2011 meeting, as authorized by M.R.S.A. Title 30-A §2602(6). This would allow Raymond residents to petition for the removal of elected officials, with the exception of school board members, from office. Attached the ePacket are examples of Recall Ordinances from Acton, Hollis and Paris, as well as charter provisions from Scarborough for additional content examples, that were provided by Town Attorney, Shana Mueller, and Town Clerk, Louise Lester.

5) Public Comment This agenda item is for the public to bring attention to any issues and concerns for future Board of Selectmen meetings.

6) Town Manager Report and Communications.

a) Confirm date for next regular meeting:

- **July 12, 2011**
- **CMP Smart Meter Program installation to begin by June 25, 2011. More information, including “opt out” option, on the Town's website.**

7) Selectmen Communications. This agenda item is for the general discussion of non-agenda items by the Board of Selectmen, and for the purpose of introducing future topics for discussion. No action will be taken. Previously considered agenda items cannot be addressed under Selectmen communications unless approved by formal vote of the Board of Selectmen.

8) Fiscal Warrants – Payroll and Appropriation Warrants – June 21, 2011

9) Adjournment.

The Selectmen may take items out of order at their discretion.

Town of Windham

Office of the Tax Assessor
8 School Road
Windham, ME 04062

David G. Sawyer, Assessor
dgsawyer@town.windham.me.us

voice 207.892.1903

fax 207.892.1916

June 16, 2011
Board of Selectmen
401 Webbs Mill Rd.
Raymond, Me 04071

Re: Quarterly GIS Report

Dear Board Members,

The following is a list of activities that Lisa Trepanier, GIS Technician, has been engaged in during the last quarter as a part of our shared services arrangement. I will be at the June 16, 2011, regular meeting to answer any questions you may have.

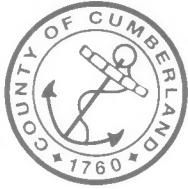
1. Communications with Greenprint Project Director and Raymond Conservation Commission regarding GIS training;
2. Communications with State GIS Manager Mike Smith regarding issues with (WMS) web mapping service;
3. On going tax parcel updates; deed research and Deed Plot files for same;
4. Align tax parcels with state aerials (WMS) and USGS townline; deed and survey research to accomplish same (this is by far the most important and time consuming project);
5. Research road widths to use in buffer of road centerlines for use in parcel update;
6. Request from Deputy Fire Chief Bruce Tupper regarding updated topographic map with fire/rescue attributes specific to a large scale incident. Prepare map for same;
7. Help Desk request to Raymond IT Director Kevin Woodbrey regarding GIS software updates and service packs. Download mapping software updates with IT guidance;
8. Develop Fire Lane Number .shp file as requested by DFC Bruce Tupper;

9. Request from Raymond Elementary 3rd grade teacher Ann Jolda regarding maps for class project and potential for class presentation on mapping Raymond; Prepare student maps for same with Town Manager approval;
10. Request from Joel Alex, Project Coordinator, Center for Community GIS, Farmington, ME, regarding including Raymond GIS data in the Presumpscot Watershed and Maine Trail Finder project; preparation and development of requested data.
11. Communications with Andrew Leach, Research Associates, People & Ecosystems Project, World Resources Institute regarding Raymond GIS landuse data;
12. Prepare working map set and spreadsheets for Pavement Management Survey update;
13. Assist resident and local surveyor regarding location of town line markers.
14. Organize and post processing of GPS data collected during a preamble of town line by Jack Cooper;
15. GPS Field work with Jack Cooper to locate town line monuments in the area of Rattlesnake Mountain.

Sincerely,

David G. Sawyer

Assessor/GIS Coordinator



County of Cumberland

EMERGENCY MANAGEMENT AGENCY

22 HIGH STREET UNIT 1
WINDHAM, MAINE 04062



Telephone
(207) 892-6785

Fax
(207) 892-8617

May 17, 2011

From: James Budway
To: Municipal Officials

Subj: 2011 CUMBERLAND COUNTY HAZARD MITIGATION PLAN
ADOPTION

The Cumberland County Emergency Management Agency (CCEMA) has received conditional approval of the 2011 Cumberland County Hazard Mitigation Plan (HMP) update from the Federal Emergency Management Agency (FEMA). In Maine, HMPs are maintained at the County level and incorporate all municipal mitigation considerations.

Each municipality in Cumberland County has participated in the update process and "conditional approval" means that the plan meets all FEMA requirements for incorporation into our County emergency management program. The next step in the process is to have all 28 communities review and sign (adopt) the enclosed document. Once that is complete, CCEMA will present the plan to the County Commissioners for signature/adoption. With the final approval comes renewed eligibility for all municipalities to compete for valuable mitigation grant funding.

A summary of mitigation projects that may qualify for funding either derived from or further refined in the updating process are included in the 2011 HMP update.

As previously noted, completion of this effort requires "adoption by the local governing body." Therefore, the Cumberland County Commissioners and the Boards of Selectmen and the Councils of the 28 Incorporated Cities and Towns are requested to adopt the 2011 Cumberland County Hazard Mitigation Plan as soon as possible. Adoption acknowledges that natural hazards create a risk of harm to persons and damage to property and that implementing certain measures may reduce the risk of harm to persons and damage to property resulting from these natural hazards.

The disc accompanying this letter contains a copy of the 2011 Hazard Mitigation Plan. The plan may be also viewed at the Cumberland County Website <http://www.cumberlandcounty.org/EMA/hazard.htm> The adoption signature pages will be added to the plan once the adoption process is complete.

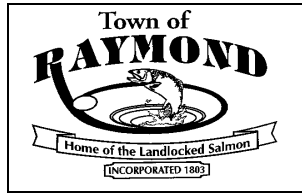
| First Name | Last Name | Street | City, State, Zip | Home | Business | Fax or Email | Committee |
|------------|------------------|------------------------|-------------------|-------------|----------|--|--------------------------|
| Donald | Alexander | 1 Pine Lane | Raymond, Me 04071 | 655-4640 | 409-0217 | dalexan1@maine.rr.com | ANIMAL CONTROL Director |
| Susan | Fielder | PO Box 296 | Raymond, Me 04071 | 655-7359 | 653-5055 | ACOfielder@yahoo.com | ANIMAL CONTROL, ASST. |
| Linda | Alexander | 1 Pine Lane | Raymond, Me 04071 | 655-4640 | 409-0217 | dalexan1@maine.rr.com | ANIMAL CONTROL Asst. |
| Sheila | Philpot | 384 Webbs Mills Rd | Raymond, Me 04071 | 655-2337 | | srsphilpo6@aol.com | APPEALS BOARD 2014 |
| Peter | Leavitt | 2 Leavitt Rd | Raymond, Me 04071 | 655-3943 | | pleavit1@maine.rr.com | APPEALS BOARD 2012 |
| Elden | Lingwood | 54 Trails End Lane | Raymond, Me 04071 | 627-7411 | | elldsl@fairpoint.net | APPEALS BOARD 2012 |
| Lawrence | Murch | 460 Webbs Mills Rd | Raymond, Me 04071 | 655-7545 | 345-9863 | none | APPEALS BOARD 2013 |
| Mary | Picavet | 3 Arbor Woods Rd | Raymond, Me 04071 | 655-5164 | | mpicave1@maine.rr.com | APPEALS BOARD ALT 2012 |
| Matthew | Schaefer, Chair. | 279 Cape Rd | Raymond, Me 04071 | 655-2514 | | matt@brannlaw.com | APPEALS BOARD 2013 |
| Sheila | Philpot | 384 Webbs Mills Rd | Raymond, Me 04071 | 655-2337 | | srsphilpo6@aol.com | ASSESS REV 3 YR 2014 |
| Charles | Miller | 59 Hancock Rd | Raymond, Me 04071 | 627-4005 | | charles.miller@raymondmaine.org | ASSESS REV ALT 2YR 2014 |
| Holly | Mitchell | 49 Tenney Hill Rd | Raymond, Me 04071 | 655-3409 | | hbm@maine.rr.com | ASSESS. REV ALT 3YR 2013 |
| Brenda | Tubbs | 350 Webbs Mills Rd | Raymond, Me 04071 | 655-4419 | | brenda.tubbs@energeast.com | ASSESS REV 1 YR 2013 |
| Mary Jane | Vander Sluis | 148 Spiller Hill Rd | Raymond, Me 04071 | 998-5576 | 650-7598 | none | ASSESS REV 2 YR 2014 |
| | | | | | | | ASSESSOR |
| | | 401 Webbs Mills Rd | Raymond, Me 04071 | 655-4742 | ext 25 | | ASSESSORS ASST |
| Nathan | White | 104 Webbs Mills Rd | Raymond, Me 04071 | 655-2018 | 653-3641 | nathan.white@raymondmaine.org | Beautification Com |
| Don | Willard | 104 Webbs Mills Rd | Raymond, Me 04071 | 655-4742X31 | 650-9001 | don.willard@raymondmaine.org | Beautification Com |
| Mary | Lentine | 98 Deep Cove Rd | Raymond, Me 04071 | 655-2116 | | | Beautification Com |
| Chris | McClellan | PO Box 406 | Raymond, Me 04071 | 655-7207 | | chris.mcclellan@raymondmaine.org | Beautification Com |
| Mary | McIntire | 31 Egypt Road | Raymond, Me 04071 | 655-2378 | | | Beautification Com |
| Mike | McClellan | 27 Pismire Mountain Rd | Raymond, Me 04071 | 655-4438 | | info@mainelakeschamber.com | Beautification Com |
| Eileen | Stiles | 94 Deep Cove Rd | Raymond, Me 04071 | 655-4937 | | | Beautification Com |
| Sharon | Dodson | PO Box 577 | Raymond, Me 04071 | 998-2372 | 329-2388 | rdodson@maine.rr.com | Beautification Com |
| Elissa | Gifford | PO Box 357 | Raymond, Me 04071 | 655-3399 | | sgifford1@maine.rr.com | Beautification Com |
| Fran | Gagne | 68 Whittemore Cove Rd | Raymond, Me 04071 | 655-3962 | | | Beautification Com |

| | | | | | | | |
|-----------|--------------------------|----------------------|--------------------------|----------|----------|--|-------------------------|
| Barbara | Lovell | PO Box 945 | Raymond, Me 04071 | 655-7225 | 615-1425 | barbino@fairpoint.net | Beautification Com |
| Linda | Alexander | 1 Pine Lane | Raymond, Me 04071 | 655-4640 | | dalexan1@maine.rr.com | CEMETERY |
| Wayne | Gelston | 46 Ledge Hill Rd | Raymond, Me 04071 | 998-5568 | | | CEMETERY |
| Tacy | Hartley | PO Box 1034 | Raymond, Me 04071 | 655-2447 | | | CEMETERY |
| Dick | Sanborn | 74 N. Raymond Rd | Raymond, Me 04071 | 998-4270 | | | CEMETERY |
| Elaine | Walston | 74 Mountain Rd | Raymond, Me 04071 | 655-7892 | | | CEMETERY |
| Kim | Williams | PO Box 624 | Raymond, Me 04071 | | | | CEMETERY |
| Dale | Woodman | 74 Mountain Rd | Raymond, Me 04071 | 655-7892 | | | CEMETERY |
| TBA | | | Raymond, Me 04071 | | | | CEMETERY Sel. Rep. |
| Chris | Hanson | 401 Webbs Mills Rd | Raymond, Me 04071 | 655-4742 | ext. 42 | chris.hanson@raymondmaine.org | CODE ENF. OFFICER |
| Elwin | Thorpe | PO Box 60 | Casco, Me 04015 | ---- | 627-4515 | | CODE ENF. Alternate |
| Danielle | Loring | 401 Webbs Mills Rd | Raymond, Me 04071 | 655-4742 | ext 33 | | CODE ENF. Secretary |
| John | Rand, Chair | 20 Dryad Woods Rd | Raymond, Me 04071 | 655-4277 | | jbr@pivot.net | CONSERVATION COM |
| Elizabeth | Rand | 518 Webbs Mills Rd | Raymond, Me 04071 | 655-6965 | | errand@maine.rr.com | CONSERVATION COM |
| Bill | Fraser | 1 Justin Lynn Drive | Raymond, Me 04071 | | | fjwj1895@earthlink.net | CONSERVATION COM |
| Russ | Hutchinson | 363 N. Raymond Rd | Raymond, Me 04071 | 998-4908 | | dhutchi4@maine.rr.com | CONSERVATION COM |
| Peter | Marcinuk | 112 Spiller Hill Rd | Raymond, Me 04071 | 655-6957 | | pmarcinuk@maine.rr.com | CONSERVATION COM |
| Jim | Ross | 22 Meadow Way | Cape Elizabeth, Me 04107 | | | jim-ross@idexx.com | CONSERVATION COM |
| Kimberly | Rowe | 112 Mountain Rd | Raymond, Me 04071 | 221-3477 | | minuet@maine.rr.com | CONSERVATION COM |
| Ben | Severn | 4 Emery Lane | Raymond, Me 04071 | 655-3936 | | Bsevern@aol.com | CONSERVATION COM |
| | | | | | | | CONSERVATION Sel Rep. |
| Barbara | Lovell | PO Box 945 | Raymond, Me 04071 | 655-7225 | 615-1425 | barbino@fairpoint.net | CONSERVATOIN COM |
| Elissa | Gifford | PO Box 357 | Raymond, Me 04071 | 655-3399 | | ewoodgiff@hotmail.com | CONSERVATION COM |
| Nathan | White | 30 Spiller Hill Rd | Raymond, Me 04071 | 655-4742 | | nathan.white@raymondmaine.org | CONSTABLE |
| Bruce | Tupper, Director | 1443 Roosevelt Trail | Raymond, Me 04071 | 655-7851 | | bruce.trupper@raymondmaine.org | EMERGENCY MGMT DIR. |
| Denis | Morse, Fire Chief | 55 Andersen Rd | Raymond, Me 04071 | 655-2725 | 874-8420 | morse@maine.rr.com | FIRE CHIEF |
| Bruce | Tupper, Asst. Fire Chief | P O Box 601 | Raymond, Me 04071 | 655-5349 | | bruce.tupper@raymondmaine.org | FIRE CHIEF, Asst. Chief |

| | | | | | | | |
|------------|----------------------------|-----------------------|--------------------|----------|------------------|--|-----------------------------|
| Bruce | Tupper, Asst. Fire Chief | PO Box 601 | Raymond, Me 04071 | 655-5349 | | bruce.tupper@raymondmaine.org | FOREST WARDEN |
| Mike | Reynolds | 5 Keilt Drive | Raymond, Me 04071 | 655-2884 | | mike_reynolds@maine.rr.com | GPCOG Economic District REP |
| Mike | Reynolds | 5 Keilt Drive | Raymond, Me 04071 | 655-2884 | | mike_reynolds@maine.rr.com | GPCOG REP |
| Don | Willard | 401 Webbs Mills Rd | Raymond, Me 04071 | 655-4742 | ext. 31 | don.willard@raymondmaine.org | GPCOG REP, ALTERNATE |
| Cathy | Gosselin, Dep. Fire Chief | PO Box 318 | Raymond, Me 04071 | 655-1187 | | gosselinbob@hotmail.com | HEALTH OFFICER |
| Don | Willard | 401 Webbs Mills Rd | Raymond, Me 04071 | 655-4742 | ext 31 | don.willard@raymondmaine.org | MMWAC Alternate |
| Charles | Leavitt | 14 Leavitt Rd | Raymond, Me 04071 | 655-7059 | | leavittcharles@gmail.com | MMWAC REP |
| Kevin | Woodbrey | 20 Egypt Rd | Raymond, Me 04071 | 655-3146 | ext 61 | kevin.woodbrey@raymondmaine.org | Networking Administrator |
| Hugh | Coxe, NE Planning Concepts | 117 West Main St | Yarmouth, Me 04096 | 847-9299 | 807-1617 | planner@raymondmaine.org | PLANNER |
| Patrick L. | Clark, Chair | 24 Kelly Lane | Raymond, Me 04071 | 655-8826 | 775-3211x139 | pat.clark@santec.com | PLANNING BD 2012 |
| vacant | | | | | | | PLANNING BD 2012 |
| Robert | O'Neill, Vice Chair | 67 Spring Valley Road | Raymond, Me 04071 | 655-4376 | 829-4805 ext 217 | theoneills@maine.rr.com | PLANNING BD 2013 |
| William | Priest | 21 Hemlock Lane | Raymond, Me 04071 | 655-8750 | | billpriest1@securspeed.net | PLANNING BD 2013 |
| Greg | Foster | 29 Ledge Hill Rd | Raymond, Me 04071 | 272-4270 | 657-4441 | timbergf@aol.com | PLANNING BD 2014 |
| Bruce | Sanford | 222 Mountain Rd | Raymond, Me 04071 | 627-6049 | 627-4099 | conestco@fairpoint.net | PLANNING BD 2014 |
| Nathan | White | PO Box 616 | Raymond, Me 04071 | 655-6048 | 655-1012 | nathan.white@raymondmaine.org | PUBIC WORKS DIRECTOR |
| Sue Ellen | Gendron | 60 Egypt Rd | Raymond, Me 04071 | 655-4463 | | jeffsueellen@pivot.net | RAYMOND REC BABYSITTING |
| Pat | Smith, Chair | 33 Wawenock Rd | Raymond, Me 04071 | 655-4657 | 655-4657 | 655-4204 pat@campwawenock.com | RAYMOND REC BOARD |
| Noralee | Raymond | 401 Webbs Mills Rd | Raymond, Me 04071 | 655- | 671-3329 | lakes@raymondmaine.org | Raymond Waterways Milfoil |
| Dennis | Woodruff | 423 Webbs Mills Rd | Raymond, Me 04071 | 655-4743 | | dwoodruff@windhamraymondschools.org | RECYCLING COM |
| Kathy | Gillis | 7 Craggy Knoll Rd | Raymond, Me 04071 | 655-4452 | | | RECYCLING COM |
| Dick | Morris | 6 Kings Grant | Raymond, Me 04071 | 655-4711 | | rmorris18@maine.rr.com | RECYCLING COM |
| Barbara | Lovell | PO Box 945 | Raymond, Me 04071 | 655-7225 | 615-1425 | barbino@fairpoint.net | RECYCLING COM |
| TBA | | | | | | | RECYCLING COM Sel Rep |
| Phil | Hammett, Chair | 156 Mountain Rd | Raymond, Me 04071 | 655-7601 | | phil@sweetabyss.com | RECYCLING COM, Co Chair |
| Eileen | Stiles | 94 Deep Cove Rd | Raymond, Me 04071 | 655-4193 | | foxynana@maine.rr.com | RECYCLING COM, Co-chair |
| Cathy | Gosselin, Dep. Fire Chief | PO Box 318 | Raymond, Me 04071 | | | gosselinbob@hotmail.com | RESCUE |

