

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-fourth Legislature

OF THE

STATE OF MAINE

1929

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1929

Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Eighty-Fourth
Legislature

1929

Chapter 65.

An Act to Provide a Town Manager Form of Government for the Town of
Fort Fairfield.

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

Sec. 1. Town meeting third Monday in March. On and after the pas-
of this act and its adoption by the town as hereinafter provided, annual
town meetings shall be held in the town of Fort Fairfield, in the county
of Aroostook, on the third Monday of March, in each year, and the voters
shall then choose by ballot, as now provided by law, a moderator.

Sec. 2. Town officers including a town manager. At such meetings
as provided in section one, the voters shall then choose by ballot three,
five or seven inhabitants of said town to be selectmen and overseers of
the poor. At such meeting the voters shall also choose by ballot three,
five or seven inhabitants of said town to be assessors of taxes, a treasurer,
clerk, and three members of the school board, one for a term of one year,
one for a term of two years and one for a term of three years, and there-
after, at each of said annual meetings, shall elect one said member of the
school board for a term of three years. All other necessary town officers,
including a town manager, shall be appointed as herein provided.

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

Sec. 4. Organization of selectmen. The selectmen elected as herein
provided shall meet within seven days after their election and shall choose
by written ballot one of their number to be chairman, and shall appoint
a secretary; a certificate of such choice of chairman with the appointment
of the secretary, signed by all the selectmen, shall be recorded by the
town clerk in the records of said town, and thereafter records shall be
kept of the doing of all meetings of said selectmen. Said records shall
be deemed public records and shall be open at all times to any citizen of
said town.

Sec. 5. Selectmen; powers; school board; powers. Said selectmen,
elected as herein provided, shall serve instead of the overseers of the poor,
road commissioner or road commissioners as provided for by general
statutes and shall have the same powers in relation to the poor of said
town and repairs of bridges, roads and sidewalks of said town, that the
overseers or overseer of the poor, road commissioner or commissioners,
and municipal officers have under general statutes, and be subject to the
same duties in relation thereto. The school board, elected as herein pro-

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vided, shall have the same powers in relation to the schools of said town as now provided by statute and shall be subject to the same duties in relation thereto. The selectmen shall meet regularly once each week during their term of office at such time as they may designate at their organization meeting, provided for in section four, and a majority of said selectmen shall constitute a quorum for the transaction of business. Special meetings of said selectmen may be called by the chairman of said selectmen or by a majority of all the members of said selectmen. Notice of said special meeting shall be served upon or left at the usual dwelling place of each selectman and the town manager.

Sec. 6. Town manager; health officer; selectmen may authorize town manager. Said selectmen shall, by ballot by a majority vote, not later than at the third regular meeting of said selectmen, after said organization meeting, appoint for a term not exceeding three years a town manager, who shall perform the duties provided by this act. Said selectmen shall also appoint a health officer who shall serve for three years after appointment. Neither said town manager nor said health officer shall be a member of said board of selectmen. The selectmen may when a vacancy exists in the office of town manager or health officer fill said vacancy by appointment for a term not exceeding three years. Said selectmen as overseers of the poor, as herein provided, may authorize the town manager, at the time of his appointment aforesaid, or at any time thereafter, to be clerk or agent for them as overseers of the poor, to sign and send the written notices and the written answers referred to in sections thirty-five and thirty-six of chapter twenty-nine of the revised statutes, and acts additional thereto and amendatory thereof. And such written notices and written answers shall have the same effect as if signed and sent by the selectmen, or overseers of the poor, themselves. Said town manager shall, on and after his appointment as aforesaid, be superintendent of roads and streets and shall perform any other duty said selectmen may specify.

Sec. 7. Appointed officers. All other necessary town officers, now or hereafter provided by general statute or town ordinance, shall be appointed by the selectmen.

Sec. 8. Tenure of office. All appointed officers and boards shall hold office at the pleasure of the appointing power, except those of town manager and health officer, who can only be removed upon written charges and a public hearing before the selectmen, previous to his removal, but pending such hearing the selectmen may suspend him from office.

Sec. 9. Basis of qualifications in choice of town manager; his duties. The town manager shall be chosen by the selectmen solely on the basis

of his executive and administrative qualifications and his technical knowledge of municipal engineering, preference in making said appointment to be given to a duly qualified civil engineer when possible, and he shall be the administrative head of the town government, and shall be responsible to the selectmen for the administration of all departments of the town over which the selectmen, under this act, and the general statutes have control, and his powers and duties, where not otherwise 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 herein, or that may hereafter be created, either by general law or ordinance.
- (c) To fix the compensation of his employees, and designate the time of payment subject to confirmation by said selectmen.
- (d) To act as purchasing agent for all departments of the town.
- (e) To attend the meetings of the board of selectmen, except when his removal is being considered, and recommend for adoption such measures as he may deem expedient.
- (f) To keep the selectmen fully advised as to the business, financial condition, and future needs of the town.
- (g) To perform such other duties as may be prescribed by the selectmen.

Sec. 10. Purchasing agent, except for schools. 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 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. Provided, however, that no item, the purchase price of which exceeds three hundred dollars, shall be purchased by said town manager without the previous approval of the selectmen.

Sec. 11. Devote entire time. The town manager shall devote his entire time to his 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.

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

Sec. 13. Compensation; how fixed. When not otherwise provided

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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.

Sec. 14. Orders issued and signed by selectmen. No money shall be paid out of the town treasury except by order issued and signed by the selectmen and presented to the treasurer of said town at the time of payment.

Sec. 15. Bonds required of those entrusted with money. 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.

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

Sec. 17. Ratification of act necessary. This act shall not become operative until it is ratified by said town of Fort Fairfield, at an annual town meeting called by a warrant containing an article for the purpose, and when so ratified shall take effect from date of ratification.

Approved March 23, 1929.

Chapter 66.

An Act Relating to the Park Commission of the City of Portland.

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

P. & S. L., 1913, c. 208, sec. 2; relating to the park commission of the city of Portland, amended. Section two of chapter two hundred and eight of the private and special laws of nineteen hundred and thirteen is amended by striking out the word "and" in the second line of said section two and inserting after the word "Portland" in the sixth line of said section two the words 'Baxter boulevard, Eastern promenade, Western promenade and Bates street,' so that said section two, as amended, shall read as follows:

'Sec. 2. Other public grounds in charge of commission. Said commissioners shall have charge and control of the department of forestry, city playgrounds, of all cemeteries (other than Evergreen cemetery) together with parks, promenades, squares, and trees on public streets and public grounds which are, or may be hereafter, reserved for ornamental use belonging to the city of Portland, Baxter boulevard, Eastern promenade, Western promenade and Bates street, and under their directions all appropriations made for said park and cemetery purposes shall be expended for their proper care, including the extermination of browntail and gypsy