

Establishment of Thorndike Planning Board Ordinance

(Enacted 3/18/72; amended 3/15/86, 3/17/90 and 3/20/93)

1. Establishment

Pursuant to Art. VIII, Pt. 2, Sec. 1 of the Maine Constitution and 30-A MRSA Sec. 3001, the Town of Thorndike hereby re-establishes the Town of Thorndike Planning Board.

2. Appointment

2.A. Appointments to the board shall be made by the municipal officers.

2.B. The board shall consist of 7 members.

2.C. The term of each member shall be five years. One member shall be appointed to serve for the duration of each of the following terms, and for successive five-year intervals: 1993-1998, 1995-2000, 1996-2001. Two members shall be appointed to serve for the duration of each of the following terms, and for successive five-year intervals: 1994-1999, 1997-2002. Members may be reappointed to successive terms.

Those 7 members serving on the planning board at the time this amendment becomes effective shall be considered to have been properly appointed until their respective terms of office expire.

All actions taken by the board prior to the effective date of this amendment are hereby declared to be the bona fide acts of the planning board of the Town of Thorndike.

2.D. When there is a permanent vacancy, the municipal officers shall within 60 days of its occurrence appoint a person to serve for the unexpired term. A vacancy shall occur upon the resignation or death of any member, or when a member ceases to be a voting resident of the town, or when a member fails to attend four (4) consecutive regular meetings, or fails to attend at least 75% of all meetings during the preceding twelve (12) month period. When a vacancy occurs, the chairperson of the board shall immediately so advise the municipal officers in writing. The board may recommend to the municipal officers that the attendance provision be waived for cause, in which case no vacancy will then exist until the municipal officers disapprove the recommendation. The municipal officers may remove members of the planning board by unanimous vote, for cause, after notice and hearing.

2.E. Not more than 1 municipal officer may serve as a member.

2.F. All members shall be residents of the Town of Thorndike.

3. Organization and Rules

3.A. The board shall elect a chairperson and vice chairperson from among its members and create and fill such other offices as it may determine. The board may either elect a secretary from among its members or hire a non-board member to serve as secretary. The term of all offices shall be 1 year with eligibility for reelection.

3.B. Any question of whether a particular issue involves a "conflict of interest" sufficient to disqualify a member from voting thereon, shall be decided by a majority vote of the members, except the member whose potential conflict is under consideration.

The term "conflict of interest" shall be construed to mean direct or indirect pecuniary interest, which shall include pecuniary benefit to any member of the person's immediate family (grandfather, father, wife, son, grandson, e.g.) or to his or her employer or the employer of any member of the person's immediate family.

3.C. No meeting of the board shall be held without a quorum consisting of 4 members authorized to vote.

3.D. The board shall adopt rules for transaction of business and the secretary shall keep a record of its resolutions, transactions, correspondence, findings and determinations. All records shall be deemed public and may be inspected at reasonable times.

4. Duties, Powers

4.A. The board shall perform such duties and exercise such powers as are provided by Thorndike ordinance and the laws of the State of Maine.

4.B. The board may obtain goods and services necessary to its proper function within the limits of appropriations made for the purpose.

5. Effective Date

5.A. The effective date of these amendments shall be March 20, 1993.

5.B. The town clerk of the Town of Thorndike is hereby authorized to renumber the sections of this Ordinance consecutively to properly incorporate the amended language.