| | | | | | | | |
|----------|-----------------|----------------------|-------------------|-------------|----------|--|-----------------------------|
| Nathan | White | 30 Spiller Hill Rd | Raymond, Me 04071 | 655-6048 | 655-1012 | nathan.white@raymondmaine.org | ROAD COMMISSIONER |
| Joe | Bruno | 4 Christina Court | Raymond, Me 04071 | 627-4979 | 841-2327 | jbruno@communityrx.com | RSU Facilities Com. |
| Phyllis | Burnham | PO Box 65 | Raymond, Me 04071 | 655-2142 | | | TASSEL TOP |
| Steve | Crockett | 195 Webbs Mills Rd | Raymond, Me 04071 | 655-7737 | | | TASSEL TOP |
| Bob | Metz | 23 Crescent Shore Rd | Raymond, Me 04071 | 627-7053 | | rmetz1@maine.rr.com | TASSEL TOP |
| Wendy | Thoren | 195 North Raymond Rd | Raymond, Me 04071 | 998-2706 | 926-4597 | ethoren@maine.rr.com | TASSEL TOP |
| Don | Willard | 401 Webbs Mills Rd | Raymond, Me 04071 | 655-4742 | 650-9001 | don.willard@raymondmaine.org | TASSEL TOP - TOWN REP |
| | TASSEL TOP PARK | Roosevelt Trail | Raymond, Me 04071 | 655-4675 | | | TASSEL TOP PARK |
| TBA | | | | | | | TASSEL TOP Sel Rep |
| Sue | LaMarre | 4 Shaw Rd | Raymond, Me 04071 | 655-4441 | 655-4675 | | TASSELTOP HEAD RANGER |
| John | Hanley | 221 Valley Rd | Raymond, Me 04071 | 321-8352 | | john.hanley@raymondmaine.org | TECHNOLOGY COM |
| Sean | Carr | PO Box 365 | Raymond, Me 04071 | 655-2696 | 939-9015 | sean.carr@raymondmaine.org | TECHNOLOGY COM |
| Shaun | Dudley | 12 Whitney Way | Raymond, Me 04071 | 655-2899 | | | TECHNOLOGY COM |
| Laurie | Forbes, Chair | 17 Webbs Mills Rd | Raymond, Me 04071 | 655-4107 | | rforbes1@maine.rr.com | TECHNOLOGY COM |
| TBA | | | | | | | TECHNOLOGY COM, Sel Del. |
| Tom | Golebiewski | 25 Shaker Woods Rd | Raymond, Me 04071 | | | | TECHNOLOGY COM |
| Donald | Willard | 401 Webbs Mills Rd | Raymond, Me 04071 | 650-9001 | ext 31 | don.willard@raymondmaine.org | TOWN MANAGER |
| Danielle | Loring | 401 Webbs Mills Rd | Raymond, Me 04071 | 655-4742X33 | | danielle.loring@raymondmaine.org | TOWN MANAGER'S Sec. |
| Suzanne | Carr | PO Box 365 | Raymond, Me 04071 | 655-2696 | ext 22 | suzanne.carr@raymondmaine.org | TOWN OFFICE, Dep. Tax Coll |
| Suzanne | Carr | PO Box 365 | Raymond, Me 04071 | 655-2696 | ext 22 | suzanne.carr@raymondmaine.org | TOWN OFFICE, Deputy Clerk |
| Louise | Lester | 401 Webbs Mills Rd | Raymond, Me 04071 | 655-4224 | ext 21 | louise.lester@raymondmaine.org | TOWN OFFICE-Dep Tax Coll |
| Rita | Therault | 401 Webbs Mills Rd | Raymond, Me 04071 | 655-4742 | ext 23 | rita.therault@raymondmaine.org | TOWN OFFICE-Dep. Tax Coll |
| Nancy | Yates | 401 Webbs Mills Rd | Raymond, Me 04071 | 655-6014 | ext 32 | nancy.yates@raymondmaine.org | TOWN OFFICE-Dep. Tax Coll |
| Rita | Therault | 401 Webbs Mills Rd | Raymond, Me 04071 | 655-4742 | ext 23 | rita.therault@raymondmaine.org | TOWN OFFICE-Dep. Town Clerk |
| Nancy | Yates | 401 Webbs Mills Rd | Raymond, Me 04071 | 655-6014 | ext 32 | nancy.yates@raymondmaine.org | TOWN OFFICE-Dep. Town Clerk |
| Alice | Hamilton | 401 Webbs Mills Rd | Raymond, Me 04071 | 655-4742 | ext 24 | alice.hamilton@raymondmaine.org | TOWN OFFICE-Dep. Town Clerk |
| Rita | Therault | 401 Webbs Mills Rd | Raymond, Me 04071 | 655-4742 | ext 23 | rita.therault@raymondmaine.org | TOWN OFFICE-Dep. Treasurer |

| | | | | | | | |
|---------|---------------|--------------------|-----------------------------|----------|----------|--|------------------------------|
| Nancy | Yates | 401 Webbs Mills Rd | Raymond, Me 04071 | 655-6014 | ext 32 | nancy.yates@raymondmaine.org | TOWN OFFICE-Finance Dir. |
| Nancy | Yates | 401 Webbs Mills Rd | Raymond, Me 04071 | 655-6014 | ext 32 | nancy.yates@raymondmaine.org | TOWN OFFICE-Treasurer |
| Alice | Hamilton | 401 Webbs Mills Rd | Raymond, Me 04071 | 655-6014 | ext 24 | alice.hamilton@raymondmaine.org | TOWN OFFICE-Gen. Asst.Dir |
| Donald | Willard | 401 Webbs Mills Rd | Raymond, Me 04071 | 650-9001 | ext 31 | don.willard@raymondmaine.org | TOWN OFFICE-Tax Collector |
| Donald | Willard | 401 Webbs Mills Rd | Raymond, Me 04071 | 650-9001 | ext 31 | don.willard@raymondmaine.org | TOWN OFFICE-Harbor Master |
| Louise | Lester | 401 Webbs Mills Rd | Raymond, Me 04071 | 655-4224 | ext 21 | louise.lester@raymondmaine.org | TOWN OFFICE-Town Clerk |
| David | McIntire | 31 Egypt Rd | Raymond, Me 04071 | 655-2378 | | David.McIntire@L-3Com.com | VETERANS MEMORIAL |
| Howard | Stiles, Chair | 94 Deep Cove Rd | Raymond, Me 04071 | 655-4193 | | popsicle@maine.rr.com | VETERANS MEMORIAL |
| Eleanor | Thompson | 10 Levy Lane | Raymond, Me 04071 | 655-7632 | | none | VETERANS MEMORIAL |
| Vernon | Watters | 86 Deep Cove Rd | Raymond, Me 04071 | 655-4225 | | none | VETERANS MEMORIAL |
| Lonnie | Taylor | PO Box 1357 | Raymond, Me 04071 | 655-3013 | 650-0423 | LTAYLOR@IDS.TC | VETERANS MEMORIAL Sel.Rep |
| Louise | Lester | 401 Webbs Mills Rd | Raymond, Me 04071 | 655-4742 | ext 21 | louise.lester@raymondmaine.org | VOTER REGISTRAR |
| Louise | Murray | P O Box 227 | Raymond, Me 04071 | 655-7162 | | louise.murray@raymondmaine.org | VOTER REGISTRAR, DEP. |
| Rita | Therault | 401 Webbs Mills Rd | Raymond, Me 04071 | 655-4742 | ext 23 | rita.therault@raymondmaine.org | VOTER REGISTRAR, DEP. |
| Suzanne | Carr | PO Box 365 | Raymond, Me 04071 | 655-2696 | ext 22 | suzanne.carr@raymondmaine.org | VOTER REGISTRAR, DEP. |
| Alice | Hamilton | 401 Webbs Mills Rd | Raymond, Me 04071 | 655-6014 | ext 24 | alice.hamilton@raymondmaine.org | VOTER REGISTRAR, DEP. |
| Gregory | Joy | 598 Bald Hill Rd | New Gloucester, Me 04260 | 926-4020 | | greg.joy@parker.com | WEIGHTS & MEASURES |



*Town of Raymond
401 Webbs Mills Rd
Raymond Me 04071*

207-655-4742

Fax: 655-3024

June 7, 2011

Board of Selectman,

The Town of Raymond foreclosed on the properties located at 81 Haskell Ave. account # C0330R (map 30 lot 43) . On December 29, 2010 taxes, interest, and lien costs were paid in full and are now up to date needing a Quitclaim.

Thanks,

Sue Carr
Deputy Tax Collector

Maine Short Form Quit Claim Deed Without Covenant

THE INHABITANTS OF THE TOWN OF RAYMOND, a body politic located at Raymond, County of Cumberland and State of Maine, for consideration paid, releases to CAREY DAVID, in said County and State, a certain parcel of land situated in the Town of Raymond, County of Cumberland and State of Maine, being all and the same premises described at Map 30, Lot 43,

The purpose of this conveyance is to release any interest which this grantor may have in and to the above premises by virtue of a lien filed for nonpayment of taxes on said parcel of land with particular reference being made to a lien filed against Map 30, Lot 43, in the name of CAREY DAVID A. and recorded in said Registry of Deeds.

BK 24372 PG 159 BK 25536 PG 239 BK 26335 PG 301
BK 27260 PG 160 BK 27989 PG 14

IN WITNESS WHEREOF, the said INHABITANTS OF THE TOWN OF RAYMOND have caused this instrument to be sealed with its corporate seal and signed in its corporate name by JOSEPH BRUNO, LAWRENCE TAYLOR, CHARLES LEAVITT, MIKE REYNOLDS, AND SAMUEL GIFFORD thereto duly authorized, this 21 day of JUNE, 2011.

THE INHABITANTS OF THE TOWN OF RAYMOND

_____ By: _____
Witness to All JOSEPH BRUNO, Selectman

LAWRENCE TAYLOR, Selectman

CHARLES LEAVITT, Selectman

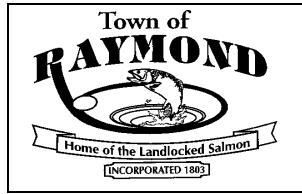
MIKE REYNOLDS, Selectman

SAMUEL GIFFORD, Selectman

STATE OF MAINE
CUMBERLAND, SS.

Personally appeared the above named Joseph Bruno, Lawrence Taylor, Charles Leavitt, Mike Reynolds, and Samuel Gifford aforesaid Selectmen, known to me, this 21 day of JUNE, 2011 and acknowledged before me the foregoing instruments to be their free act and deed in their said capacity and the free act and deed of said Grantor Corporation.

Notary Public



*Town of Raymond
401 Webbs Mills Rd
Raymond Me 04071*

207-655-4742

Fax: 655-3024

June 7, 2011

Board of Selectman,

The Town of Raymond foreclosed on the properties located at 30 Murch Landing account # M6026R (map 74 lot 12a) . On April 5,2011 taxes, interest, and lien costs were paid in full and are now up to date needing a Quitclaim.

Thanks,

Sue Carr
Deputy Tax Collector

Maine Short Form Quit Claim Deed Without Covenant

THE INHABITANTS OF THE TOWN OF RAYMOND, a body politic located at Raymond, County of Cumberland and State of Maine, for consideration paid, releases to MAINS CLAUDE, in said County and State, a certain parcel of land situated in the Town of Raymond, County of Cumberland and State of Maine, being all and the same premises described at Map 74, Lot 12A,

The purpose of this conveyance is to release any interest which this grantor may have in and to the above premises by virtue of a lien filed for nonpayment of taxes on said parcel of land with particular reference being made to a lien filed against Map 74, Lot 12A, in the name of MAINS CLAUDE and recorded in said Registry of Deeds.

BK 26335 PG 329 BK 27261 PG 272 BK 27989 PG 116

IN WITNESS WHEREOF, the said INHABITANTS OF THE TOWN OF RAYMOND have caused this instrument to be sealed with its corporate seal and signed in its corporate name by JOSEPH BRUNO, LAWRENCE TAYLOR, CHARLES LEAVITT, MIKE REYNOLDS, AND SAMUEL GIFFORD thereto duly authorized, this 21 day of JUNE, 2011.

THE INHABITANTS OF THE TOWN OF RAYMOND

_____ By: _____
Witness to All JOSEPH BRUNO, Selectman

LAWRENCE TAYLOR, Selectman

CHARLES LEAVITT, Selectman

MIKE REYNOLDS, Selectman

SAMUEL GIFFORD, Selectman

STATE OF MAINE
CUMBERLAND, SS.

Personally appeared the above named Joseph Bruno, Lawrence Taylor, Charles Leavitt, Mike Reynolds, and Samuel Gifford aforesaid Selectmen, known to me, this 21 day of JUNE, 2011 and acknowledged before me the foregoing instruments to be their free act and deed in their said capacity and the free act and deed of said Grantor Corporation.

Notary Public

TOWN OF RAYMOND Assessing Office

401 Webbs Mills Road Raymond, Maine 04071
 Phone 207.655.4742 x51 Fax 207.655.3024
assessor@raymondmaine.org

The following 4 abatements have been decided by the Raymond Board of Assessors.

| Ab # | Acct# | Map | Lot | Sub | Type | Owner | Reason | Year | Taxed Value | Abated Value | Abated Tax |
|---------------|--------|------|------|-----|------|------------------|------------------------------------|------|-------------|--------------|-------------|
| 12 | W6111R | '010 | '061 | | | West, Daniel | denied, priced the same as similar | 2010 | 260000 | 0 | \$0.00 |
| 13 | B6110R | 053 | 007 | | | Bauer & Gilman | denied, untimely filed | 2010 | 172100 | 0 | \$0.00 |
| 14 | B6107R | '053 | '006 | | | Bauer & Gilman | denied, untimely filed | 2010 | 44,300 | 0 | \$0.00 |
| 15 | L6119R | '001 | '023 | | | Dexter, Franklin | recently sold for 2,250,000 | 2010 | 3,036,800 | 561,900 | \$6,068.52 |
| Total to Date | | | | | | | | | | | \$12,314.13 |

Voted by the Raymond Assessors on: June 21, 2011

TOWN OF RAYMOND Assessing Office

401 Webbs Mills Road Raymond, Maine 04071
Phone 207.655.4742 x51 Fax 207.655.3024
assessor@raymondmaine.org

ABATEMENT DENIED

Daniel West
21 Martin Heights
Raymond, ME 04071

Map-Lot 010-061 Account #W6111R

Dear Mr. West

This letter is to inform you that the Raymond Assessors have denied your abatement request for the **2010** tax year.

The abatement was denied on the following grounds:

To gain abatement the taxpayer must demonstrate that his assessment is manifestly wrong. This must be done by showing a credible alternative value that is less than 90% of the assessed value and by showing that the property has been discriminated against when compared to other assessments. The appraisal and purchase price of the property indicate that the current assessed value is above the current market value but there is no evidence of discrimination relative to other assessments.

Although the abatement is denied, the assessor's agent will review the assessment to determine if a modest adjustment is warranted to acknowledge the deferred maintenance in the structure.

