

# Town of Brownville, Maine



## Town Charter

Effective January 1, 1980  
Charter Vote June 9, 1998  
Amended July 20, 2011  
Charter Vote July 28, 2012  
Charter Vote March 18, 2013  
Charter Vote June 14, 2022

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## INTRODUCTION

### Town Charter – Town of Brownville, Maine

Dear Citizens of Brownville:

As provided by Article 6 & 7 of the Warrant of the Special Town Meeting of August 28, 1978, The Brownville Charter Commission was established. Six members were elected and three were appointed by the Selectmen. The Commission held many meetings and two public hearings. The final draft was submitted to the Selectmen on October 6, 1979. The Town voted to accept the new charter at an election held in conjunction with the Special State Referendum Election held on November 6, 1979. The charter took effect January 1, 1980.

Federal and State Law along with our Town Charter govern our Town Government. Some sections of our Town Charter are, in fact, State Law. The purpose of our Town Charter is to more clearly define and put into effect laws which govern our Town Government in order to maximize accountability and responsiveness to our citizenry. We have worked hard to form a Town Charter that will provide the foundation for the most democratic Town Government possible and will provide good efficient government. We wish to thank you the citizens of Brownville for the opportunity we have had to serve you on the Charter Commission.

Respectfully yours,

Richard Mersereau, Chairman  
William Hogan, Vice Chairman  
Carolyn Jones, Secretary  
Walter Cook  
Neil Arbo  
Bryon Weymouth  
Ralph Applebee  
Vaughn Weymouth  
David Cota  
Charter Commission

## CHARTER OF THE TOWN OF BROWNVILLE

### Article I POWERS OF THE TOWN OF BROWNVILLE

#### Section 1.01 GENERAL GRANT AND EXERCISE OF POWERS

The town shall have all powers possible for a municipality to have under the Constitution and laws of Maine. The powers of the town under this charter shall be construed liberally in favor of the town, and no mention of particular powers in the charter shall be construed to be exclusive or as limiting in any way the general power stated in this article.

The town may exercise any of its powers or perform any of its functions and may participate in the financing thereof, jointly or in cooperation, by contract or otherwise, with any subdivision or public agency of this State of the United States to the extent that the laws of the United States permit such joint exercise.

#### Section 1.02 RECALL

- (a) Any elected official or AOS #43 Director, representing the Town of Brownville may be recalled and removed therefrom by the qualified electors of the Town of Brownville as herein provided.
- (b) Any 10% of the voters of the municipality in the last gubernatorial election may make and file with the Town Clerk an affidavit containing the name or names of the member or members whose removal is sought and general statement of the reasons why such removal is desired. The Town Clerk shall thereupon prepare petition blanks for such removal with a copy of said affidavit and general statement printed thereon or attached thereto, which shall contain the signature of said Town Clerk, and his/her official seal, and which shall be dated, addressed to the Board of Selectpersons, and contain the name or names of the person or persons whose removal is sought. The Town Clerk shall file said petition blanks and shall, during office hours for 30 business days thereafter, keep the same open for signature by qualified voters of the town and no such petitions blanks shall be signed or presented for signatures at anyplace other than the Town Clerk's office. The recall petition to be effective must be signed by the registered voters of the town to the number of at least 20% and to every such signature shall be added the place of residence of the signer, giving the street and number or other description sufficient to identify the place.
- (c) At the expiration of said 30 days, the Town Clerk shall declare the petition closed and shall within five days thereafter ascertain whether

or not the petition is signed by the requisite number of voters and shall attach thereto his certificate showing the result of such examination.

- (d) If the petition shall be certified by the Town Clerk to be sufficient, he/she shall submit the same with his certificate to the Board of Selectpersons at its meeting and shall notify the member or members whose removal is sought of such action. The Board of Selectpersons shall thereupon, within five days of the receipt of the Town Clerk's certificate order an election to be held not less than thirty nor more than forty days thereafter, provided that, if a regular municipal election is to occur within sixty days after the receipt of said certificate, the Board of Selectpersons may in its discretion provide for the holding of the recall election on the date of such other municipal election. The recall election shall be called and held and nominations made as in other elections under this Charter except for the specific limitations of this section.
- (e) In case a majority of those voting for and against the recall of any official shall vote in favor or recalling such official, he/she shall be thereby removed, and in that event the candidate to succeed him/her for the balance of the unexpired term shall be determined as provided for regular municipal election.
- (f) Should the Board of Selectpersons fail or refuse to order an election as herein provided, such election may be ordered by Maine Superior Court.

