

MAINE STATE LEGISLATURE

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EIGHTY-THIRD LEGISLATURE

Senate Document

No. 86

S. P. 219

In Senate, Feb. 16, 1927.

Tabled by Senator Dwinal of Knox pending reference. 500 copies ordered printed.

ROYDEN V. BROWN, Secretary.

Presented by Senator Dwinal of Knox.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND TWENTY-SEVEN

AN ACT to Provide a Town Manager Form of Government
for the Town of Camden.

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

Section 1. On and after the passage of this act and its
2 adoption by the town as hereinafter provided, annual town
3 meetings shall be held in the town of Camden, in the county
4 of Knox, on the second Monday of March, in each year,
5 and the voters shall then choose by ballot, as now provided
6 by law, a moderator.

Sect. 2. At such meetings as provided in section one, the
2 voters shall then choose by ballot as provided by chapter
3 seventy, of the laws of nineteen hundred and twenty-one,

4 three, five or seven inhabitants of said town to be select-
5 men and overseers of the poor, and assessors of taxes, a
6 treasurer, collector of taxes, clerk, auditor of accounts,
7 and three members of the school board, one for a term of
8 one year, one for a term of two years, and one for a
9 term of three years and thereafter, at each of said annual
10 meetings, shall elect one said member of the school board
11 for a term of three years. All other necessary town offi-
12 cers, including a town manager, shall be appointed as herein
13 provided.

Sect. 3. The board of assessors of taxes provided for in
2 section two shall serve instead of the assessors of taxes
3 provided for by general statutes and shall have the same
4 powers and be subject to the same duties.

Sect. 4. The selectmen elected as herein provided shall
2 meet within twenty-four hours after their election and shall
3 choose by written ballot one of their number to be chairman,
4 and shall appoint a secretary, an affidavit of such choice of
5 chairman with the appointment of the secretary, signed by
6 all the selectmen, shall be recorded by the town clerk in the
7 records of said town and thereafter records shall be kept
8 of the doings of all meetings of said selectmen. Said rec-
9 ords shall be deemed public records and shall be open at
10 all times to any citizen of said town.

Sect. 5. Said selectmen, elected as herein provided, shall
2 serve instead of the overseer of the poor, board of road
3 commissioners, road commissioner or road commissioners

4 as provided for by general statutes and shall have the same
5 powers in relation to the poor of said town and repairs of
6 bridges, roads and sidewalks of said town, as the overseers
7 or overseer of the poor and board of road commissioners,
8 road commissioner or commissioners, and municipal officers
9 have under general statutes, and be subject to the same
10 duties in relation thereto. The school board, elected as
11 herein provided, shall have the same powers in relation to
12 the schools of said town as now provided by statute and
13 shall be subject to the same duties in relation thereto. The
14 selectmen shall meet regularly once each week during their
15 term of office at such time as they may designate at their
16 organization meeting, provided for in section four, and a
17 majority of said selectmen shall constitute a quorum for
18 the transaction of business. Special meetings of said se-
19 lectmen may be called by the chairman of said selectmen
20 or by a majority of all the members of said selectmen.
21 Notice of such special meeting shall be served upon or left
22 at the usual dwelling place of each selectman and the town
23 manager.

Sect. 6. Each selectman shall receive for his services as
2 assessor of taxes, the sum of one hundred dollars, together
3 with his actual and necessary expenses incurred in the per-
4 formance of his duties, to be paid by the town treasurer.