If you are dissatisfied with the decision of the assessors and wish to appeal, you have 60 days from the date of this letter to appeal to the Raymond Board of Assessment Review, 401 Webbs Mills Road, Raymond, ME 04071.

Voted by the Raymond Assessors on: _____

TOWN OF RAYMOND Assessing Office

401 Webbs Mills Road Raymond, Maine 04071
Phone 207.655.4742 x51 Fax 207.655.3024
assessor@raymondmaine.org

ABATEMENT DENIED

Bauer and Gilman Construction,LLC
361 US Route 1
Falmouth, ME 04105

Map-Lot 053-007 Account # B6110R

Dear Bauer and Gilman Construction, LLC

This letter is to inform you that the Raymond Assessors have denied your abatement request for the **2010** tax year.

The abatement was denied on the following grounds:

The application was not timely filed. MRSA 36, 841 allows taxpayers 185 days from the date of commitment to file application for abatement. This application was filed on March 30, 2011; after the deadline.

The abatement request is based on the fact that lots 6 and 7 were forcibly combined upon purchase by the current owners. As of April 1, 2011 the lots are and will be one under the Raymond Land Use Ordinance and as such they will also be combined and revalued for the 2011 tax commitment.

If you are dissatisfied with the decision of the assessors and wish to appeal, you have 60 days from the date of this letter to appeal to the Raymond Board of Assessment Review, 401 Webbs Mills Road, Raymond, ME 04071.

Voted by the Raymond Assessors on: _____

TOWN OF RAYMOND Assessing Office

401 Webbs Mills Road Raymond, Maine 04071
Phone 207.655.4742 x51 Fax 207.655.3024
assessor@raymondmaine.org

ABATEMENT DENIED

Bauer and Gilman Construction, LLC
361 US Route 1
Falmouth, ME 04105

Map-Lot 053-006 Account # B6107R

Dear Bauer and Gilman Construction, LLC

This letter is to inform you that the Raymond Assessors have denied your abatement request for the **2010** tax year.

The abatement was denied on the following grounds:

The application was not timely filed. MRSA 36, 841 allows taxpayers 185 days from the date of commitment to file application for abatement. This application was filed on March 30, 2011; after the deadline.

The abatement request is based on the fact that lots 6 and 7 were forcibly combined upon purchase by the current owners. As of April 1, 2011 the lots are and will be one under the Raymond Land Use Ordinance and as such they will also be combined and revalued for the 2011 tax commitment.

If you are dissatisfied with the decision of the assessors and wish to appeal, you have 60 days from the date of this letter to appeal to the Raymond Board of Assessment Review, 401 Webbs Mills Road, Raymond, ME 04071.

Voted by the Raymond Assessors on: _____

TOWN OF RAYMOND Assessing Office

401 Webbs Mills Road Raymond, Maine 04071
Phone 207.655.4742 x51 Fax 207.655.3024
assessor@raymondmaine.org

ABATEMENT GRANTED

Franklin Dexter
Danice Smith
6060 Shore Blvd. SouthApt 907
Gulfport, FL 33707

Map-Lot 001-023 Acct # D1085R

Dear Mr. Dexter and Ms. Smith,

This letter is to inform you that the Raymond Assessors have reduced your property value by and granted an abatement of **\$6,068.52** for the **2010** tax year. If you have paid your taxes in full, a refund will be mailed to you, if you have outstanding taxes, this amount will be removed from your total.

| | 2010 | 2010 Revised | Change |
|---------------|-------------|--------------|------------|
| Land | 1337800 | 1228000 | -109800 |
| Bldg | 1699000 | 1246900 | -452100 |
| Total | 3036800 | 2474900 | |
| Exempt | | | |
| Taxable Total | 3036800 | 2474900 | |
| Mil Rate | 0.01080 | 0.01080 | 0.01080 |
| Tax | \$32,797.44 | \$26,728.92 | \$6,068.52 |

The abatement was granted on the following grounds:

The property has been exposed to the market since 2005. It recently went under contract for under 2,300,000. The large size and unique construction create an obsolescence that is evident in the sales price. The replacement cost approach to pricing used in the current mass appraisal places a value premium on size without taking into account the diminished return as size and design deviate from that of competing properties. An obsolescence was applied to the replacement cost pricing.

If you are dissatisfied with the decision of the assessors and wish to appeal, you have 60 days from the date of this letter to appeal to the Raymond Board of Assessment Review, 401 Webbs Mills Road, Raymond, ME 04071.

Voted by the Raymond Assessors on: _____

May 26, 2011

Craig I. Gerry
14 Conesca Road
Raymond, Maine 04071

Joe Bruno, Chairman
Raymond Selectmen's Board
401 Webbs Mills Road
Raymond, Maine 04071

Re: 4 Conesca Road Property

Dear Mr. Bruno:

As per our conversation, February 15, 2011, I am writing to you in regards to the property at 4 Conesca Road, Raymond and the problems that I have encountered as a result of removing the main building from the property. The property was left to my wife and I after my father passed a little over two years ago.

As the house was not in good repair and was not of value to reconstruct, my mother, my wife and I decided to donate the building to the Town of Raymond Fire Department for training and eventual burning. After serving much of my life as a career firefighter, we felt that the training to a small town department was a great asset, in a structure very compatible to the type of structure throughout the town. The officers of the department agreed to the donation of the building and looked forward to being able to train their personnel in the building.

From the start, Chief Dennis Morse and Deputy Chief Bruce Tupper advised me that a selectman in the town was watching everything that was done. So extra measures were placed over and above the rules and Regulations that had to be followed in burning a building within the State of Maine for Fire Training. Non Fire Trainings were held on the property and within the building. Room burns were scheduled and the schedule was set to burn the building the following weekend. On Saturday, February 5, 2011, the department was on site doing room burns with hay, during the training, the chief was told to stop the training due to a complaint by the selectman to the Town Manager and the code Enforcement officer. The Selectman making the complaint was Charles Leavitt. The Chief and the Training officer contacted me, the following Monday morning and advised that they would not be able to burn the building down due to the pressure being placed on them by Selectman Leavitt.

I met with the Code Enforcement officer on Tuesday morning, to discuss demolition of the building, only to find out that I had to have a DEP inspection for Asbestos on the property. Chris called John A. Bucci of Maine DEP Asbestos and Lead Program. We met with John on February 10, 2011, and looked at the property. John stated that we would have to have an Asbestos testing done and positive items removed to burn the structure. So, I called a demolition contractor to remove the building and transport it to a waste site. The permit for demolition was written on February 11, 2011,

and revoked on February 12, 2011 to findings that Chris found in paperwork from DEP Regulations after the fact.

On Monday February 14, 2011, I made contact with John Bucci of Maine DEP regarding the status and giving him the information I had received from several Asbestos testing and Abatement companies. I had received several estimates of between \$13,000 and \$25,000 dollars for testing, plans, and abatement of any positive Asbestos that might be found in the building. John stated that he would work with me to legally get the building down and removed at considerable less than what I had been quoted. He worked to find methods of legally removing items in question by a licensed Abatement Company. The process was undertaken and the questionable items removed. No materials of the positive were located that would have stopped fire training live burns.

I had several communications with the Fire Chief in regards to the building and his thoughts were that with all the pressure from Selectman Leavitt, the department would not be interested in build this building or any other building in the future. Given the lack of interest in burning of the building, I was left with the only option to remove the building was by demolition. The costs for demolition of the building quoted and charged out was over \$10,000.

With the history of this project disclosed, I would like to state my concerns and frustrations.

First in regards to the loss of training that the Fire Department in Raymond was able to obtain. The Fire Department has done a good job over the years of fire protection for the Town of Raymond and it's citizens. With that being said, the numbers of fires in Raymond have gone down over the years. In the past each fire that a firefighter went to was experience that books do not and cannot be obtained in any other way other than live fire burns. The loss of this type of training to each and everyone one of the department's members is a disadvantage to the Department, the Town, and it's taxpayers.

The actions of a selectman that had to micromanaging a department and it's officers, of which I believe and strongly feel he has no right to do unless voted on and requested by the full select board.

The second frustration that I have is the cost of removing this family structure that was in disrepair and a hazard to the town in regards to fire. As well as being an eye sore to the community due to its condition. The constant interference from the selectman became a financial hardship to my wife and myself.

I strongly feel that the actions and interference taken by Selectman Leavitt were done so in a unprofessional, underhanded manner, Some might ask with his background if the actions were within the borders of a conflict of interest, but, definitely non-requested and underhanded as well as unethical under Title 30A. I would ask that the selectman board review this incident and take actions to Selectman Leavitt's behavior.

Thirdly, in future conversations with Chris from the Code Enforcement Office, I found out that Chris had been requested by Selectman Leavitt to call the other DEP Enforcement Officer other than John Bucci. Several people had told me that I was luck that I was able to get John Bucci from DEP as he was one of two enforcement agents and John will work with you the other person would not work with anyone.

I would like to make it clear that I have held off from writing this letter until after the house was completely removed from the property as to not face another other

problems from Selectman Leavitt. The house demolition and removal was done May 19, 2011, due to posted roads and weather.

I would like to close stating that I have had a major learning experience as have several other people involved in this project. I would like to thank the Fire Department for their service to the community, Chris Hanson of Code Enforcement for his help dealing with all the rules and regulations, Don Willard, Town Manager for his help on this project.

If you need any further information or have any concerns please feel free to contact me.

Respectfully Submitted,

Craig I. Gerry
14 Conesca Road
Raymond, Maine 04071
207-655-7681

John E. O'Donnell and Associates
632 Bald Hill Road
New Gloucester, ME 04260
207 926 4044

June 2, 2011

Raymond Board of Selectmen
401 Webbs Mills Road
Raymond, ME 04071

Dear Board,

This letter is notice that we (John O'Donnell and Associates) do not want to extend our current contract beyond June 30, 2011. However, we want to offer our services to Raymond until such time that the Town of Raymond has prepared for succession. We are willing to continue our services under a revised contract or without contract for a reasonable time. We believe that a logical separation point would be after the 2011 tax commitment (typically mid or late September). We are willing to extend that into the fall if more time is required to make an orderly transition. At this point we are willing to accept prorated compensation based on the current contract. We will not include training our replacement or filling in for missing clerical staff under the prorated rate.

Michael O'Donnell
John E. O'Donnell and Associates



REQUEST FOR PROPOSAL: PROPERTY TAX ASSESSMENT SERVICES

DATE OF ISSUANCE:

BID DUE DATE:

SUBMIT TO: Danielle Loring, Executive Assistant
Raymond Town Office
401 Webbs Mills Road
Raymond, ME 04071

Proposals must be submitted in a sealed envelop marked “Raymond Property Tax Assessment Proposal.”

Copies of this RFP may be may be obtained at the Raymond Town Office and online at www.raymondmaine.org.

RFP TITLE: PROPERTY TAX ASSESSMENT SERVICES

Page

ADVERTISEMENT FOR BIDDERS.....3

Section I. General Information.....4

Section II. Proposal Specifications.....6

Section III. Evaluation Criteria/Process and Contract Award.....7

Attachment A Scope of Services.....8

Attachment B Certificate of Non-Collusion.....10

Attachment C Bidder Checklist.....11

Request for Proposals Advertisement

**Town of Raymond
401 Webbs Mills Road
Raymond, ME 04071**

The Town of Raymond is seeking proposals from qualified firms to provide the Town with property tax assessment services. Services include, but are not limited to preparation and timely filing of assessment documents, abatements/supplemental tax assessments yearly appraisals, market analysis, data entry and consulting. The Town of Raymond has approximately 4600 residents located in southwestern Maine. The Town currently has approximately 3500 parcels with a taxable value of \$976,951,979 and taxable personal property of \$11,320,664.

Sealed proposals addressed to Danielle Loring, Town of Raymond, 401 Webbs Mills Road, Raymond, ME 04071 and endorsed "Raymond Property Tax Assessment Services Proposal" will be accepted until 4:00pm on July 15, 2011.

The Town reserves the right to accept or reject any or all proposals and to waive any irregularities. The Town also reserves the right to negotiate with selected firms regarding price and fee structure. All information included in a proposal may be incorporated, at the sole discretion of the Town, into the contract to be entered into between the Town and the selected firm.

Danielle Loring, Executive Assistant
Town of Raymond
401 Webbs Mills Road
Raymond, ME 04071
207-655-4742x33

SECTION I: GENERAL INFORMATION

A. Point of Contact

Town of Raymond Danielle Loring, Executive Assistant
Town Manager's Office

Email: danielle.loring@raymondmaine.org

Phone: 207-655-4742 x 33

Fax: 207-655-3024

Address: 401 Webbs Mills Road, Raymond, ME 04071

Attn: Danielle Loring

B. Town Information

The Town of Raymond has approximately 4600 residents and is located in southwestern Maine. Raymond currently has approximately 3500 parcels with a taxable value of \$976,951,979 and taxable personal property is \$11,320,664.

C. Limits of Liability

The Town of Raymond assumes no liability for any costs incurred by respondents, or in responding to further requests for interviews, additional information, etc. prior to issuance of a contract.

D. Type of Contract

Contract for Property Assessment Services: Contract to be _____ (#) years with an additional _____ (#) year extension.

E. Questions

Questions about the RFP shall be submitted electronically via email and directed to Danielle Loring at danielle.loring@raymondmaine.org

In the subject line of the email put "Question: Property Tax Assessment Services." All submissions must contain the name of the person asking the question, company name, address, phone number and email address. Responses will be posted on the Town of Raymond website at www.raymondmaine.org

It is the respondents responsibility to perform due diligence. Failure to perform a complete and full investigation does not relieve the respondent from fulfilling proposal requirements.

F. Solicitation Process

An evaluation team may be assembled to review and rank proposals based on the evaluation criteria outlined in Section IV-Evaluation Criteria. A short list of respondents may be selected for further evaluation. Only those firms that are placed on the short list on the basis of evaluation as judged by the the criteria will be considered for interviews. The final contract must be approved by the Board of Selectmen. After all approvals, verification of all requirements, and signatures by appropriate parties, implementation may begin.

G. Conditions of Award

It is the intent of the Town to award the project to the most qualified and responsive firm, provided that the proposal has been submitted in accordance with the requirements of this RFP. The committee shall be the sole judge of the firm's qualifications and whether the proposal is in the best interest of the Town.

Up to the time of the signature of the contract, the Town shall have the right in its sole discretion to *reject any and all of the bids, to request re-bids for the work and to waive any defects, time limits or deficiencies in any bid, and to terminate consideration with or without cause if deemed in the best interest of the Town to do so.*

H. Amendments to this RFP

The Town may revise this RFP by using a written addenda. Addenda will be posted on the Town's website and emailed to all *known* bidders.

The Town may request additional information if deemed necessary. Failure to provide such information may result in proposal being considered incomplete. The Town reserves the right to be the sole judge of all such criterion.

I. Insurance Certificates

The contractor must be able to provide evidence of the following insurance coverage:

- The contractor will serve in the capacity of an independent contractor in this project and will maintain insurance at least as hereinafter set forth so as to protect it and the Town from any and all claims for personal injury and property damage, and for claims under the Workmen's Compensation Acts, including death arising out of operation of this agreement, for the entire pendency of this project.
- A comprehensive general liability insurance policy with the following limits of coverage:
 - Bodily Injury: \$1,000,000 each occurrence
 - Property Damage: \$400,000 each occurrence
 - \$1,000,000 aggregate of all claims per occurrence
- A comprehensive automobile insurance policy with the following limits
 - Bodily Injury: \$1,000,000
 - Property Damage: \$500,000 per each occurrence
- All of the insurance must be issued by an insurer licensed, authorized and maintaining an office to do business in Maine.

J. Confidentiality

Proposals will be kept confidential until after they have been evaluated. A log will be maintained of proposals received, but proposals will **NOT** be opened publicly.

SECTION II: PROPOSAL SPECIFICATION

A. The Scope of Services for this RFP is set forth in Attachment A.

The following information should be provided in a separate sealed envelop marked "Raymond Property Tax Assessment Services Proposal"

B. Bid Response Elements

Respondents should provide detailed information addressing each of the following areas:

- History of company
- Contract Work References- Submit three (3)
- Entity qualifications and experience with providing requested services in other communities
- Information regarding any legal action relevant to the requested services that are pending or have been resolved within the past 24 months.
- Evidence of insurance in the form of Insurance Company/Agency issued coverage certificates.
- The proposal should reflect the annual cost to provide services outlined in the Scope of Services.

Failure to fully disclose requested information shall be grounds for disqualification of a firm. This section shall not be interpreted to require disclosure of information shielded from disclosure by State and Federal Statutes and/or court order.

The Town of Raymond utilizes the Northern Data System (NDS) assessing software and Vision Appraisal Database systems. Each contractor must show evidence of familiarity with both systems by submitting a list of projects/contracts that required the use of each system or ability to adapt to Town's software needs.