## Article II BOARD OF SELECTPERSONS

### Section 2.01 COMPOSITION, TERMS, AND ELIGIBILITY

The Board of Selectpersons shall be composed of five members, each of whom shall be elected by the registered voters of the entire town and will serve three-year staggered terms. Only qualified voters of the town shall be eligible to hold the office of Selectperson. Selectpersons shall reside in the town during their term of office.

### Section 2.02 COMPENSATION OF THE BOARD

- (a) The rate of compensation for the Selectpersons shall be established from time to time by article in the Town Warrant at the regular Town Meeting keeping in mind changes in the minimum wage. At the time of the acceptance of this charter, the hourly rate shall be minimum wage per hour.

- (b) The Chairperson of the Board of Selectpersons shall be paid an additional sum of \$200.00 and each Selectperson \$100.00 per year.

### Section 2.03 INDUCTION AND ORGANIZATIONAL MEETING

The members of the newly constituted Board shall meet within twenty-four hours after their election, and they shall organize to the extent possible as follows:

- (a) To be sworn to the faithful discharge of their duties by a Justice of the Peace or the Town Clerk.
- (b) Elect a Board Chairperson.
- (c) Elect a Secretary.
- (d) Confirm and appoint Town Officials as necessary.
- (e) May appoint the Town Manager to act as their agent as overseer of the poor.

### Section 2.04 REGULAR AND SPECIAL MEETING

The Board of Selectpersons shall, at its first meeting or as soon as possible thereafter, establish by resolution a regular place and time for holding its regular meetings and shall meet regularly at least once a month. It shall also provide a method for calling a special town meeting. All meetings of the Board of Selectpersons shall be open to the public in accordance with the revised statutes of the State of Maine and notice shall be posted in two conspicuous public places 7 days in advance. In the event of an emergency meeting notice shall be made in accordance with the general laws of the State of Maine and notice shall be posted for such emergency meetings in two conspicuous places whenever practical.

### Section 2.05 GENERAL POWERS AND DUTIES OF SELECTPERSONS

The Board of Selectpersons shall have the following enumerated powers in addition to those powers granted to the Board at a regular or special Town Meeting.

- (a) Supervisory authority over the affairs of the Town of Brownville.
- (b) Authority to appoint or dismiss the Town Manager.

- (c) The Selectpersons shall make appointments to all Boards and Commissions. The Selectpersons also have the right to initiate Boards or Commissions as they deem necessary for town affairs.
- (d) Selectpersons shall serve as Assessors of the Town of Brownville
- (e) The Board of Selectpersons shall make all appointments to paid and unpaid town positions with the exception of employees hired under the Comprehensive Training and Employment Act (C.E.T.A) and work study students, which shall be hired by the Town Manager upon authorization of the position by the Board of Selectpersons.

#### Section 2.06 PROHIBITIONS

- (a) Holding other office:  
Except where clearly authorized by law, or pursuant to an agreement under the Interlocal Corporations Act, no Selectperson shall hold any other compensated public office or employment with the Town of Brownville during the term for which he/she was elected to the Board of Selectpersons and no former Selectperson shall hold employment with the Town of Brownville until one year after the expirations of the term for which he/she was elected to the Board of Selectperson, except for those persons with the Fire Department who do not serve as Officers of said Department.
- (b) Interference with Administration:  
The Board or its members shall deal with Town Officers or employees who are subject to the direction and supervision of the Town Manager or other persons in authority solely through the Town Manager. Neither the Board or its members shall give orders to any such Officer or employee either publicly or privately.
- (c) Limitations of Board Action:  
The Board of Selectpersons shall act as a unit settling all questions by formal vote in an authorized meeting. Members must not act individually unless some duty has been delegated to them by the Board. A formal minority report may be issued by Board members in the minority.

#### Section 2.07 VACANCY OR FORFEITURE OF OFFICE

- (a) The office of Selectpersons shall become vacant upon his/her non-acceptance, resignation, death, permanent disability, permanent incompetency, failure to qualify for the office within ten days after written demand by the Board of Selectpersons, forfeiture of office or failure of the municipality to elect a person to the office.