Sect. 7. Said selectmen shall, by ballot by a majority vote,
2 not later than at the third regular meeting of said select-
3 men, after said organization meeting, shall by a majority

4 vote, appoint a town manager, said office of town manager
5 being hereby created, and a health officer, none of whom
6 shall be a member of said board of selectmen. The select-
7 men may, when a vacancy exists in the office of town man-
8 ager, appoint said town manager for a term not exceeding
9 three years. Said selectmen as overseers of the poor, as
10 herein provided, may authorize the town manager, at the
11 time of his appointment aforesaid, or at any time there-
12 after, to be clerk or agent for them as said overseers of
13 the poor, to sign and send the written notices and the writ-
14 ten answers referred to in sections thirty-five and thirty-six
15 of chapter twenty-nine of the revised statutes, and acts ad-
16 ditional thereto and amendatory thereof. And such written
17 notices and written answers shall have the same effect as
18 if signed and sent by the members of the selectmen, as over-
19 seers of the poor, themselves. Said town manager shall,
20 on and after his appointment as aforesaid, be the superin-
21 tendent of roads of said town.

Sect. 8. All other necessary town officers, now or here-
2 after, provided by general statute or town ordinance, shall
3 be appointed by the town manager, subject to confirmation
4 by the selectmen.

Sect. 9. All appointed officers and boards shall hold office
2 at the pleasure of the appointing power, except that of town
3 manager and health officer, who can only be removed upon
4 written charges and a public hearing before the selectmen,
5 upon the question previous to the date of his removal, but

6 pending such hearing the selectmen may suspend them from
7 office.

Sect. 10. The town manager shall be chosen by the select-
2 men solely on the basis of his executive and administrative
3 qualifications and his technical knowledge for road construc-
4 tion, preference in making said appointment to be given to
5 a duly qualified civil engineer when possible, and he shall
6 be the administrative head of the town government, and
7 shall be responsible to the selectmen for the administration
8 of all departments of the town over which the selectmen,
9 under this act, and the general statutes have control, and
10 his powers and duties, where not otherwise herein provided,
11 shall be generally as follows:

(a) To see that the laws and ordinances are enforced.

(b) To exercise control over all departments created
2 herein, or that may hereafter be created, either by general
3 law or ordinance.

(c) To make appointments and removals as provided
2 herein.

(d) To fix the compensation of his appointees, and desig-
2 nate the times of payment subject to confirmation by said
3 selectmen.

(e) To act as purchasing agent for all departments of
2 the town.

(f) To attend the meetings of the board of selectmen,
2 except when his removal is being considered, and recom-
3 mend for adoption such measures as he may deem expe-
4 dient.

(g) To keep the selectmen fully advised as to the business, financial condition, and future needs of the town.

(h) To perform such other duties as may be prescribed by the selectmen.

Sect. 11. As purchasing agent of said town the town manager shall purchase all supplies and materials for the town and for the several departments with the exception of the school department, and shall see to the delivery of such supplies and materials to each department, and shall take and file receipts thereof, and all accounts for the purchase of supplies and materials and work performed for said town with the exception of accounts for the purchase of supplies and materials and work for the school department, shall bear the approval of the town manager when presented to the selectmen for payment.

Sect. 12. The town manager shall devote his entire time to his said office, and shall receive for his services a rate of compensation to be fixed by the selectmen and actual and necessary expenses incurred in the performance of his duties, to be paid by the town treasurer in monthly payments on the first day of every month.

Sect. 13. All town officers elected or appointed shall be sworn by the town clerk to the faithful performance of the duties of their respective offices.

Sect. 14. When not otherwise provided herein or by law, the compensation and fees of officers of said town shall be fixed by a vote of the town at its annual meetings.

Sect. 15. No money shall be paid out of the town treasury except by order issued and signed by the selectmen or their representative authorized for the purpose and presented to the treasurer of said town at the time of payment.

Sect. 16. The selectmen of said town shall require a bond with sufficient surety or sureties, satisfactory to said selectmen, from all persons trusted with the collection, custody or disbursement of any of the moneys of the said town; and may require such bond from such officials as they may deem advisable.

Sect. 17. All acts or parts of acts inconsistent herewith in so far as they relate to the town of Camden in the county of Knox are hereby repealed.

Sect. 18. This act shall not become operative until it is ratified by said town of Camden, at an annual town meeting called by a warrant containing an article for the purpose, and when so ratified shall take effect on the first day of January next thereafter.