SECTION III: EVALUATION CRITERIA

1. Evaluation Criteria that will be used by the selection team
 - A) General experience and technical competence
 - a) Extent of business; size of operation; number of employees
 - b) Management experience of the company
 - c) Financial capacity and security of the company
 - d) Proof as Certified Maine Assessor (CMA)
 - B) Overall impression of proposal
 - a) Organization, clarity, completeness, thoroughness
 - b) Approach to scope of services
 - C) Value of proposed services that would maximize benefit of the Town.
 - D) Review of Contract references

2. Comparative Criteria
 - A) Knowledge and experience with NDS and Vision
 - B) Experience conducting commercial/residential reevaluations
 - C) Experience working with local Board of Assessor's

3. Miscellaneous

Any contract awarded as a result of this RFP will be awarded without discrimination on the basis of race, color, religion, age, sex, sexual orientation, political affiliation or national origin.

SCOPE OF SERVICES

Nature of work:

This is specialized professional, administrative and technical work in the valuation and assessment of real and personal property in the Town of Raymond.

The Contract Assessor is responsible for appraising and assessing real and personal property for taxation within the Town, and for the administration and maintenance of all records necessary to administer and maintain the assessment program. Work involves extensive fieldwork in the review of existing and new properties and analytical and administrative work in the office to maintain and update values for properties.

Contractor is required to exercise considerable independent judgment in administering the assessment program within specific state laws and regulations, (Title 36, M.R.S.A.), with general (non-assessing) guidance from the Town Manager and the oversight of the Board of Assessors (Selectmen).

Essential Duties and Responsibilities:

Plans, administers, and maintains the assessment system for the Town in maintaining current property valuation through visitation, data collection, and analysis.

Appraises residential, commercial, agricultural, and industrial properties; special rights and interests; personal property; and public utility equipment and properties.

Maintains and reviews property transfers; reviews and approves all exemptions for taxes as permitted by the state; makes and enters computation valuations and other data in valuation commitment books; required State reporting forums; maintains the assessing database; and determines the valuations to be placed on new, renovated, and existing property based on changing market value. Works with the Geographic Information Systems (GIS) Coordinator in the development of annual official tax maps.

Develops and administers a program for the collection of sales, cost, income, and other economic and social data affecting property values; prepares appraisal and other reports as necessary.

Prepares and administers departmental budget with Town Manager.

Assists other Town departments with valuation related questions and provides any necessary related information to those departments.

Maintains a positive relationship with public and real estate professionals in obtaining information pertaining to the study and sale of real estate.

Performs related work as required.

Requirements of Work:

Thorough knowledge of the principles, methods, and techniques of real and personal property assessment and valuation.

Considerable knowledge of the provisions, ordinances, and general law governing real and personal property assessment and statutory exemptions.

Ability to utilize statistical methods to analyze factors which may influence the value of property and to exercise judgment in determining property values and changes in Town structures and physical properties.

Ability to plan and organize the maintenance of assessment and property records to facilitate the preparation of varied assessment roles and reports.

Ability to establish and maintain effective working relationships with taxpayers, the general public, employees, and other departments.

Knowledge of building construction methods and architecture, municipal planning and real estate laws, municipal zoning and tax policy, and the mechanics of real estate sale and finance.

Considerable knowledge of the geographic layout of the Town.

Training and Experience Required:

Considerable experience in property assessment work involving the appraisal and evaluation of land and buildings, and preferably including some experience in the maintenance of standard office records.

Satisfactory completion of a course of study leading to certification in real property appraisal, or graduation from an accredited college program with specialization in property assessment, business or public administration; or any equivalent combination of experience and training.

Necessary Special Requirements:

Possession and maintenance of the designation of Certified Maine Assessor.

Attachment B

CERTIFICATE OF NON-COLLUSION

The undersigned certifies that under penalties of perjury that this bid or proposal has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification, the word "person" shall mean any natural business, partnership, corporation, union, committee, club, or other organization, entity, or group of individuals.

Authorized Official:

Date

Company Name

BIDDER CHECKLIST

- () Submitted all information as requested
- () Submitted signed proposal in one sealed envelop duly marked
- () No conditions or restrictions have been placed by the company on this proposal that would declare it non-responsive.
- () Prepared to provide insurance required

Authorized Official:

Date

Company Name

Town of Raymond
Full Time Assessor

This is a 32 hour a week, specialized professional and administrative position, that performs work in the valuation and assessment of real and personal property in the Town of Raymond. Position offers a competitive employee benefits package.

The Assessor is responsible for appraising and assessing real and personal property for taxation within the Town, and for the administration and maintenance of all records necessary to maintain the assessment program. Work involves extensive fieldwork in the review of existing and new properties and analytical and administrative work in the office to maintain values for properties.

Employee is required to exercise considerable independent judgment in administering the assessment program within State law and regulations, (Title 36, M.R.S.A.), with general (non-assessing) guidance from the Town Manager and the oversight of the Board of Assessors (Selectmen).

Knowledge of Northern Data Systems (NDS) and Vision Appraisal software preferred. Must be a Certified Maine Assessor (CMA) in good standing and in compliance with all State requirements. The selected candidate will be subject to a successful background check in accordance with the Town's Personnel Policy.

For job application and description see www.raymondmaine.org and at the Raymond Town Office or call 655-4742 x 33. Send resumes and cover letter to:

Danielle Loring, Executive Assistant
401 Webbs Mills Road
Raymond, Maine 04071.
Submission deadline is 4pm, June 10th.

The Town of Raymond is an EOE.

Town of Raymond, Maine
Job Description – Assessors’ Agent
November 2003
(was used for position prior to contract assessor)

Nature of work:

This is specialized professional, administrative and technical work in the valuation and assessment of real and personal property in the Town of Raymond.

The Assessors’ Agent is responsible for appraising and assessing real and personal property for taxation within the Town, and for the administration and maintenance of all records necessary to administer and maintain the assessment program. Work involves extensive fieldwork in the review of existing and new properties and analytical and administrative work in the office to maintain values for properties.

They are required to exercise considerable independent judgment in administering the assessment program within specific state laws and regulations, (Title 36, M.R.S.A.), with guidance from the Town Manager and the oversight of the Board of Assessors.

Essential Duties and Responsibilities:

Plans, administers, and maintains the assessment system for the Town in maintaining current property valuation through visitation, data collection, and analysis.

Appraises residential, commercial, agricultural, and industrial properties; special rights and interests; personal property; and public utility equipment and properties.

Maintains and reviews the maintenance of property transfers; reviews and approves all exemptions for taxes as permitted by the state; makes and enters computation valuations and other data in valuation commitment books; maintains the assessing database; and determines the valuations to be placed on new, renovated, and existing property based on changing market value. Works with the GIS Coordinator in the development of annual official tax maps.

Develops and administers a program for the collection of sales, cost, income, and other economic and social data affecting property values; prepares appraisal and other reports as necessary.

Prepares and administers departmental budget.

Assists other Town departments with valuation related questions and provides any necessary information to those departments.

Maintains a positive relationship with public and real estate professionals in obtaining information pertaining to the sale of real estate.

Performs related work as required.

Requirements of Work:

Thorough knowledge of the principles, methods, and techniques of real and personal property assessment and valuation.

Considerable knowledge of the provisions, ordinances, and general law governing real and personal property assessment and statutory exemptions.

Ability to utilize statistical methods to analyze factors which may influence the value of property and to exercise judgment in determining property values and changes in Town structures and physical properties.

Ability to plan and organize the maintenance of assessment and property records to facilitate the preparation of varied assessment roles and reports.

Ability to establish and maintain effective working relationships with taxpayers, the general public, employees, and other departments.

Knowledge of building construction methods and architecture, municipal planning and real estate laws, municipal zoning and tax policy, and the mechanics of real estate sale and finance.

Considerable knowledge of the geographic layout of the Town.

Training and Experience Required:

Considerable experience in property assessment work involving the appraisal and evaluation of land and buildings, and preferably including some experience in the maintenance of standard office records.

Satisfactory completion of a course of study leading to certification in real property appraisal, or graduation from an accredited college program with specialization in property assessment, business or public administration; or any equivalent combination of experience and training.

Necessary Special Requirements:

Possession and maintenance of the designation of Certified Maine Assessor.

Town of Raymond, Maine

Fraud Policy

The citizens of the Town of Raymond expect and deserve ethical behavior from their public employees and officials. Accordingly, any behavior, such as fraud, theft; misuse of town property, accounts, credit card and funds; embezzlement, “kick-backs,” bid steering and favoritism in awarding contracts, or any other actions or conduct which diminishes the public’s confidence in town government, is strictly prohibited and will not be tolerated. Town employees and officials who engage in or condone such conduct should have no reasonable expectation of continued employment with the Town. The Town will take all proper steps to investigate, address and, if necessary, to prosecute such behavior. Any employee or official who has any question about the scope of this policy, or whether any anticipated action is permitted or prohibited under the policy, bears the responsibility of seeking clarification in writing from the Town Manager or Board of Selectmen before engaging in such conduct.

This policy covers all town employees, and elected and appointed officials. Anyone who suspects or becomes aware of any conduct which violates this policy must report it to the Town Manager and at least one (1) member of the Board of Selectmen. If the conduct involves the Town Manager, then the conduct must be reported to at least two (2) members of the Board of Selectmen.

No person should take it upon themselves to “investigate” any suspected fraud, theft, etc. without the express approval of the Town Manager or the Board of Selectmen. All concerns and suspicions must be reported as set forth above, without exception. The Town will then determine and assign the appropriate investigation. If the investigation reveals wrongdoing, the town will take corrective action(s), up to and including, but not limited to (1) termination of employment with the town; (2) legal action to void any contracts or agreements induced by such conduct, or to recover any lost funds or town property; (3) barring vendors from future contacts with the town; and (4) referring the matter to law enforcement, the District Attorney and/or the Attorney General’s office for further disposition.

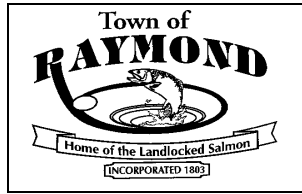
The Town Manager and Board of Selectmen are responsible for the administration, revision, interpretation, and application of this policy. The policy will be reviewed periodically and revised as needed.

APPROVAL

| | |
|--------------------|-------|
| _____ | _____ |
| Board of Selectmen | Date |
| _____ | _____ |
| Board of Selectmen | Date |
| _____ | _____ |
| Board of Selectmen | Date |
| _____ | _____ |
| Board of Selectmen | Date |
| _____ | _____ |
| Board of Selectmen | Date |

Receipt by Employee: _____

Date



*Town of Raymond
401 Webbs Mills Rd
Raymond Me 04071*

207-655-4742

Fax: 655-3024

May 20, 2011

Dear David Carey,

I am writing to request that you contact me to set up a payment plan or to make arrangements to pay the taxes due on the property located at Bond Street (map 31 lot 3 Acct# C0250R) foreclosure date March 14, 2008 (map 31 lot 2 Acct# C0310R) foreclosure date March 14, 2008, Haskell Ave (map 30 lot 3 Acct# C0260R) foreclosure date March 14, 2008 (map 30 lot 16 Acct# C0280R) foreclosure date March 14, 2008.

The selectmen are reviewing the list of tax acquired properties which have no active payment plans. The next step for these properties may be for the town to exercise our legal rights including the possibility of selling the property at auction or retaining it for town use.

To prevent such action being taken on your former property, please contact me at your earliest convenience at ext 22.

Thank you,

*Sue Carr
Deputy Tax Collector*



*401 Webbs Mills Road
Raymond, Maine 04071
207.655.4742
Fax 207.655.3024*

Memorandum

Date: June 3, 2011

To: Danielle Loring

From: Sue Carr, Deputy Tax Collector

Re: 2011 Tax Acquired Property List

I have sent the letters out to:

David Cary
William Chapman
Robert & Donna Conley
Jeffrey Cox
David Glicos
Joan Hamm
James Lewis
Debra Murphy
Robert Payne
David Thompson
Sidney Thorne
Mike Hugo*
Margaret Kraft*
Loyd Locklear*
Ernest Callow*
Richard Strout*

*The bottom five I have heard from and have made a new payment plan. The attachment is a sample of the letters sent out.

Sue



TAX ACQUIRED PROPERTY POLICY

Adopted by the Board of Selectmen - May 18, 1995

Amended - August 3, 1999

Amended – March 9, 2010

1. The purpose of this policy is to provide guidance regarding properties acquired by the Town for non-payment of taxes.
2. If the former owner, after the property has achieved tax acquired status, requests a reasonable payment schedule that will provide for the repayment of all outstanding taxes, the Tax Collector will allow a payment schedule for up to 60 months from the date of automatic foreclosure. (a) If the payment schedule, as established by the Tax Collector, is not acceptable to the taxpayer, appeal may be made to the Board of Selectmen.
3. If the Taxpayer becomes more than 90 days delinquent in meeting the payment schedule as established, or is not current as of June 30th of any given year, the account will be referred to the Board of Selectmen for redemption and/or sale.
4. If the Selectmen determine that a property should not be retained under Section 5 and that the taxpayer is delinquent under Section 3, the Taxpayer or other party in interest will be offered the right of immediate redemption by paying all outstanding taxes, interest and costs within 30 days of receiving notice.
5. **Retention of Property:** The Selectmen shall retain property for the benefit of the Town, if they deem it in the best interest of the town to do so. By way of example, but not of limitation, the Selectmen might deem it in the best interest of the town to retain property where: (a) The property has or will have recreational value or economic value to the Town, (b) The property has or will have potential for a public facility or additions to public facilities, (c) Retention of the property will provide a residence for an individual or individuals who otherwise will require public assistance from the Town.
6. **Sale:** If a property is not retained by the Selectmen under Section 5, and if the property is not redeemed under Section 4, the property shall be sold by sealed bid or any other method approved by the Selectmen which maximizes the return to the Town. The Selectmen shall reserve the right to accept or reject bids in any bid process. A notice of intent to sell the property shall be published in the newspaper; shall be posted in those areas where warrants are posted; and shall be sent to the Taxpayer or Taxpayers who lost the property by certified mail, return receipt requested to their last known address.

APPROVAL SIGNATURES (for Amendment)

Chairman of Selectboard

Date

Selectman

Date

Selectman

Date

Selectman

Date

Selectman

Date

**ORDINANCE FOR THE RECALL
OF
ELECTED MUNICIPAL OFFICIALS**

SECTION 1 AUTHORITY

This ordinance is enacted pursuant to 30-A M.R.S.A. Sub Section 2602(6) and 3001.

Section 2. Applicability

Any Elected Municipal Official, with the exception of School Board Members, of the Town of Hollis may be recalled and removed from office as here in provided for.

Section 3 Petition for Recall

- a. The petition for recall must contain signatures of registered voters of the Town of Hollis equal to 20% of the number of votes cast in the last Gubernatorial Election, but in all cases no fewer than (150) one hundred and fifty.*
- b. The petition shall be addressed to the Board of Selectmen as the Board with the power to call elections pursuant to 30-A M.R.S.A. Sub Section 2528.*
- c. The petition shall state the name and office of the person whose removal is being sought, a specific statement of the reason such removal is desired, and the names of the persons circulating the petition.*
- d. If recall of more than one official is being sought, there shall be a separate petition for each official whose removal is being sought.*
- e. Each page of the petition shall provide a space for the voter's signature, address and printed name.*
- f. All petition pages thereof shall be filed as one document.*

Section 4. Clerk Certification.

Within ten (10) days of the receipt of the petition, the Town Clerk shall certify the signatures contained on the petition and shall determine if

the petition meets all the qualification as set forth in the section 3 of this ordinance. Should the petition be found insufficient, the petition will be filed in the Clerk's office and the voter who filed the petition will be notified.

Section 5. Calling the Recall Election

- a. If the petition is certified by the Town Clerk to be sufficient, he or she will submit the same with his or her certification to***
- b. the board at their next regular meeting and shall notify the Officials whose removal is being sought by such action.***
- c. The Selectmen, upon receipt of the certified petition, shall within ten (10) days time of receipt order an election by Secret Ballot to be held not less than Forty five (45) nor more than sixty (60) days of thereafter, provided that a regular municipal election will not be held within ninety (90) days of receipt by the Selectmen of the certified petition. In the case of such an election, the Selectmen may at their discretion provide for the holding of the recall election on the date of the regular Municipal Election.***
- d. In the event that the Town Selectmen unreasonably refuse to order an election as herein provided, a Notary Public may call the election to be held not less than forty five (45) days nor more than sixty (60) days following the Selectmen's refusal to order the required election.***

Section 6. Ballot for Recall Election

The ballots shall be printed and shall read "Shall _____ Be Recalled?" with The name of the official whose recall is being sought inserted in the blank space.

Section 7. Results of Election

In the event of an affirmative vote for removal, such vote shall take effect as of the recording of the vote tabulation into the records, after any inspection or recount or after the time for an inspection or recount has expired.

Section 8. Vacancies to be filled

Any vacancy resulting from removal from office under this ordinance shall be filled in accordance with the provisions contained in the Maine State Statutes.

