

## Chapter 3

### Article II - Board of Selectmen

#### Section 3-201 Establishment

The Board of Selectmen is established and governed by Title 30, MRSA, Section 2060.

#### Section 3-202 Organization

Winter Harbor has three (3) selectmen who also serve as the Overseers of the Poor. There is a separate election for assessors. The selectmen are elected according to Title 30, MRSA, Section 2060, and they elect a chairman from amongst themselves. To be eligible to be a selectman, an individual shall be at least eighteen (18) years of age, a voter in Winter Harbor, a Maine resident, and a United States citizen. The selectmen shall earn ten dollars (\$10.00) a day for each day actually employed in the service of the Town unless other compensation is established by the Town at its annual meeting.

#### Section 3-203 Powers and Duties

The selectmen function as the municipality's executive branch and as the agent of the municipality's legislative branch, the town meeting. The duties of the selectmen are both of an administrative and judicial nature. The following are some of the Board's statutory duties and powers: the selectmen sign the town warrant, may order a referendum question with the Board's recommendation included on the ballot, and supervise election result recounts. (See Title 30, MRSA, Sections 2051, 2051(4), 2064).

The selectmen shall also certify proposed ordinances to the clerk before they are voted on by the Town; they shall appoint a registrar of voters, and they shall appoint ballot clerks. (See Title 30 MRSA, Section 2153(2), Title 21, MRSA, Section 41, and Title 30 MRSA, Section 2061(7)).

The selectmen also have the general power over municipal finances (Title 30 MRSA, Section 5001), they are the assessors (Title 36 MRSA, Section 703), they have general powers over roads and road commissioners (Title 23 MRSA, Section 2701, et seq.), they are generally the licensing authority for the Town (Title 30 MRSA, Section 2151(6)), they may repair or remove dangerous buildings (Title 17 MRSA, Section 2851), they may grant licenses to carry a concealed weapon (Title 25 MRSA, Section 2031), and they may appoint and fix the compensation of law enforcement officers (Title 30 MRSA, Section 2361).

## Chapter 3

### Article III - Budget Committee

#### Section 3-301 Establishment

The Budget Committee is established and governed by Title 30 MRSA, Section 1917.

#### Section 3-302 Purpose

The purpose of the Budget Committee is to oversee the raising and appropriation of monies for various uses of Town funds. The Budget Committee shall make recommendations at Town Meeting concerning whether requested funds should be appropriated or not.

#### Section 3-303 Organization

The Committee is elected at the annual town meeting. There may be twelve members and they shall serve one year terms.

#### Section 3-304 Powers and Duties

The Committee is empowered to aid the municipal officers in budget preparation by means of establishing priorities and spending levels. When a question concerning a proposed town expenditure is presented as a referendum question or a pre-printed ballot then the Committee's recommendation shall be attached to it.

## Chapter 3

### Article V - Planning Board

#### Section 3-501 Establishment

Winter Harbor's Planning Board was created in 1966 according to Chapter 405 of the Maine Public Laws of 1957. According to Chapter 405 of the Public Laws of 1957, Section 61, a municipality could establish a planning board for the purpose of municipal development.

#### Section 3-502 Organization

The Board shall consist of 5 members and 2 associate members who are elected at the annual town meeting. The members shall serve staggered five-year terms. The Board shall elect a chairman and a secretary from amongst themselves. A selectman may not be a member or an associate member of the Board. An associate member may attend all meetings of the Board and participate in its proceedings, but may vote only when he has been designated by the chairman to act for a member. When a member is unable to act because of interest, physical incapacity or absence from the state, the planning board chairman shall designate an associate member to act in his stead. When there is a permanent vacancy, the selectmen shall appoint a person to serve for the unexpired term.

#### Section 3-503 Powers and Duties

The Board has the power to prepare, adopt, and amend a comprehensive plan containing its recommendations for the development of the municipality. A municipality which has a planning board may raise or appropriate money and may contract with the state and federal governments for purposes of comprehensive planning. The Board may hire personnel and obtain goods and services necessary to its proper function within the limits of appropriations made for the purpose of municipal development. The planning board may also prepare a zoning ordinance and such ordinances as are necessary to regulate the subdivision of land. Further powers are outlined in Title 30 MRSA, Section 4961.

## Chapter 3

### Article IX - Winter Harbor School District Trustees

#### Section 3-901 Establishment

The Trustees for the District are established under the criteria set forth in Title 20 MRSA, Section 352.

#### Section 3-902 Purpose

The Trustees are organized in order to supervise the operation of the specific grade levels of the school system and they represent the municipality in the settling of educational policies.

#### Section 3-903 Organization

The School District Trustees are elected at the Town Meeting and the three (3) Trustees serve staggered three (3) year terms. (30 MRSA, Section 352). Trustee vacancies shall be temporarily filled by appointment by the municipal officers of the town where the former Trustee resided until a successor Trustee is elected for the unexpired portion, if any, of the term, at the next annual Town Meeting in said town.

#### Section 3-904 Powers and Duties

The powers and duties of the Trustees are set forth in Title 20, MRSA, Section 353. Generally, the Trustees are empowered to oversee the creation of a community school district while the actual running of the schools, with regard to teachers, salaries, and courses of studies, is left to the School Committee.