

OGUNQUIT BUDGET REVIEW COMMITTEE BY-LAWS

I. GENERAL PROVISIONS

The Town Charter defines the role of the Budget Review Committee as "to assist the Select Board with budgets and financial planning." To fulfill that role the Committee reviews the Town's financial reports throughout the year and makes recommendations as appropriate to the Select Board. Further, the Charter provides that Budget Recommendations of the Budget Review Committee be presented to the public at the Annual Town Meeting or any other Special town Meeting when any budget items are being presented for consideration by the voters.

The business of the Committee shall be conducted in accordance with Maine Statutes, Town Ordinances and Robert's Rules of Order.

II. MEMBERSHIP

- a) The Budget Review Committee shall consist of (5) five elected members (Member) voted in by residents for a three-year term along with (2) two alternates (Alternate) appointed by the Select Board. Members of the Committee shall be registered voters of the Town.
- b) Any Member of the Committee may be removed, for cause, by the Municipal Officers before expiration of his/her term, but only after an advertised public hearing at which time the Member in question will have the opportunity to refute specific charges against him/her. The term "for cause" shall be defined as failure to attend three (3) consecutive Committee Meetings or hearings without sufficient justification and having not been excused by a majority vote of the Committee or for any documented violation of the "Town of Ogunquit Code of Ethics for Boards and Committees" signed by all members of the Committee at the

time of their swearing in. At the request of the Member in question, the Select Board shall discuss the matter in executive session.

- c) The 1st Alternate shall serve in place of any absent full member. The 2nd Alternate shall serve in place of a 2nd absence of a full member or if the 1st Alternate is not present, the 2nd Alternate takes on the role as the 1st Alternate.
- d) When there is a permanent vacancy of either an Elected or Alternate Member, the Chairperson shall immediately notify the Board of Selectman. The Board of Selectman shall fill the vacancy per guidelines as dictated in the Town Charter.

III. OFFICERS & DUTIES

- a) The officers of the Committee shall consist of a Chairperson, Vice Chairperson and Secretary who shall be elected annually by a majority of the Board. The officers shall be full Members of the Board. The election of officers shall take place at the first Meeting following annual Town elections. A member receiving a majority vote of the full members of the committee shall be elected and shall serve for one (1) full year.
- b) CHAIRPERSON - The Chairperson shall perform all duties required by law and these By-Laws and preside at all Meetings of the Committee. The Chairperson shall rule on issues, order and procedure and shall take such other actions as are necessary for the efficient and orderly conduct of meetings, unless directed otherwise by a majority of the Committee. The Chairperson's signature shall be the official signature of the Committee and shall appear on all decisions as directed by the Committee. The Chairperson reports to the Select Board on all official transactions that have not otherwise come to the attention of the Board. The Chairperson also prepares or delegates the preparation of any reports concerning the affairs of the Committee as required or requested by the Municipal Officers.
- c) VICE CHAIRPERSON - The Vice Chairperson shall serve in the absence of the Chairperson and shall have all the powers of the Chairperson during the Chairperson's absence, disability or disqualification.
- d) SECRETARY - The Secretary shall keep a record of all minutes, correspondences and attendance and shall send all Meeting Minutes to

the Town Secretary for recording for public record. All records are public and may be inspected at reasonable times. The Secretary, shall record all Minutes of all Committee meetings, showing the vote of each Member upon every question or, if absent or failing to vote, indicating such fact. The Secretary shall arrange proper and legal notice of all Committee meetings. The Minutes of Meetings shall be sent to all Members and Alternate Members within a reasonable time frame.

- e) All officers can, with cause, be removed and/or replaced by a majority vote of the Committee. The election of new officers shall take place immediately after any such removal or replacement.
- f) ALL MEMBERS AND ALTERNATES - All Members and Alternates of the Committee shall be responsible for:
 - 1. Being knowledgeable of the laws and procedures, such as Maine Freedom of Access, Robert's Rules, Comprehensive Plan, and any other that pertain to judgments they make;
 - 2. Regular attendance at Meetings and hearings.

IV. CONFLICT OF INTEREST & BIAS

- a) Any question of whether a particular issue involves a "conflict of interest" sufficient to disqualify a Member from voting hereon, shall be decided by a majority vote of the Members, except the Member whose potential conflict is under consideration.

V. POWERS & LIMITATIONS

- a) Whenever the Budget Review Committee is in disagreement with the Select Board on any Article recommendations, the Committee has the responsibility to recommend to the Select Board an alternative dollar amount to vote on per Article.

VI. MEETINGS

- a) Normally the Committee will hold an organizational meeting during July, but no later than 45 days from the beginning of the fiscal year.
- b) Regular meetings of the Committee will normally be held monthly from October to December unless budget items need to be considered for a Special Town Meeting in November, and weekly upon receipt of the next fiscal year proposed budget from the Town Manager. Weekly meetings will continue until the

Committee votes on recommendations for the proposed budget. Date and time of each meeting will normally be posted at least one week in advance of each meeting. All meetings will normally be televised by OGT TV. The standard meeting place shall be at the Dunaway Center.

- c) The Chairperson shall call a Meeting within ten (10) days of receipt of a written request from the majority of the Committee or from the Municipal Officers, which request shall specify the matters to be considered at such special Meeting. At least seventy-two (72) hours written notice of time, place and business of the Meeting shall be given each Member of the Committee, the Municipal Officers and Town residents.

The order of business at regular Meetings of the Committee shall be as follows:

- 1) Roll call;
 - 2) Approval of the Minutes of preceding meeting(s);
 - 3) Unfinished Business;
 - 4) New Business;
 - 5) Other Business;
 - 6) Public Comment;
 - 7) Adjournment.
- e) All meetings of the Committee shall be open to the public. No votes may be taken by the Committee except in public Meeting.
 - f) A quorum shall consist of three (3) Members of the Committee. If a Member has a conflict of interest, said Member shall not be counted by the Committee in establishing the quorum for such matter.
 - g) No Meeting of the Committee shall be held, nor any action taken, in the absence of a quorum. however, those Members present shall be entitled to request the Chairperson call a Meeting at a subsequent date.
 - h) All matters shall be decided by a roll call vote. Decisions before the Committee shall require the affirmative vote of three (3) Members.

Decisions on interpretative matters before the Committee shall be by simple majority.

- i) If an alternate is serving in place of an absent full member at the start of a meeting and the full member arrives late to the meeting, the alternate shall continue to be a voting member of the Committee for the duration of the current meeting.
- j) In no case can a motion carry without at least a three (3) members voting in its favor. Members must vote on all issues unless excused for cause by the Committee.
- k) The Committee may waive any of the above rules upon good cause shown.

VII. AMENDMENTS

- a) These By-Laws may be amended by a majority vote of the Committee.
- b) The invalidity of any section or provision of these By-Laws shall not be held to invalidate any other section or provision of these By-Laws.

Adopted on this day by a majority of the Budget Review Committee:

Dated: July 26, 2021, superseding the document dated August 27, 2020.

Budget Review Committee By-Laws adopted on this day by a majority of the Select Board:

Dated: August 17, 2021, superseding the document dated August 27, 2020.