Section 9. Interim Powers

The official whose recall is sought shall have all those powers and duties of the office until the effective date of an affirmative vote for removal

Section 10. Successive Petitions

The subsequent recall petition may not be filed for a least six (6) months after a failed recall election on that official.

Section 11. Appointment

A person recalled from office may (not) be appointed to the same office.

Adopted at the Annual Town Meeting held in Hollis Maine on June 14,2003

William A. Burns,III

Winfried W. Williams

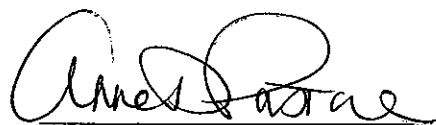
John S. Wood

Attest: to be a true copy, Claire M. Dunne, Town Clerk

**ORDINANCE FOR A RECALL ELECTION FOR THE TOWN OF PARIS,
MAINE**

ADOPTED BY REFERENDUM VOTE 11/03/09

“Attest: A True Copy of an Ordinance entitled ‘Ordinance for a Recall Election for the Town of Paris, Maine’, as certified to me by the Municipal Officers of the Town of Paris, Maine, and adopted at the Referendum Election on November 3, 2009.”

A handwritten signature in black ink, appearing to read "Amel D. Dora", written over a horizontal line.

Town Clerk, Paris, Maine

Ordinance for a Recall Election in the Town of Paris, Maine

Section 1. TITLE

This ordinance shall be known and may be cited as the "Ordinance for a Recall Election in the Town of Paris, Maine."

Section 2. AUTHORITY

This ordinance is enacted pursuant to Title 30-A, M.R.S.A., §2528, §2602, §3001 and §3002.

Section 3. PURPOSE

This ordinance provides the means and method by which citizens of the Town of Paris may seek the removal from office of a Town of Paris elected official.

Section 4. APPLICABILITY

Town of Paris elected officials, with the exception of members of the board of directors of School Administrative District 17.

Section 5. PROCEDURE

A. Petitioning for Recall Election

The Petition for Recall Election:

- (1) Shall be addressed to those members of the Board of Selectmen having no interest in the subject matter of the petition.
- (2) Shall state the name and office of the elected official whose removal is being sought, and incorporate the petitioners' statement of the reason(s) such removal is desired.
- (3) Shall only seek the recall of one official, i.e., a separate petition is required for each official whose removal is sought.
- (4) Shall only be signed by registered voters of the Town of Paris.

(5) Shall, on each page, provide spaces for each voter's signature, printed name and address.

(6) Shall require certification by the Town Clerk, within 10 days of the filing of the petition, that the petition bears the signatures of registered voters whose number equals or surpasses 10% of the number of votes cast by Town of Paris voters in the last gubernatorial election.

(7) Shall not be filed unless and until the name and contact information of at least one representative of the petitioners is provided to the Town Clerk.

(8) Shall, upon certification by the Town Clerk, and accompanied by said certification, be presented to the Board of Selectmen at their next regular meeting.

B. Calling the Recall Election

(1) On receipt of a certified petition, the Board of Selectmen shall notify the official whose removal is being sought.

(2) On receipt of a certified petition, the Board of Selectmen shall, within 14 day's time of receipt, order an election by secret ballot (pursuant to Title 30-A, M. R. S. A., §2528), to be held in no fewer than 30 days or more than 60 days thereafter; although, if a regular municipal election is to be held within 90 days of receipt of the certified petition, the Board of Selectmen may, at their discretion, schedule the recall election to coincide with the regular municipal election.

C. The Recall Election Ballot

(1) Shall be printed within 15 days of the Board of Selectmen's ordering of the recall election, providing that the official whose removal is sought has not resigned.

(2) Shall ask the question, "SHALL (name of official) BE RECALLED?" and provide adjacent boxes for "Yes" or "No" responses.

D. Hearing

If at any time between the time of ordering the recall election and the date of said election the official whose recall is being sought requests a public hearing, the Selectmen shall promptly schedule such a hearing to occur not fewer than 7 days before the election, and shall provide adequate posting at least 7 days before said hearing.

E. The Result of Election

In the event of an affirmative vote for removal, such vote shall take effect upon the recording of the vote tabulation into the records.

F. Vacancies to be filled

A vacancy resulting from removal from office under this ordinance shall be filled in accordance Title 30-A, M.R.S.A., §2602.

Section 6. LIMITATIONS

A. No petition for recall shall be filed against an official with fewer than 4 months in office, or with fewer than 60 days of a multiyear term remaining.

B. If an official has been subjected to a recall election and not removed thereby, no recall petition shall be filed against that official until at least six (6) months have passed since said recall election.

Section 7. VALIDITY

It is the intention of the municipality that each section of this ordinance shall be deemed independent of all other sections herein, and that, if any provision within this ordinance is declared invalid, all other sections shall remain valid and enforceable.

Section 8. AMENDMENTS

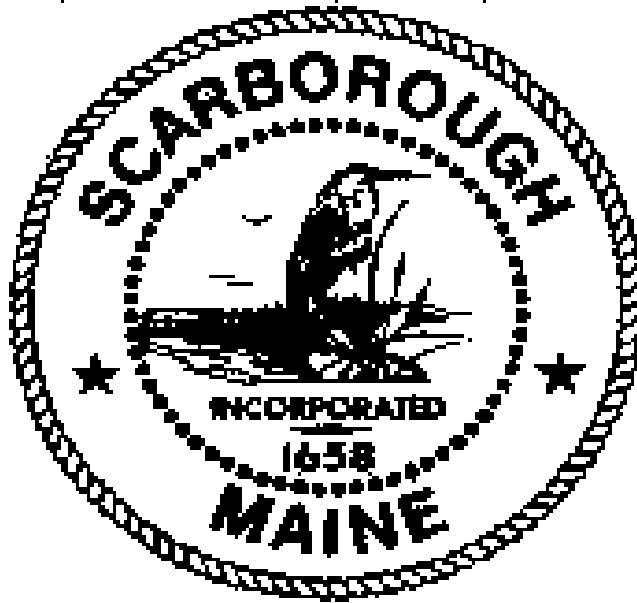
This ordinance may be amended by a majority vote of any legal town meeting when such amendment is published in the warrant calling for the meeting.

Section 9. EFFECTIVE DATE

This ordinance shall be in full force and effective as soon as the town votes to enact it.

TOWN OF SCARBOROUGH, MAINE

Charter



Adopted November 3, 1992 - Effective Date July 1, 1993 (unless otherwise noted)

Amended November 07, 2000 (as noted) - Effective Date January 1, 2001

Amended November 5, 2002 (as noted) – Effective Date November 20, 2002

Amended November 2, 2004 (as noted) – Effective December 1, 2004

Amended November 2, 2010 (as noted) – Effective January 1, 2011

Town of Scarborough

Chapter 201 - Charter

Table of Contents

| | |
|--|---|
| ARTICLE I - GRANT OF POWERS TO THE TOWN..... | 1 |
| Section. 101. Incorporation. | 1 |
| Section. 102. Powers of the Town. | 1 |
| ARTICLE II - TOWN COUNCIL..... | 1 |
| Section. 201. Number, Election, Term. | 1 |
| Section. 202. Qualifications and Vacancies. | 1 |
| Section. 203. Powers and Duties. | 1 |
| Section. 204. Enumeration of Powers. | 2 |
| Section. 205. Compensation. | 2 |
| Section. 206. Induction of Council into Office. | 3 |
| Section. 207. Town Council to Judge Qualifications of its Members..... | 3 |
| Section. 208. Regular Meetings..... | 3 |
| Section. 209. Chair. | 3 |
| Section. 210. Quorum and Vote. | 3 |
| Section. 211. Vacancies..... | 3 |
| Section. 212. Rules of Procedure; Journal..... | 4 |
| Section. 213. Public Hearings on Ordinances. | 4 |
| Section. 214. Town Clerk..... | 4 |
| Section. 215. Independent Annual Audit. | 4 |
| ARTICLE III - TOWN MANAGER..... | 5 |
| Section. 301. Qualifications. | 5 |
| Section. 302. Removal of Town Manager. | 5 |
| Section. 303. Town Manager, Chief Administrator. | 5 |
| Section. 304. Town Council Not to Interfere in Appointments or Removals. | 6 |
| Section. 305. Absence of Town Manager. | 6 |
| Section. 306. Appointees. | 6 |
| ARTICLE IV - DEPARTMENT OF EDUCATION..... | 6 |
| Section. 401. Board of Education..... | 6 |
| Section. 402. Qualifications. | 6 |
| Section. 403. Vacancies..... | 6 |
| Section. 404. Organization, Qualifications, Quorum. | 7 |
| Section. 405. Powers and Duties. | 7 |
| Section. 406. Compensation. | 7 |
| ARTICLE V - BUDGET..... | 7 |
| Section. 501. Fiscal Year..... | 7 |
| Section. 502. Preparation and Submission of the Budget. | 7 |
| Section. 503. Town Council Adoption of the Budget. | 8 |
| Section. 504. Budget Established Appropriations..... | 8 |
| Section. 505. Budget Establishes Amount to be Raised by Property Tax; Certification to Town Assessor. | 9 |
| Section. 506. Transfer of Appropriations..... | 9 |

| | |
|---|----|
| ARTICLE VI - TAX ADMINISTRATION | 9 |
| Section. 601. Assessor..... | 9 |
| Section. 602. Board of Assessment Review: Appointments and Vacancies..... | 9 |
| Section. 603. Board of Assessment Review: Powers, and Duties..... | 9 |
| ARTICLE VII - MUNICIPAL DEVELOPMENT | 9 |
| Section. 701. Planning Board..... | 9 |
| Section. 702. Zoning Ordinance..... | 10 |
| Section. 703. Board of Appeals..... | 10 |
| Section. 704. Long Range Planning Committee..... | 10 |
| ARTICLE VIII - NOMINATIONS AND ELECTIONS..... | 10 |
| Section. 801. Municipal Elections..... | 10 |
| Section. 802. Nomination..... | 10 |
| Section. 803. Conduct of Municipal Elections..... | 10 |
| Section. 804. Voting Place..... | 11 |
| Section. 805. Election Officials..... | 11 |
| Section. 806. Limitation of Terms of Office..... | 11 |
| Section. 807. Rules and Procedures for Local Elections..... | 11 |
| ARTICLE IX - INITIATIVE AND REFERENDUM | 11 |
| Section. 901. Petition for Overrule of Action by Town Council..... | 11 |
| Section. 902. Petition for Enactment of Ordinance..... | 12 |
| Section. 903. Petition for Recall of an Elected Official | 13 |
| Section. 904. Petition Format and Procedures..... | 14 |
| Section. 905. Review of Petition by Town Clerk..... | 15 |
| Section. 906. Submission to Voters | 15 |
| Section. 907. Voter Referendum Required for Certain Bond Issues..... | 15 |
| ARTICLE X - GENERAL PROVISIONS | 16 |
| Section. 1001. Oath of Office..... | 16 |
| Section. 1002. Summons Before Town Council..... | 16 |
| Section. 1003. Personnel Procedures..... | 16 |
| Section. 1004. Short Title..... | 17 |
| Section. 1005. Severability Clause..... | 17 |
| Section. 1006. Repealing Clause..... | 17 |
| Section. 1007. Charter Amendments..... | 17 |
| Section. 1008. Charter Review..... | 17 |
| Section. 1009. Disclosure of Interest..... | 18 |
| Section. 1010. Effective Date..... | 18 |

COUNCIL-MANAGER CHARTER OF THE TOWN OF SCARBOROUGH

ARTICLE I - GRANT OF POWERS TO THE TOWN

Section. 101. Incorporation.

The inhabitants of the Town of Scarborough within the limits as now established or as hereafter established in the manner provided by law, shall be a municipal corporation by the name of the Town of Scarborough.

Section. 102. Powers of the Town.

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, and impose penalties for the breach thereof, as provided by the laws of the State of Maine.

102.1 The Town 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.

102.2 In this Charter, mention of a particular power shall not be construed to be exclusive or to restrict the scope of the powers, which the Town would have if the particular power were not mentioned. The Charter shall be liberally interpreted to mean that the Town may have all the powers necessary or convenient for the conduct of its municipal affairs, including all powers the Town may assume pursuant to state laws and to the provisions of the State Constitution.

ARTICLE II - TOWN COUNCIL

Section. 201. Number, Election, Term.

The Town Council shall be composed of seven (7) members who shall be nominated and elected by the registered voters of the entire Town according to the provisions of this Charter for a term of three (3) years and who shall serve until their successors are elected and qualified.

Section. 202. Qualifications and Vacancies.

Members of the Town Council shall be registered voters of the Town and shall reside in the Town during their term of office. During their term of office, members of the Town Council shall not hold any other compensated Town office or Town employment, except as on-call emergency personnel. No member of the Town Council shall serve as a trustee of the Scarborough Sanitary District. If a member of the Town Council is recalled, or shall cease to possess any of these qualifications or shall be finally convicted of a crime punishable by imprisonment for more than six months, the office shall immediately become vacant. [Amended November 2, 2010 (as noted) – Effective January 1, 2011]

Section. 203. Powers and Duties.

The members of the Town Council shall be and constitute the municipal officers of the Town of Scarborough for all purposes required by statute, and except as otherwise herein specifically provided, shall have all powers and authority given to, and perform all duties required of, municipal officers under the laws of this State.

Section. 204. Enumeration of Powers.

204.1 Appoint and remove the Town Manager, Assessor and Town Attorney and appoint and remove members of the Board of Assessment Review, the Board of Appeals and the Planning Board, and all statutory or advisory boards. Except where prohibited by law, the Town Council shall provide for at least two (2) alternate members for each appointed board of the Town. Alternate members shall serve in the absence of regular members and shall be given preference to fill vacancies.

204.1.1 The Town Council may remove any board appointee and appoint a successor for the unexpired term of any member who fails to attend four (4) consecutive regular meetings or who fails to attend seventy-five percent (75%) of all meetings during the preceding twelve (12) month period. The Town Council may waive attendance provisions for due cause.

204.2 By ordinance, create, change and abolish offices, departments or agencies, other than the offices, departments, and agencies established by this Charter. The Town Council, by ordinance, may assign additional functions or duties to offices, but may not discontinue or assign to any other office, department or agency any function or duty assigned by this Charter to a particular office, department or agency. The Town Council may, however, vest in the Town Manager all or part of the duties of any office, except the Department of Education.

204.3 Enact, amend, and repeal ordinances.

204.4 Inquire into the conduct of any office, department, or agency of the Town and make investigation as to municipal affairs.

204.5 Perform an annual performance review of the Town Manager within sixty (60) days following the first day of each new Municipal Year. (amended November 7, 2000; effective January 1, 2001).

204.6 Provide for an annual audit as defined in Section 215 of this Charter.

204.7 Act as the general legislative body of the Town with all the powers of a Town meeting, including any power heretofore vested in a Town meeting.

Section. 205. Compensation.

205.1 Members of the Town Council shall receive \$1,500 per year for their services, except the Chair who shall receive \$1,750 per year, and their compensation shall be paid quarterly. Such compensation may be changed by ordinance, but no ordinance increasing the compensation of members of the Town Council shall take effect during the then current municipal year.

205.2 The Town Council by order shall fix the salaries of officials appointed by the Town Council.

205.3 Salaries of the appointees of the Town Manager shall be fixed by the Town Manager.

Section. 206. Induction of Council into Office.

Councilors elect shall be sworn to the faithful discharge of their duties by the Town Clerk or the Town Clerk's designee and shall assume their duties at the commencement of second meeting (2nd), whether regular, special, or emergency, of the Town Council following the regular Town election. (amended November 7, 2000; effective January 1, 2001).

Section. 207. Town Council to Judge Qualifications of its Members.

The Town Council shall be the judge of the election and qualifications of its members and for such purpose shall have power to subpoena witnesses and require production of records.

Section. 208. Regular Meetings.

The Town Council shall establish a regular place and time for regular meetings at least once a month. It shall also provide a method for calling special meetings.

Section. 209. Chair.

209.1 After Councilors elect have been sworn in under Section 206, the Town Council shall elect, by majority vote of the entire Town Council, one of its members for the ensuing year as chair. The Town Council may fill, for an unexpired term, any vacancy in the office of chair that may occur. The chair shall preside at the meetings of the Town Council, and shall be recognized as head of the Town government for all ceremonial purposes, and by the Governor for purposes of military law, but shall have no regular administrative duties.

209.2 After election of the chair under Section 209.1, the Town Council shall elect, by majority vote of the entire Town Council, one of its members for the ensuing year as vice-chair. The Town Council may fill, for an unexpired term, any vacancy in the office of vice-chair that may occur. In the temporary absence or disability of the chair, the vice-chair shall exercise all the powers of chair during such temporary absence or disability. In the temporary absence or disability of both the chair and the vice-chair, the Town Council may elect a chair pro tempore from among its members, who shall exercise all the powers of the chair during such temporary absence or disability.

Section. 210. Quorum and Vote.

