

RE-ESTABLISHMENT OF THE BUCKFIELD PLANNING BOARD ORDINANCE

1. RE - ESTABLISHMENT

Pursuant to Article VIII, Pt. 2, Section 1 of the Maine Constitution and 30-A M.R.S.A. §3001, the Town of Buckfield hereby re-establishes the Buckfield Planning Board, hereinafter referred to as the Board. The Board which has been acting as a Planning Board is hereby re-established as the legal Planning Board. The members currently serving may continue to do so until the end of the term for which they were appointed without the need to be reappointed or to take a new oath of office. Any and all actions which the Planning Board took prior to the adoption of this Re-Establishment Ordinance are hereby declared to be the acts of the legally constituted Planning Board of the Town of Buckfield.

2. APPOINTMENT

Any person seeking appointment to the Board shall be appointed in accordance with the *Town of Buckfield's Appointment Policy*. A Selectperson or an Appeals Board member may not be a member or alternate.

3. COMPOSITION / TERM

- A. The Board shall be composed of five (5) members and one (1) alternate.
- B. The term of each member or Alternate shall be three (3) years, except for initial appointments, which will be for one (1), two (2) or three (3) years. The term shall be determined by the Select Board after considering the desired term requested by the individual seeking appointment and the terms of any current members.

4. ALTERNATES

Upon the designation of the Chairperson, alternates shall have the right to take the place of any absent member for the purpose of conducting business. An alternate has the full rights and privileges as a member while acting in the place of a member. Alternates must stay as informed and meet all of the same attendance requirements as the members.

5. VACANCY

- A. A permanent vacancy shall occur upon the resignation or death of any member/alternate, or when a member ceases to be a resident of the Town, or when a member fails to attend at least 75% of all meetings during the preceding twelve (12) month period.
- B. When a permanent vacancy occurs, the Board Chairperson shall immediately so advise the Select Board in writing. The Board may recommend to the Select Board that an attendance infraction be waived for cause, in which case no vacancy shall exist until the Select Board disapprove the recommendation. By unanimous vote of the Select Board it may remove members/alternates unanimous vote, for cause, after notice and hearing.
- C. When there is a permanent vacancy, the Select Board shall, within sixty (60) days of its occurrence, appoint a person to serve for the unexpired term of that member/alternate who created the vacancy.

6. ORGANIZATION AND RULES

A. OFFICERS

- a. *Chairperson*: The Board shall annually, in the month of July, elect a Chairperson, from among its members. The term of office shall expire on June 30th of each year with eligibility for re-election.

The Chairperson shall be responsible for setting Committee Meeting Agendas and shall preside at all meetings.

- b. *Vice-Chairperson*: The Board shall annually, in the month of July, elect a Vice-Chairperson from among its members. The term of office shall expire on June 30th of each year with eligibility for re-election.

The Vice-Chairperson shall assist the Chairperson and in the absence of the Chairperson shall perform the duties of Chairperson

- c. *Secretary*: The Board shall annually, in the month of July, elect a Secretary from among its members. The term of office shall expire on June 30th of each year with eligibility for re-election.

In the event all members decline the election of Secretary, a non-member may be hired in accordance with the *Town of Buckfield's Personnel Policies & Procedures Handbook*. The Select Board shall include funds within the Town Budget for the purpose of employing a Secretary.

In the event a vacancy for Secretary is created, the Town Manager or his/her designee shall serve as Secretary until the position is filled.

The Secretary shall keep a true and accurate account of all proceedings of the Board in the form of Minutes and shall submit the Board approved Minutes to the Town Clerk within seven (7) days from the date of Board approval.

The Secretary shall also keep a record of the Board's resolutions, transactions, correspondence, findings and determinations and shall submit the same to the Town Clerk within seven (7) days from the date of Board approval.

All records, except those deemed confidential by State or Federal law, shall be deemed public and may be inspected at reasonable times.

- d. If for any reason a Board officer cannot fulfill his/her responsibilities, the Board at its next regularly scheduled meeting shall hold an election to replace that officer.

B. MEETINGS

The Chairperson shall call at least one (1) regular meeting of the Board each month provided there is business to conduct. Special meetings may be called at any time by the Chairperson or by a majority of the members. Notice of regular, special and emergency meetings shall be given in accordance with the Maine Freedom of Access Act (FOAA).

The Buckfield Municipal Center shall be the official meeting place of the Board, unless otherwise voted by the Board and duly publicized.

C. QUORUM

No meeting of the Board shall be held without a quorum consisting of no less than a majority of the appointed members or alternate acting for a member. The Board shall act by majority vote of the members present at a duly called meeting.

D. CONFLICT OF INTEREST

If there is any question as to whether a member or alternate shall be disqualified from participating and/or voting on a particular matter due to a conflict of interest, the decision shall be made by a majority vote of the members present, except the member in question. The burden shall be upon the member or alternate in question to prove that disqualification is not necessary.

E. ANNUAL REPORT

The Chairperson, or his/her designee, shall submit during the first week in May of each year to the Town Manger an Annual Report summarizing the Board affairs. Said Report shall be inserted in the Annual Town Report.

7. DUTIES/POWERS

A. The Board shall periodically review the Comprehensive Plan and as it deems appropriate, present amendment recommendation(s) to the Select Board for submission and action by the Legislative body.

B. The Board shall perform such duties and exercise such powers as are provided by Buckfield Ordinance(s) and/or Regulations and the laws of the State of Maine.

C. The Board may obtain goods and services necessary to its proper function within the limits of appropriations made for the purpose.

D. Only the Legislative body has the power and authority to amend this Ordinance.

Adopted: June 18, 1983 - Article 11

Amended: June 22, 1988 - Article 34

Amended: June 21, 2000 - Article 61

Amended: June 21, 2006 - Article 4

Amended: November 6, 2018 – Special Town Meeting Referendum