

# MAINE STATE LEGISLATURE

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EIGHTY-FOURTH LEGISLATURE

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**House Document**

**No. 81**

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H. P. 243. House of Representatives, Jan. 29, 1929.

Referred to Committee on Legal Affairs and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Ashby of Fort Fairfield.

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STATE OF MAINE

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

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

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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 Fort Fairfield, in the  
4 county of Aroostook, on the third Monday of March, in  
5 each year, and the voters shall then choose by ballot, as now  
6 provided by law, a moderator.

Sect. 2. At such meetings as provided in section one, the  
2 voters shall then choose by ballot three, five or seven inhabi-

3 tants of said town to be selectmen and overseers of the poor.  
4 At such meeting the voters shall also choose by ballot three,  
5 five or seven inhabitants of said town to be assessors of  
6 taxes, a treasurer, clerk, and three members of the school  
7 board, one for a term of one year, one for a term of two  
8 years and one for a term of three years and thereafter, at  
9 each of said annual meetings, shall elect one said member  
10 of the school board for a term of three years. All other  
11 necessary town officers, including a town manager, shall be  
12 appointed as herein 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 seven days after their election and shall choose  
3 by written ballot one of their number to be chairman, and  
4 shall appoint a secretary, a certificate 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 doing of all meetings of said selectmen. Said  
9 records 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 overseers of the poor, road commis-  
3 sioner or road commissioners as provided for by general

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

Sect. 6. Said selectmen shall, by ballot by a majority  
2 vote, not later than at the third regular meeting of said se-  
3 lectmen, after said organization meeting, appoint for a term  
4 not exceeding three years a town manager, who shall per-  
5 form the duties provided by this act. Said selectmen shall  
6 also appoint a health officer who shall serve for three years  
7 after appointment. Neither said town manager nor said  
8 health officer shall be a member of said board of selectmen.

9 The selectmen may when a vacancy exists in the office of  
10 town manager or health officer fill said vacancy by appoint-  
11 ment for a term not exceeding three years. Said selectmen as  
12 overseers of the poor, as herein provided, may authorize the  
13 town manager, at the time of his appointment aforesaid, or  
14 at any time thereafter, to be clerk or agent for them as  
15 overseers of the poor, to sign and send the written notices  
16 and the written answers referred to in sections thirty-five  
17 and thirty-six of chapter twenty-nine of the revised statutes,  
18 and acts additional thereto and amendatory thereof. And  
19 such written notices and written answers shall have the  
20 same effect as if signed and sent by the selectmen, or over-  
21 seers of the poor, themselves. Said town manager shall,  
22 on and after his appointment as aforesaid, be superin-  
23 tendent of roads and streets and shall perform any other  
24 duty said selectmen may specify.

Sect. 7. All other necessary town officers, now or here-  
2 after provided by general statute or town ordinance, shall  
3 be appointed by the selectmen.

Sect. 8. All appointed officers and boards shall hold of-  
2 fice at the pleasure of the appointing power, except those  
3 of town manager and health officer, who can only be re-  
4 moved upon written charges and a public hearing before the  
5 selectmen, previous to his removal, but pending such hear-  
6 ing the selectmen may suspend him from office.

Sect. 9. 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 of municipal  
4 engineering, preference in making said appointment to be  
5 given to a duly qualified civil engineer when possible, and  
6 he shall be the administrative head of the town govern-  
7 ment, and shall be responsible to the selectmen for the ad-  
8 ministration of all departments of the town over which the  
9 selectmen, under this act, and the general statutes have  
10 control, and his powers and duties, where not otherwise  
11 herein provided, 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 fix the compensation of his employees, and desig-  
2 nate the time of payment subject to confirmation by said  
3 selectmen.

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

(e) 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 ex-  
4 pedient.

(f) To keep the selectmen fully advised as to the busi-  
2 ness, financial condition, and future needs of the town.

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

Sect. 10. As purchasing agent of said town the town

2 manager shall purchase all supplies and materials for the  
3 town and for the several departments with the exception  
4 of the school department, and all accounts for the purchase  
5 of supplies and materials and work performed for said  
6 town, with the exception of accounts for the purchase of  
7 supplies and materials and work for the school department,  
8 shall bear the approval of the town manager when presented  
9 to the selectmen for payment. Provided, however, that no  
10 item the purchase price of which exceeds three hundred  
11 dollars shall be purchased by said town manager without  
12 the previous approval of the selectmen.

Sect. 11. The town manager shall devote his entire time  
2 to his office, and shall receive for his services a rate of  
3 compensation to be fixed by the selectmen and actual and  
4 necessary expenses incurred in the performance of his  
5 duties, to be paid by the town treasurer in monthly pay-  
6 ments on the first day of every month.

Sect. 12. All town officers elected or appointed shall be  
2 sworn by the town clerk to the faithful performance of the  
3 duties of their respective offices.

Sect. 13. When not otherwise provided herein or by law,  
2 the compensation and fees of officers of said town shall be  
3 fixed by a vote of the town at its annual meetings.

Sect. 14. No money shall be paid out of the town treas-  
2 ury except by order issued and signed by the selectmen and  
3 presented to the treasurer of said town at the time of pay-  
4 ment.

Sect. 15. The selectmen of said town shall require a  
2 bond with sufficient surety or sureties, satisfactory to said  
3 selectmen, from all persons trusted with the collection, cus-  
4 tody or disbursement of any of the moneys of the said  
5 town.

Sect. 16. All acts or parts of acts inconsistent herewith  
2 in so far as they relate to the town of Fort Fairfield in the  
3 county of Aroostook are hereby repealed.

Sect. 17. This act shall not become operative until it is  
2 in so far as they relate to the town of Fort Fairfield in the  
3 meeting called by a warrant containing an article for the  
4 purpose, and when so ratified shall take effect from date of  
5 ratification.