A majority of the Town Council shall constitute a quorum for the transaction of business, but a smaller number may adjourn from time to time. At least twenty-four (24) hours notice of the time and place of holding such adjourned meeting shall be given to all members who were not present at the meeting from which the adjournment was taken. Every ordinance, order, and resolve shall require on final passage the affirmative vote of four (4) members of the Town Council.

Section. 211. Vacancies.

If a seat on the Town Council 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 Town Council becomes vacant within six (6) months prior to the next regular Town election, the vacancy may, at the option of the Town Council, be filled for the unexpired term by a special election however, no election shall be held within sixty (60) days prior to the date of the regular election.

Section. 212. Rules of Procedure; Journal.

The Town Council shall determine its own rules and order of business. It shall keep a written record of its proceedings and the record shall be open to public inspection.

Section. 213. Public Hearings on Ordinances.

Prior to the enactment of any ordinance, the Town Council shall hold at least one (1) public hearing, notice of which shall be given at least seven (7) days in advance by publication in a newspaper having a circulation in said Town and by posting notice in a public place. However, nothing contained herein shall be deemed to require publication of the ordinance itself. The passage of said ordinance shall be effective at 12:00 A.M. on the day following enactment or at such other date specified therein.

213.1 Emergency Ordinances.

The Town Council may, by vote of five (5) of its members, pass emergency ordinances, to take effect at the time indicated therein. Such ordinance shall contain a section in which the emergency is set forth and defined, but the declaration of such emergency by the Town Council shall be conclusive. No public hearing or notice thereof shall be required prior to the passage of an emergency ordinance. Every emergency ordinance shall automatically stand repealed as of the ninety-first (91st) day following the date on which it was adopted; however, this shall not prevent one (1) re-enactment of the ordinance in the manner specified in this section if the emergency ordinance still exists. An emergency ordinance may also be repealed by adoption of a repealing ordinance in the same manner specified in this section for adoption of emergency ordinance.

Section. 214. Town Clerk.

The Town Clerk shall be appointed by the Town Manager and confirmed by the Town Council. The Town Clerk shall act as Clerk of the Town Council and shall keep a public record of all proceedings of the Town Council, including all roll-call votes.

Section. 215. Independent Annual Audit.

215.1 Prior to the end of each fiscal year, the Town Council shall designate the appropriate agency of the State of Maine or private certified public accountants who, as of the end of the fiscal year, shall make an independent audit of accounts and other evidences of financial transactions of the Town Council, and the Town Manager. Such accountants shall not maintain any accounts or records of the Town business, but shall post-audit the books and documents kept by the Department of Finance and any separate or subordinate accounts kept by any other office, department, or agency of the Town government. The audit shall be completed and delivered to the Town Council not later than December 30th following the end of the municipal year of the subject audit. The Town Council shall present an overview of the findings of the audit at the next regular meeting of the Town Council following receipt of the audit. (amended November 7, 2000; effective January 1, 2001) (amended November 2, 2004; effective December 1, 2004).

215.2 Not later than the first regular Town Council meeting in February, the Town Manager and the Superintendent of Schools, through the Board of Education shall present an "Audit Action Plan" with remedies as appropriate, to the Town Council for review and approval. (amended November 7, 2000; effective January 1, 2001)(amended November 2, 2004; effective December 1, 2004).

ARTICLE III - TOWN MANAGER

Section. 301. Qualifications.

The Town Manager shall be chosen by the Town Council solely on the basis of character, and executive and administrative qualifications with special reference to actual experience in, or knowledge of, accepted practice in respect to the duties of the office as hereinafter set forth. The Town Manager may be appointed for an indefinite term or, by contract, for a definite term. At the time of initial appointment, the Town Manager need not be a resident of the Town or state but, after one year following the date of initial appointment, the Town Manager shall not reside outside of the Town of Scarborough, Maine without the approval of the Town Council. No member of the Town Council shall be appointed Town Manager during a term of office, nor within one (1) year after the expiration of a term, nor shall any member of the Town Council act in that capacity.

Section. 302. Removal of Town Manager.

The Town Manager may be removed for cause by the Town Council in accordance with the method and procedure set forth in the general laws of Maine.

Section. 303. Town Manager, Chief Administrator.

The Town Manager shall be the chief administrative officer and the head of the administrative branch of the Town government, and shall be responsible to the Town Council, for the proper administration of all affairs of the Town. The Town Manager shall have the power and shall be required to:

- 303.1 Appoint all statutory officers required by law to be appointed, provided, however; that appointments to the head of any office, department or agency shall require prior confirmation by the Town Council.
- 303.2 Appoint, prescribe the duties of, and remove all officers and employees of the Town appointed by the Town Manager, except as otherwise provided herein, and except as the Town Manager may authorize the head of a department or office to appoint and remove subordinates in such department or office.
- 303.3 Prepare an annual budget, submit it to the Town Council and be responsible for its administration after adoption and keep the Town Council advised of the financial condition and future needs of the Town and make recommendations.
- 303.4 Prepare and submit to the Town Council as of the end of the fiscal year, a complete report on the finances and administrative activities of the Town for the preceding year, and cause such annual Town report to be published and made available to the public as promptly as possible after the close of the fiscal year.
- 303.5 Attend the meetings of the Town Council, except when removal of the Town Manager is being considered.
- 303.6 See that all laws and ordinances governing the Town are faithfully administered.
- 303.7 Oversee purchasing for all departments of the Town, except the School Department.
- 303.8 Perform such other duties as may be prescribed by this Charter or required by the Town Council not inconsistent with this Charter.

303.9 Prepare an administrative code, submit it to the Town Council and be responsible for its administration after adoption.

Section. 304. Town Council Not to Interfere in Appointments or Removals.

Neither the Town Council nor any of its members shall direct or request the appointment of any person to or removal from office by the Town Manager or by any subordinate of the Town Manager. Except for the purpose of inquiry, the Town Council and its members shall deal with the administrative service solely through the Town Manager, and neither the Town Council nor any member thereof shall give orders to any subordinates of the Town Manager, either publicly or privately.

Section. 305. Absence of Town Manager.

The Town Manager may, with the consent of the Town Council, designate by letter filed with the Town Clerk, a qualified administrative officer of the Town to perform the duties of the Town Manager during temporary absence or disability. In the event of failure of the Town Manager to make such designation, the Town Council may by resolution appoint any administrative officer of the Town to perform the duties of the Town Manager until the Town Manager returns or the disability ceases.

Section. 306. Appointees.

All appointees of the Town Manager shall serve at the will and pleasure of the Town Manager.

ARTICLE IV - DEPARTMENT OF EDUCATION

Section. 401. Board of Education.

The Department of Education shall be administered by a Board of Education, which shall consist of seven (7) members who shall be nominated and elected by the registered voters of the entire Town according to the provision of this Charter for a term of three (3) years and who shall serve until their successors are elected and qualified.

Section. 402. Qualifications.

Members of the Board of Education shall be registered voters of the Town and shall reside in the Town during their term of office. No member of the Board of Education shall serve as a Trustee of the Scarborough Sanitary District. During their term of office, members of the Board of Education shall not hold any other compensated Town office or Town employment, except as on-call emergency personnel. If a member of the Board of Education is recalled or shall cease to possess any of these qualifications or shall be finally convicted of a crime punishable by imprisonment for more than six months, the office shall immediately become vacant. [Amended November 2, 2010 (as noted) – Effective January 1, 2011]

Section. 403. Vacancies.

If a seat on the Board of Education 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 Education becomes vacant within six (6) months prior to the next regular Town election, the vacancy may, at the option of the Board of Education, be filled for the unexpired term by a special election however, no election shall be held within sixty (60) days prior to the date of the regular election.

Section. 404. Organization, Qualifications, Quorum.

The members of the Board of Education shall be sworn in by the Town Clerk or the Town Clerk’s designee upon certification of the election by the Town Council and seated at the first Board of Education meeting after certification. The majority of the whole number of the Board of Education shall be a quorum and they shall elect their own chair. Every vote of the Board shall require the affirmative vote of at least four members.

Section. 405. Powers and Duties.

The Board of Education shall have all the powers, and perform all the duties in regard to the care and management of the public schools of the Town, which are now conferred and imposed upon School Committees by the general laws of the State, except as otherwise provided in this Charter. At least seventy (70) days prior to the beginning of the fiscal year, the Board of Education shall submit to the Town Council budget estimates of the various sums required for the support of public schools for the ensuing fiscal year. The Town Council shall review the proposed budget and make appropriations for the support of public schools in accordance with the provisions of the general laws of the State and this Charter.

Section. 406. Compensation.

Members of the Board of Education shall receive one thousand five hundred dollars (\$1,500) per year for their services, except the Chair who shall receive one thousand seven hundred and fifty dollars (\$1,750), and their compensation shall be paid quarterly. Such compensation may be changed by ordinance, but no ordinance increasing the compensation of members of the Board of Education shall take effect during the then current municipal year.

ARTICLE V - BUDGET

Section. 501. Fiscal Year.

The municipal fiscal year of the Town shall be established from time to time by order adopted by the Town Council. Such municipal fiscal year shall constitute the budget and accounting year as used in this Charter. The term “budget year” shall mean the municipal fiscal year for which any particular budget is adopted and in which it is administered.

Section. 502. Preparation and Submission of the Budget.

502.1 At least sixty (60) days prior to the beginning of each fiscal year, the Town Manager shall submit to the Town Council a budget and an explanatory budget message. The budget authority of the Town Council shall include the authorization to set line item appropriations for all offices, agencies and departments of the Town, with the exception of the Department of Education. The Town Council shall only have total appropriation authority for the Department of Education. This budget shall be compiled from detailed information furnished by the administrative officers and boards in a format of which shall be designated by the Town Manager and shall contain:

502.1.1 An exact statement of the financial condition of the Town.

502.1.2 An itemized statement of appropriations recommended for current expenses, and for permanent improvements; with comparative statements in parallel columns of

projected expenditures for the current year and actual expenditures for the most recent audited fiscal year. An increase or decrease in any item shall be indicated by dollar amount and percentage change.

- 502.1.3 An itemized statement of estimated revenue from all sources, other than taxation; and a statement of taxes required, comparative figures from current and preceding year.
- 502.1.4 Such other information as may be required by the Town Council. The proposed budget prepared by the Town Manager, as well as the school budget, shall be reviewed by the Town Council, which shall approve the total budget with or without amendments. The Town Council shall fix the time and place for holding a public hearing on such budget, and shall give public notice of such hearing.
- 502.1.5 At the head of the budget, there shall appear a summary of the budget, which need not be itemized, further than by principal sources of anticipated revenue, stating separately the amount to be raised by property tax, and shall be itemized by departments and kinds of expenditures in such manner as to present to the taxpayers a simple and clear summary of the detailed estimates of the budget.
- 502.1.6 The budget for all departments, including the Department of Education, shall include all proposed expenditures. The Town Council shall make appropriations for each department, including the Department of Education, for the ensuing fiscal year. The appropriation for each department shall not be exceeded except by consent of the Town Council, but the school budget shall be expended under the direction of the Board of Education subject to the provisions of Article IV and V hereof.
- 502.1.7 After the adoption and before the beginning of the budget year, the head of each office; department or agency shall submit to the Town Manager, upon request, a work program of the year, which program shall show the requested allotments of appropriations for such office, department or agency, by stated periods, for the entire budget year. The Town Manager shall review the requested allotments of the appropriations for such office, department or agency, by stated periods, for the entire budget year. The Town Manager shall review the requested allotments in the light of the work program of the office, department or agency concerned, and may revise, alter or change such allotments before approving the same. The aggregate of such allotments shall not exceed the total of appropriations available to said office, department or agency for the budget year.

Section. 503. Town Council Adoption of the Budget.

The Town Council shall thereafter review the budget and adopt it with or without change no later than sixty (60) days from the date of its submission to the Town Council. In the event the Town Council shall fail to adopt the budget within said sixty (60) day period, the budget as presented by the Town Manager and by the Board of Education shall automatically become the budget for the fiscal year or as otherwise provided by State law.

Section. 504. Budget Established Appropriations.

From the date of adoption of the budget, the several amounts stated therein as proposed appropriations shall be and become appropriated to the several agencies and purposes therein named.

Section. 505. Budget Establishes Amount to be Raised by Property Tax; Certification to Town Assessor.

From the date of adoption of the budget, the amounts stated therein as the amount to be raised by property tax shall constitute a determination of the amount of the levy for the purposes of the Town in the corresponding tax year. A copy of the budget finally adopted shall be certified by the Town Manager and filed with the Town Assessor, whose duty it shall be to levy such taxes for the corresponding tax year.

Section. 506. Transfer of Appropriations.

Following approval of the budget and at the request of the Town Manager, transfer of appropriations between offices, agencies or departments shall be presented by order to the Town Council in public session, and shall require approval of the majority of the Town Council. Adjustments to or transfers of appropriations within the Department of Education budget shall be determined by the policies of the Board of Education, but may not exceed the total appropriation authorized by the Town Council.

ARTICLE VI - TAX ADMINISTRATION

Section. 601. Assessor.

There shall be established a Department of Assessment, the head of which shall be the Town Assessor. The Assessor, acting under the administrative control of the Town Manager, shall exercise the same powers and be subject to the same duties and liabilities that similar officers of the several Towns and cities in the state may exercise, and may now, or hereafter be subject to, under the laws of the state.

Section. 602. Board of Assessment Review: Appointments and Vacancies.

There shall be a Board of Assessment Review consisting of five (5) regular members and two (2) alternate members who shall be appointed by the Town Council for a term of 3 years. Compensation, if any, to such members, shall be determined by the Town Council. Vacancies in the membership of such board shall be filled by appointment by the Town Council for the unexpired term.

Section. 603. Board of Assessment Review: Powers, and Duties.

The Board of Assessment Review shall:

- 603.1 Review appeals from decisions of the Assessor regarding applications for abatements of property taxes and make determinations with respect to assessments in accordance with the general laws of the State of Maine.
- 603.2 Have the power to administer oaths, take testimony, and hold hearings as may be required in carrying out its functions.
- 603.3 Adopt, subject to the approval of the Town Council, rules and regulations for the transaction of its business.

ARTICLE VII - MUNICIPAL DEVELOPMENT

Section. 701. Planning Board.

There shall be a Town Planning Board, which shall consist of five (5) regular members and two (2) alternate members appointed by the Town Council. The Planning Board shall act as the Town's

primary municipal development review authority and shall have such powers and perform such duties as are provided by the ordinances of the Town and the general laws of the State of Maine. [Amended November 2, 2010 (as noted) – Effective January 1, 2011]

Section. 702. Zoning Ordinance.

There shall be a zoning ordinance as provided by the laws of the State of Maine.

Section. 703. Board of Appeals.

There shall be a Board of Appeals, which shall consist of five (5) regular members and two (2) alternate members appointed by the Town Council. The Board shall have such powers, and duties as are provided by the ordinances of the Town and the general laws of the State of Maine. [Amended November 2, 2010 (as noted) – Effective January 1, 2011]

Section 704. Long Range Planning Committee.

There shall be a Long Range Planning Committee, which shall consist of five (5) regular members and two (2) alternate members appointed by the Town Council. The regular members and alternate members must be either residents of the Town or owners of real property situated within the Town. The Long Range Planning Committee shall be advisory and shall act as the primary committee to develop and recommend plans for the growth and development of the Town in accordance with the Comprehensive Plan, the ordinances of the Town and the general laws of the State of Maine. [Amended November 2, 2010 (as noted) – Effective January 1, 2011]

ARTICLE VIII - NOMINATIONS AND ELECTIONS

Section. 801. Municipal Elections.

The regular election for the choice of members of the Town Council and the Board of Education shall be held on the first (1st) Tuesday following the first (1st) Monday in November. All elections shall be conducted on a nonpartisan basis and without party designation on the election ballot.

Section. 802. Nomination.

Registered voters of the Town shall be nominated for the Town Council or the Board of Education only by the use of nomination papers in accordance with the laws of the State of Maine, except as otherwise provided in this Charter. For regular elections under Section 801 of this Charter, the Town Clerk shall make nomination papers available to prospective candidates no later than the first Wednesday in August prior to the election and nomination papers shall be filed with the Town Clerk no later than the first Wednesday in September prior to the election. For special elections to fill vacancies, the dates for availability and filing of nomination papers shall be as set forth in the laws of the State of Maine, except that the Town Council may, by order, modify such dates. (amended November 2, 2004; effective December 1, 2004).

Section. 803. Conduct of Municipal Elections.

The provisions of the laws of the State of Maine relating to the qualifications of voters, the registration of voters, the nomination for any office, the manner of voting, the duties of election officers, and all other particulars relative to preparation for, conducting and management of elections, so far as they may be applicable, shall govern all municipal elections, except as otherwise provided in this Charter.

Section. 804. Voting Place.

The voting places for municipal elections shall be those which have been or may hereafter be, established for state elections by the affirmative vote of the Town Council pursuant to state law.

Section. 805. Election Officials.

The Town Council shall, at least ten (10) days before any election, appoint a warden and a Clerk, in addition to the regular ballot Clerks, for each voting place. No elected official of the Town may serve as warden, Clerk or ballot Clerk.

Section. 806. Limitation of Terms of Office.

Following the effective date of this Charter, the following elected and appointed officials shall serve for no more than three (3) consecutive full terms of office: members of the Town Council; members of the Board of Education; and full voting members of the Planning Board or the Board of Appeals.

Section. 807. Rules and Procedures for Local Elections.

The Town Council shall establish local rules and procedures for the administration of municipal elections. Said rules and procedures shall not be in conflict with State Statute. The Town Council shall certify the results of municipal elections.

ARTICLE IX – REFERENDUM, INITIATIVE AND Recall [Amended November 2, 2010 (as noted) – Effective January 1, 2011]

Section. 901. Petition for Overture of Action by Town Council.

The following shall be subject to overrule by referendum as follows:

- 901.1 All ordinances.
- 901.2 Orders or resolves appropriating one hundred thousand dollars (\$100,000) or more for a single capital improvement or capital equipment.
- 901.3 Orders or resolves authorizing bond issues of one hundred thousand dollars (\$100,000) or more for capital improvements or capital equipment.
- 901.4 Any order or resolve authorizing a conveyance of Town-owned real property, other than property acquired due to non-payment of taxes or assessments, if the value of the property listed in the Town Assessor’s records at the time of enactment of the order or resolve, exceeds \$400,000. [Amended November 2, 2010 (as noted) – Effective January 1, 2011]
- 901.5 If within twenty (20) days after the enactment of any such ordinance, order or resolve, a petition complying with section 904, is filed with the Town Clerk requesting its reference to a referendum, The Town Clerk shall examine the petition pursuant to section 905 and, if the Clerk determines that the petition is sufficient and has been signed by a number of registered voters of the Town equal to at least twenty-five (25%) of the number of votes cast in Scarborough in the last gubernatorial election, shall so certify to the Town Council in writing, and the Council shall thereafter submit the ordinance, order or resolve to the voters of the Town in accordance with section 906. Pending action by the voters of the Town, the referred ordinance, order or resolve shall not become effective until it has received a vote of the majority of the voters voting on said question. In the event that the

total number of votes cast for and against the question is less than a number of registered voters equal to at least twenty-five percent (25%) of the number of votes cast in Scarborough in the last gubernatorial election, the action of the Town Council shall be deemed to be approved.

901.6 The ballot question for overrule of an ordinance, order or resolve under shall be substantially as follows:

“Shall the [ordinance] [order] [resolve] entitled “_____” be approved?”

901.7 A petition under this Section 901 must be limited to a single ordinance, order or resolve. If more than one ordinance, order or resolve is sought to be overruled, a separate petition must be file for each.

Section. 902. Petition for Enactment of Ordinance. [Amended November 2, 2010 (as noted) – Effective January 1, 2011]

902.1 A number of registered voters of the Town equal to at least twenty-five percent (25%) of the number of votes cast in Scarborough in the last gubernatorial election, may at any time petition for the enactment of any proposed lawful ordinance by filing such petition in compliance with Section 904, including the complete text and the title of such ordinance, with the Town Clerk. The Town Clerk shall examine the petition pursuant to section 905 and, if the Clerk determines that the petition is sufficient and contains the number of valid signatures required by this section, shall so certify to the Town Council in writing, and the Council shall thereafter submit the ordinance to the voters of the Town in accordance with Section 906. Such ordinance shall take effect on the tenth day (10th) after the conclusion of such referendum, provided a majority of those voting thereon shall have voted in the affirmative and provided that the total votes cast for and against the ordinance exceeds a number of registered voters of the Town equal to at least twenty-five percent (25%) of the number of votes cast in Scarborough in the last gubernatorial election.

902.2 Any such proposed ordinance shall be examined by the Town Attorney before being submitted to the voters. The Town Attorney is authorized to correct the form of such proposed ordinance for the purpose of avoiding repetition, illegalities and unconstitutional provisions and to assure accuracy in its text and references and clearness and preciseness in meaning and effect.

902.3 The ballot question for the proposed ordinance shall be substantially as follows:

“Shall the ordinance entitled “_____” be adopted?”

902.4 A petition under this Section 902 must be limited to a single ordinance. If more than one ordinance is sought to be enacted, a separate petition must be filed for each.

Section. 903. Petition for Recall of an Elected Official. [Amended November 2, 2010 (as noted) – Effective January 1, 2011]

903.1 Any 25 registered voters of the Town may initiate a petition to recall an elected official of the Town by filing with the Town Clerk an affidavit containing the names and addresses of the 25 voters signing the affidavit and designating the name and address of one such voter to receive notices from the Town. The affidavit must state the name of and the office held

by the official sought to be recalled and must contain a statement of the reason or reasons for the proposed recall. Each of the 25 voters must sign the affidavit in the presence of a notary public or other person authorized to administer oaths under Maine law.

903.2 If more than one elected official is sought to be recalled, a separate affidavit must be filed regarding each. Only one official can be named on a recall petition.

903.3 Upon receipt of such affidavit, the Town Clerk shall promptly prepare and issue petition forms to the person designated to receive notices under Section 903.1. The petition forms prepared by the Clerk shall comply with the requirements of Section 904.

903.4 If, within 20 days after the date the Clerk issued the petition forms under Section 903.3, a petition is filed, the Clerk shall review the petition pursuant to Section 905, and if the Clerk determines that the petition is sufficient and contains the signatures of a number of registered voters of the Town equal to at least 25% of the number of votes cast in Scarborough in the last gubernatorial election, shall so certify to the Town Council in writing and give written notice of the certification to the official sought to be recalled.

903.5 Upon receipt of notice under Section 903.4, the official sought to be recalled may submit his or her resignation in writing to the Town Council or the Board of Education, as applicable, in which case the position shall become vacant as of the date of the written resignation and shall be filled pursuant to Section 211 or Section 403, as applicable.

903.6 If the official sought to be recalled does not resign from the office, the Town Council, upon receipt of the certification of the sufficiency of the petition from the Town Clerk, shall proceed to call and conduct a recall election in accordance with Section 906. At the public hearing required by Section 906.1, the official sought to be recalled shall have the right to be heard and the Town Council shall give the official a reasonable opportunity to respond to the reasons stated in the recall petition and to public comment. If the Town Council fails or refuses to order a recall election as required herein, the Town Clerk, or in the absence of the Town Clerk the Deputy Town Clerk, shall call the election.

903.7 The ballot question for a recall election shall be substantially as follows:

“Shall [name of elected official] be recalled from the position of [name of position]?”

If a majority of the voters voting in the recall election vote in the affirmative, the official shall be recalled, provided that the total number of votes cast for and against the question exceeds a number of registered voters of the Town equal to at least 30% of the number of votes cast in Scarborough in the last gubernatorial election.

903.8 An official sought to be recalled and who has not resigned under Section 903.5 shall continue to perform the duties of the office until the Town Council certifies the results of the recall election. If the official is recalled, the office shall become vacant immediately upon certification of the results of the election and shall be filled in accordance Section 211 or Section 403 of this Charter, as applicable.

Section. 904. Petition Format and Procedures. [Amended November 2, 2010 (as noted) – Effective January 1, 2011]

904.1 Petitions under Sections 901, 902 and 903 must be on forms issued by the Town Clerk. Before issuing a petition form, the Clerk shall obtain from the person or persons requesting the form the name of one registered voter who intends to sign the petition and who will be the Designated Petitioner for the purpose of receiving notices from the Town regarding the petition.

904.2 A petition may be circulated in multiple petition forms issued by the Clerk, each of which must meet the following requirements:

904.2.1 Each petition must have on its face, at the top of the page, the applicable designation of the type of petition as either “Petition for Overrule of Town Council Action,” “Petition for Enactment of an Ordinance” or “Petition for Recall of an Elected Official.” A Petition for Overrule of Town Council Action must identify the ordinance, order or resolve sought to be overruled. A Petition for Enactment of an Ordinance must contain the title and complete text of the proposed ordinance. A Petition for Recall of an Elected Official must identify the name of the official, the office held by the official and the reasons for recall as stated in the affidavit of 25 voters under Section 903.1.

904.2.2 Each petition form must have spaces for each voter signing the petition to print the voter’s name, print the voter’s physical address, affix the voter’s signature and indicate the date signed.

904.2.3 Each petition form shall contain an affidavit to be executed by the circulator stating that the circulator personally circulated the petition form; that all signatures contained on the petition form were signed in the circulator’s presence; that the circulator believes them to be genuine signatures of the registered voters whose names they purport to be; and that each person signing the petition form had an opportunity to read the petition before signing. The affidavit of the circulator must be attested by a notary public or other person authorized under Maine law to administer oaths prior to the petition being filed in the Town Clerk’s office.

904.3 Petition forms may be circulated by any registered voter of the Town of Scarborough.

904.4 The petition forms must be filed in the office of the Town Clerk during the normal business hours of the Clerk’s office. In order to be accepted for filing, the petition forms must be assembled as one instrument and filed together at the same time. The Town Clerk shall make a notation on the first page of the petition of the date and time of the filing.

904.5 If there is a deadline for filing the petitions set forth in another section of this Charter and such deadline falls on a Saturday, Sunday or a holiday on which the Town Clerk’s office is closed, the deadline for filing the petition is extended to the next day during which the Town Clerk’s office is open for business.

Section. 905. Review of Petitions by Town Clerk. [Amended November 2, 2010 (as noted) – Effective January 1, 2011]

905.1 Within 10 working days (days on which the Town Clerk’s office is open for business) after a petition has been filed under Section 904.4 above, the Town Clerk shall determine whether the petition is in compliance with the requirements of Section 904 and whether the required number of valid signatures has been obtained. In making those determinations, the Clerk shall apply the following criteria:

905.1.1 If any individual petition form fails to comply with the requirements of Section 904, that particular petition form is invalid.

905.1.2 If the affidavit of the circulator on any individual petition form has been altered or tampered with in any way, that particular petition form is invalid.

905.1.3 If any voter has signed more than one petition form, that voter's name shall be counted only once.

905.2 If, after applying the above criteria, the Town Clerk determines that the petition does not contain the required number of valid signatures or is otherwise insufficient, the Clerk shall notify, in writing, the person identified as the Designated Petitioner under Section 904.1 that the petition is insufficient and may be amended within 5 working days (days when the Town Clerk's office is open for business) after the date of such notice by filing additional, supplementary petition forms, issued, circulated and filed in the same manner as the original petition. Upon timely receipt of supplementary petition forms, the Town Clerk shall review them in the same manner as the Clerk reviews an original petition. If the Clerk finds that the petition is still insufficient, the Clerk shall notify, in writing, the Town Council and the Designated Petitioner of that determination. That determination by the Clerk shall not prevent the filing of a new petition for the same purpose.

905.3 If the Clerk determines that the petition is sufficient and contains the required number of valid signatures of registered voters of the Town, the Clerk shall so certify in writing to the Town Council and to the Designated Petitioner.

Section. 906. Submission to Voters. [Amended November 2, 2010 (as noted) – Effective January 1, 2011]

906.1 Upon receipt of the certification of sufficiency and validity from the Clerk under Section 905.3, the Town Council shall call a public hearing to be held within 30 days of the date of the Clerk's certification. Notice of the public hearing shall be given in the same fashion as notice of proposed ordinances under Section 213.

906.2 Within 30 days after the date of the public hearing, the Town Council shall call and hold a special Town election for the purpose of submitting the petitioned question to the voters. If the date of such special election would fall within the 30 days immediately prior to a regular or previously scheduled special election, the election for the consideration of the petitioned question shall be deferred until the date of such regular or previously scheduled special election.

906.3 The Town Council shall certify the results of an election under this Article in the same manner as the Council certifies results for other municipal elections.

Section. 907. Voter Referendum Required for Certain Bond Issues. [Amended November 2, 2010 (as noted) – Effective January 1, 2011]

907.1 The Town Council shall submit orders or resolves authorizing the issuance of general obligation securities of the Town, or the appropriation and expenditure of funds derived solely from municipal revenue sources, or a combination of both, in a principal amount greater than \$400,000 for a single capital improvement or item of capital equipment to voter referendum subject to the following:

907.1.1 The provisions of this section shall not be applicable to any order or resolve authorizing (i) the refunding of any securities or other obligation of the Town; (ii) the issuance of general obligation securities, or other direct or indirect obligations, of the Town for streets, sidewalks, or storm or sanitary sewers or other public utilities; or (iii) any construction or financing of improvements or equipment needed as a result of fire, flood, disaster, or other declared emergency. For

purposes of this section, the Town Council may by vote of five (5) of its members adopt emergency orders or resolves authorizing construction or financing of improvements or equipment needed as a result of fire, flood, disaster or other emergency and such orders or resolves shall contain a section in which the emergency is set forth and defined; provided, however, that the declaration of such emergency by the Town Council shall be conclusive. (amended November 5, 2002; effective November 20, 2002)

907.1.2 Any order or resolve described in subsection 905.1 of this section shall be approved by separate action of the Town Council.

907.1.3 No order or resolve described in subsection 905.1 of this section, not excepted by subsection 905.11, shall become effective until approved by a majority of voters voting at a regular or special municipal election. In the event that the total number of votes cast for and against the question for the referred order or resolve should be less than 25% of the number of votes cast in Scarborough in the last gubernatorial election, then such order or resolve shall be deemed to be approved and effective.

907.1.4 The ballot question for the referred order or resolve under Section 907 shall be substantially as follows:

“Shall the order or resolve entitled “ _____ ” be approved?”

ARTICLE X - GENERAL PROVISIONS

Section. 1001. Oath of Office.

All elected Town officials and all Town officials appointed by the Town Council under Section 204.1 of this Charter, shall, before entering upon the duties of office, take and subscribe to the following oath or affirmation, to be filed and kept in the office of the Town Clerk:

“I solemnly swear (or affirm) that I will support the Constitution and will obey the laws of the United States and of the State of Maine; that I will, in all respects, observe the provisions of the Charter and ordinances of the Town of Scarborough and statutes of the State of Maine, and will faithfully discharge the duties of the office of _____”

Section. 1002. Summons Before Town Council.

At the request of the Town Council, the Clerk of Courts of Cumberland County may issue summons for witnesses to attend and produce books, documents and papers at any meeting of the Town Council for the Town of Scarborough at which a hearing is held on any matter relating to the administration of any Town affairs, which summons shall be served as summons are required to be served in matters before the Superior Court. On complaint of failure to obey the summons to any Justice of the Superior Court, which Justice is expressly given jurisdiction to hear such complaints, said Justice, if he/she finds failure to obey said summons to be without reasonable excuse, shall impose a fine of not less than ten dollars (\$10) nor more than one hundred dollars (\$100) or imprisonment for not more than thirty (30) days, or both fine and imprisonment. All rights of appeal as exist in the general laws of the State of Maine shall be available.

Section. 1003. Personnel Procedures.

1003.1 The Town Manager may remove or suspend any officer or employee appointed by the Town Manager. In the case of an officer or employee whose appointment required confirmation by the Town Council under Section 303.1 above, removal by the Town Manager shall take effect upon ratification by the Town Council. Where the Town Manager has authorized the head of a department or office to appoint subordinates under Section 303.2, such department or office head may remove or suspend any such subordinate. The removal or suspension by the department or office head shall take effect upon ratification by the Town Manager. All removals or suspensions without pay shall be subject to appeal to the Personnel Appeals Board provided such officer or employee submits an appeal within ten (10) days of the effective date of such removal or suspension.

1003.2 There shall be a Personnel Appeals Board consisting of five (5) regular members and two (2) alternate members appointed by the Town Council from among the qualified voters of the Town for staggered terms of three (3) years. The majority of the whole number of the Personnel Appeals Board shall be a quorum, and every decision shall require the affirmative vote of at least three (3) members of the Board.

1003.3 The Personnel Appeals Board shall meet within ten (10) days from receipt of a notice of appeal for the initial consideration of the appeal. The Personnel Appeals Board shall issue its written decision within ten (10) days after the conclusion of the hearing on the appeal. Continuances may be granted by the Board for good cause shown. The Board may adopt, subject to the approval of the Town Council, rules and regulations for the transaction of its business.

1003.4 The Town Council shall enact a personnel ordinance setting forth standards of conduct for Town employees and establishing generally recognized principles of progressive discipline.

Section. 1004. Short Title.

This Charter shall be known and may be cited as the “Council-Manager Charter of the Town of Scarborough.” The Town Clerk shall cause it to be printed and have copies available at the Town Office.

Section. 1005. Severability Clause.

If any portion of this Charter shall be held to be invalid, such decision shall not affect the validity of the remaining portions hereof.

Section. 1006. Repealing Clause.

All Acts and parts of Acts of the private and special laws of Maine relating to the Town of Scarborough, inconsistent with the provisions of this Charter, are repealed.

Section. 1007. Charter Amendments.

Amendments to this Charter may be proposed and enacted in accordance with the general laws of the State of Maine.

Section. 1008. Charter Review.

At least once every ten (10) years the Town Council shall appoint a committee to review the provisions of this Charter and make recommendations to the Town Council on any amendments deemed necessary or appropriate.

Section. 1009. Disclosure of Interest.

1009.1 Any person, elected or appointed, serving on any body, committee, subcommittee or commission of the Town of Scarborough, whether advisory or otherwise, shall publicly disclose any relationship that may create a conflict of interest or the appearance of impropriety during the discussion or deliberation upon a matter before the body, committee, subcommittee or commission on which that person serves. State law regulating conflict of interest and appearance of impropriety shall be used as the basis to determine if a conflict or appearance of impropriety may exist.

1009.2 A person, acting in a legislative or judicial capacity, disclosing a potential conflict of interest shall recuse himself or herself from participating in the discussion or deliberations as is required by State Statute MRSA 30A, Section 2605, amended from time to time. A majority of the other members of the body, committee, subcommittee or commission on which that person serves may disqualify the person from the deliberation, may disqualify the person from deliberating and voting if, after hearing the disclosure and making appropriate inquiry, they determine the person should be disqualified from acting upon the matter because of conflict of interest or the appearance of impropriety.

Section. 1010. Effective Date.

Except as otherwise provided herein, this Charter shall become effective on July 1, 1993.

Subject: Re: [MTCCA] Ordinance request
From: Louise Lester <louise.lester@raymondmaine.org>
Date: Wed, 11 May 2011 16:24:20 -0400
To: MTCCA@yahoogroups.com

Thanks so much, I might be calling you.

On 5/11/2011 10:50 AM, Jennifer Roux wrote:

Good Morning,

The Town of Acton adopted the attached recall ordinance in January of 2008 and voters have in fact petition since then, based on this ordinance to removal a Selectmen, which eventually passed at the polls.

The current Board has made some proposed changes to it which will appear on the June 2011 warrant at Town Meeting.

I'd be happy to discuss it with you in further detail if you'd like.

Jennifer Roux
Town of Acton
Town Clerk/Tax Collector/Registrar of Voters/Office Manager
636-3131, ext 401

On 5/11/2011 10:39 AM, Louise Lester wrote:

Can I hear from any town which has one or both of the following ordinances?

An ordinance which has been "used" to recall an elected position.
An ordinance which allows the Board of Selectmen to appoint a person to a vacant Selectman seat until the next annual election.

Your help is most appreciated.

--

Louise H. Lester, Town Clerk
Town of Raymond
401 Webbs Mills Road
Raymond, Maine 04071
207-655-4742 ext. 21
louise.lester@raymondmaine.org

--

Jennifer Roux
Town Clerk/Tax Collector
Registrar of Voters
Office Manager

--

Louise H. Lester, Town Clerk
Town of Raymond
401 Webbs Mills Road
Raymond, Maine 04071
207-655-4742 ext. 21
louise.lester@raymondmaine.org

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[Messages in this topic \(9\)](#)

RECENT ACTIVITY:

Visit Your Group

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ORDINANCE FOR THE RECALL OF ELECTED MUNICIPAL OFFICIALS

SECTION 1: AUTHORITY

This ordinance is enacted pursuant to 30-A M.R.S.A., s/s 2602(6) and 3001.

SECTION 2: APPLICABILITY

Any Elected Municipal Official, with the exception of School Board Members, of the Town of Acton may be recalled and removed from office as here in provided for.

SECTION 3: PETITION FOR RECALL

- a. The petition for recall must contain signatures of registered voters of the Town of Acton equal to 10% of the number of votes cast in the last Gubernatorial Election, but in all cases no fewer than (100) one hundred. *2011 is 222 signatures*
- b. The petition shall be addressed to the board of Selectman as the Board with the power to call elections pursuant to 30-A M.R.S.A., s/s 2528.
- c. The petition shall state the name and office of the person whose removal is being sought, a specific statement of the reason such removal is desired, and the names of the persons circulating the petition.
- d. If recall of more than one official is being sought, there shall be a separate petition for each official whose removal is being sought.
- e. Each page of the petition shall provide a space for the voter's signature, printed name, and physical address.
- f. All petition pages thereof shall be filed as one document.

SECTION 4: CLERK CERTIFICATION

Within ten (10) days of the receipt of the petition, the Town Clerk shall certify the signatures contained on the petition and shall determine if the petition meets all the qualifications as set forth in section (3) of this ordinance. Should the petition be found insufficient, the petition will be filed in the Clerk's office and the voter who filed the petition will be notified.

SECTION 5: CALLING THE RECALL ELECTION

- a. If the petition is certified by the Town Clerk to be sufficient, he or she will submit the same with his/her certification to the board at their next regular meeting and shall notify the Officials whose removal is being sought by such action.
- b. The Selectmen, upon receipt of the certified petition, shall within ten (10) days time of receipt, order an election by Secret Ballot to be held not less than Forty-five (45) days nor more than sixty (60) days of, thereafter, provided that a regular municipal election will not be held within ninety (90) days of receipt by the Selectmen of the certified petition. In the case of such an election, the Selectmen may at their discretion provide for the holding of the recall election on the date of the regular Municipal Election.

- c. In the event that the Town Selectmen unreasonably refuse to order an election as herein provided, a Notary Public may call the election to be held not less than forty-five (45) days nor more than sixty (60) days following the Selectmen's refusal to order the required election.

SECTION 6: BALLOT FOR RECALL ELECTION

The ballots shall be printed and shall read "Shall _____ Be Recalled?" with the name of the official whose recall is being sought inserted in the blank space.

SECTION 7: RESULTS OF ELECTION

In the event of an affirmative vote for removal, such vote shall take effect as of the recording of the vote tabulation into the records, after any inspection or recount, or after the time for an inspection or recount has expired.

SECTION 8: VACANCIES TO BE FILLED

Any vacancy resulting from removal from office under this ordinance shall be filled in accordance with the provisions contained in the Maine State Statutes.

SECTION 9: INTERIM POWERS

The official whose recall is sought shall have all those powers and duties of the office until a duly elected replacement has been sworn in.

SECTION 10: SUCCESSIVE PETITIONS

A subsequent recall petition may not be filed for at least six (6) months after a failed recall election on that official.

SECTION 11: APPOINTMENT

A person recalled from office may (*not*) be appointed to the same office.

Adopted January 8th, 2008

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Provide for a Method To Remove an Elected Municipal Official

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, municipalities conduct official business that must be attended to on a daily basis, mostly by a small group of municipal officials; and

Whereas, many small municipalities do not have sufficient charters or ordinances to respond timely to misconduct or malfeasance by their municipal officials; and

Whereas, misconduct or malfeasance by an official in a small municipality that does not have the legal means to address the issue can directly affect the ability of the municipality to conduct its official business, which has a negative effect on the public interest and is of a direct concern to the State; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 30-A MRSA §2505 is enacted to read:

§ 2505. Recall of municipal officials

Except as otherwise provided by the municipality's ordinances or charter, an elected official of a municipality may be recalled from office pursuant to this section. For purposes of this section, "official" has the same meaning as section 2604, subsection 2.

1. Petition for recall. On the written petition pursuant to subsection 5 of a number of voters equal to at least 10% of the number of votes cast in the municipality at the last gubernatorial election, an election must be held to determine the recall of an elected official of that municipality.

2. Notice of intention. In order to initiate a recall election under subsection 1, the initiator of the petition shall file a notice of intention of recall with the municipal clerk of the municipality. A notice of intention of recall under this subsection must include the name, address and contact information of the person filing the notice and the name and position of the official subject to recall under this section. Only a person registered to vote in the municipality may file a notice of intention of recall under this subsection.

3. Petition forms. Within 3 business days of receipt of a notice of intention of recall under subsection 2, the municipal clerk shall prepare petition forms for the collection of signatures under subsection 4 and send notice to the initiator of the petition under subsection 2 that the petition forms are available. The municipality may charge the initiator of the petition a reasonable fee for preparing and providing the petition forms under this subsection. A petition form under this subsection must include:

A. At the top of the form, the name and position of the official subject to recall, the name and contact information of the initiator of the petition and the date by which the signatures must be submitted to the municipal clerk under subsection 4;

B. Spaces for each voter's signature, actual street address and printed name; and

C. Space at the bottom of the form for the name, address and signature of the person circulating the petition form.

4. Collection and submission of signatures. A petition form under subsection 3 may be circulated or signed only by a registered voter of the municipality. A circulator of a petition form shall fill in the information required under subsection 3, paragraph C and sign the form prior to submission of the form to the municipal clerk. The initiator of the petition under subsection 2 shall collect the petition forms from all circulators and submit the signed petition forms to the municipal clerk within 14 days of receipt of notice from the clerk that the petition forms are available under subsection 3. A municipal clerk may not accept a petition form submitted more than 14 days after sending notice of availability to the initiator under subsection 3, and any voter signatures on that form are invalid.

5. Petition certification and notification. Within 7 business days of receiving petition forms under subsection 4, the municipal clerk shall determine whether the petition forms meet the criteria under subsection 4 and certify the validity of any signatures on the petition forms. If the municipal clerk finds that the number of valid signatures submitted under subsection 4 meets or exceeds the requirements under subsection 1, the clerk shall certify the petition and immediately send notification of the certification to the municipal officers, the initiator of the petition and the official subject to the recall. If the municipal clerk finds the number of valid signatures submitted under subsection 4 does not meet the requirements for a petition under subsection 1, the municipal clerk shall file the petition and the petition forms in the clerk's office and notify the initiator of the petition.

6. Scheduling recall election. Within 10 business days of certification of the petition under subsection 5, the municipal officers shall schedule a recall election to determine whether the official subject to the recall petition should be recalled. The election must be held no less than 45 days nor more than 75 days after certification of the petition under subsection 5 unless a regular municipal election is scheduled to be held within 90 days of the certification of the petition under subsection 5, in which case the recall election must be held on the date of the regular municipal election. If the municipal officers fail to schedule a recall election within 10 days of certification of the recall petition under subsection 5, the municipal clerk shall schedule the recall election pursuant to the date requirements of this subsection.

7. Ballots for recall election. If the official subject to the recall does not resign from office within 10 business days of certification of the recall petition under subsection 5, the ballots for the recall election under subsection 6 must be printed. A ballot for a recall election under this section must read:

"Do you authorize the recall of (name of official) from the position of (name of office)?

() Yes () No"

8. Results of recall election. Within 2 business days of a recall election under subsection 6, the municipal clerk shall certify and record the election results and notify the municipal officers of those results. If a majority of voters vote to remove the official, the recall takes effect on the date the election results are recorded pursuant to this subsection.

9. Limitation of recall. An elected official may be the subject of a recall petition under this section only for neglect of duty, misconduct or malfeasance in office and after being given a written statement of the charges.

Sec. 2. 30-A MRSA §2602, sub-§1, ¶F, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

F. Failure to qualify for the office within 10 days after written demand by the municipal officers; or

Sec. 3. 30-A MRSA §2602, sub-§1, ¶G, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

G. Failure of the municipality to elect a person to office; or

Sec. 4. 30-A MRSA §2602, sub-§1, ¶H is enacted to read:

H. Recall pursuant to section 2505.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

SUMMARY

This bill establishes a procedure to recall an elected municipal official if that municipality's ordinances or charter do not address the issue. An elected official may be the subject of a recall only for neglect of duty, misconduct or malfeasance in office and after being given a written statement of the charges.

Maine Revised Statutes

- ▼ §2602 PDF
- ▼ §2602 WORD/RTF
- STATUTE SEARCH
- ◀ CH. 123 CONTENTS
- ◀ TITLE 30-A CONTENTS
- ◀ LIST OF TITLES
- DISCLAIMER
- ◀ MAINE LAW
- ◀ REVISOR'S OFFICE
- ◀ MAINE LEGISLATURE

§2601-A Title 30-A: §2603

MUNICIPALITIES AND COUNTIES

HEADING: PL 1987, C. 737, PT. A, §2 (NEW)

Part 2: MUNICIPALITIES HEADING: PL 1987, C. 737, PT. A, §2 (NEW)

Subpart 3: MUNICIPAL AFFAIRS HEADING: PL 1987, C. 737, PT. A, §2 (NEW)

Chapter 123: MUNICIPAL OFFICIALS HEADING: PL 1987, C. 737, PT. A, §2 (NEW)

Subchapter 1: GENERAL PROVISIONS HEADING: PL 1987, C. 737, PT. A, §2 (NEW)

§2602. Vacancy in municipal office

1. When vacancy exists. A vacancy in a municipal office may occur by the following means:

A. **Nonacceptance;** [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

B. **Resignation;** [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

C. **Death;** [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

D. **Removal from the municipality;** [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

E. **Permanent disability or incompetency;** [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

F. **Failure to qualify for the office within 10 days after written demand by the municipal officers; or** [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

G. **Failure of the municipality to elect a person to office.** [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD);

SEE #6

1989, c. 104, Pt. C, §§8, 10 (AMD) .]

2. Vacancy in office other than selectman or school committee. When there is a vacancy in a town office other than that of selectman or school committee, the selectmen may appoint a qualified person to fill the vacancy.

[1991, c. 270, §3 (AMD) .]

3. Vacancy in office of selectman. When there is a vacancy in the office of selectman, the selectmen may call a town meeting to elect a qualified person to fill the vacancy.

[1991, c. 270, §3 (AMD) .]

4. Vacancy in school committee. A vacancy in a municipality's school committee shall be filled as provided in Title 20-A, section 2305, subsection 4.

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD) .]

5. Person appointed qualifies. The person appointed to fill a vacant office must qualify in the same manner as one chosen in the regular course of municipal activity.

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD) .]

6. Home rule authority. Under its home rule authority, a municipality may apply different provisions governing the existence of vacancies in municipal offices and the method of filling those vacancies as follows:

A. Any change in the provisions of this section relating to a school committee must be accomplished by charter; and [1993, c. 369, §1 (AMD).]

B. Any change in the provisions of this section relating to any other municipal office may be accomplished by charter or ordinance. [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

[1993, c. 369, §1 (AMD) .]

7. Authority to act. Words in any statute, charter or ordinance giving authority to 3 or more persons authorize a majority to act when the statute, charter or ordinance does not otherwise specify. Notwithstanding any law to the contrary, a vacancy on an elected or appointed municipal or quasi-municipal body does not in itself impair the authority of the remaining members to act unless a statute, charter or ordinance expressly prohibits the municipal or quasi-municipal body from acting during the period of any vacancy and does not in itself affect the validity of any action no matter when taken.

[2007, c. 396, §3 (NEW); 2007, c. 396, §4 (AFF) .]

SECTION HISTORY

1987, c. 737, §§A2,C106 (NEW). 1989, c. 6, (AMD). 1989, c. 9, §2 (AMD). 1989, c. 104, §§C8,10 (AMD). 1991, c. 270, §3 (AMD). 1993, c. 369, §1 (AMD). 2007, c. 396, §3 (AMD). 2007, c. 396, §4 (AFF).

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Maine Revised Statutes

☑ §3001 PDF

§2966

Title 30-A:

§3002

☑ §3001 WORD/RTF

☑ STATUTE SEARCH

☑ CH. 141 CONTENTS

☑ TITLE 30-A CONTENTS

☑ LIST OF TITLES

☑ DISCLAIMER

☑ MAINE LAW

☑ REVISOR'S OFFICE

☑ MAINE LEGISLATURE

MUNICIPALITIES AND COUNTIES

HEADING: PL 1987, C. 737, PT. A, §2 (NEW)

Part 2: MUNICIPALITIES HEADING: PL 1987, C.
737, PT. A, §2 (NEW)

Subpart 4: ORDINANCE AUTHORITY AND
LIMITATIONS HEADING: PL 1987, C. 737, PT. A, §2
(NEW)

Chapter 141: ORDINANCES HEADING: PL 1987, C.
737, PT. A, §2 (NEW)

§3001. Ordinance power

Any municipality, by the adoption, amendment or repeal of ordinances or bylaws, may exercise any power or function which the Legislature has power to confer upon it, which is not denied either expressly or by clear implication, and exercise any power or function granted to the municipality by the Constitution of Maine, general law or charter. [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

1. Liberal construction. This section, being necessary for the welfare of the municipalities and their inhabitants, shall be liberally construed to effect its purposes.

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD) .]

2. Presumption of authority. There is a rebuttable presumption that any ordinance enacted under this section is a valid exercise of a municipality's home rule authority.

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD) .]

3. Standard of preemption. The Legislature shall not be held to have implicitly denied any power granted to municipalities under this section unless the municipal ordinance in question would frustrate the purpose of any state law.

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD) .]

4. Penalties accrue to municipality. All penalties established by ordinance shall be recovered on complaint to the use of the

municipality.

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD) .]

SECTION HISTORY

1987, c. 737, §2, C106 (NEW). 1989, c. 6, (AMD). 1989, c. 9, §2 (AMD). 1989, c. 104, §§8, 10 (AMD).

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