(b) Forfeiture of Office:

A Selectperson shall forfeit his/her office if he/she (1) lacks at any time during his/her time of office any qualification for the office prescribed by this charter or by law, (2) intentionally violated any expressed prohibition of this charter, (3) is convicted of a crime or offense which is reasonably related to his/her inability to serve as Selectperson, or (4) refuses to perform his/her duties as Selectperson by failing to attend three consecutive regular meetings without a reasonable excuse after being given written notice to comply with his/her duties by a majority of the members.

(c) If a seat in the Board of Selectpersons becomes vacant more than six months prior to the next regular election, the Board of Selectpersons shall call a special election to fill the unexpired term. If the vacancy occurs less than six months prior to the next regular election, the Board of Selectpersons may call a special election to fill the unexpired term.

#### Section 2.08 INVESTIGATIONS

The Board of Selectpersons, or authorized committees, or commissions of its own members, or of citizens appointed by the Board may make investigations into affairs of the town and the conduct of any Town department, office or agency.

#### Section 2.09 PROCEDURE

(a) Meetings:

The Board of Selectpersons shall set up Selectperson's meetings in accordance with section 2.04 of the charter. All meetings shall be public; however, the Board of Selectpersons may recess for the purpose of discussing in a closed or executive session any matter which is an allowable topic for executive session under the laws of the State of Maine.

(b) Rules and Journal:

The Board of Selectpersons shall determine its own rules and order of business and shall provide for keeping a journal of its procedures, including the minutes. The journal shall be a public record.

(c) Voting:

Voting except on procedural motions, shall be by roll call, and the votes of each member shall be recorded in the journal. Three members of the Board shall constitute a quorum. No action of the Board shall be binding or valid unless adopted by affirmative vote of three-fifths of Board members.

Section 2.10 GENERAL AND ADMINISTRATIVE ORDINANCES

Ordinances:

The Board of Selectpersons shall have the authority to enact all General and Administrative ordinances authorized to be enacted by the Municipal Officials, and shall follow the procedures for enactment as provided by the statute. The authority for the enactment of all other ordinances authorized to be enacted by the Municipality shall be held in the legislative body except for emergency ordinances as provided in section 2.11. Except for emergency ordinances, or those with dates specified by statute, ordinances shall become effective seven days after adoption unless otherwise specified therein.

Section 2.11 EMERGENCY ORDINANCES

Emergency ordinances affecting life, health, property, or the public peace may be introduced or adopted in accordance with the procedures for regular ordinances except that preadoption, publication, and notice of public hearing requirements may be omitted, providing the enacting clause of the emergency ordinance sets forth a statement of the emergency. The emergency ordinance may be adopted by a vote of the legislative body with or without amendment at the meeting at which it is introduced. Emergency ordinances so enacted shall be automatically repealed after the time specified in the ordinance but not later than the next regular or special Town Meeting.

Section 2.12 AUTHENTICATION AND RECORDING OF ORDINANCES

All ordinances and resolutions adopted by the Board shall be authenticated by the signatures of the Chairperson and the Secretary of the Board and recorded in full by the Town Clerk in a properly indexed book kept for that purpose.

Article III TOWN MANAGER

Section 3.01 APPOINTMENT, QUALIFICATION, COMPENSATION

The Board of Selectpersons shall appoint a Town Manager on a contractual basis for a period of up to three years and his/her performance will be reviewed by the Board of Selectpersons on an annual basis. The Town Manager shall be appointed solely on the basis of his/her executive and administrative qualifications. He/She need not be a resident of the town or state at the time of his/her appointment but may temporarily reside outside the town while in office only with the approval of the Board of Selectpersons. He/she shall be sworn in as soon as possible after his/her

appointment. The Town Manager may not serve as Moderator, Selectperson, Assessor or member of the School Committee.

### Section 3.02 REMOVAL

The Board of Selectpersons may remove the Town Manager from office in accordance with the following procedures: (State Law)

- (a) The Board of Selectpersons shall adopt by affirmative vote of a majority of all its members a preliminary resolution which must state the reasons for removal and may suspend the Town Manager from duty for a period not to exceed 45 days. A copy of the resolution shall be delivered promptly to the Town Manager but in no case shall such resolution be delivered to the Town Manager within a period of time longer than ten days from the date of the adoption of such preliminary resolution. Such a preliminary resolution shall be filed with the Town Clerk.
- (b) Within 20 days after receiving a copy of the resolution, the Town Manager may file with the Board of Selectpersons a written reply and may request in writing a public hearing not earlier than 15 or later than 30 days after the request is filed.
- (c) The Board of Selectpersons may adopt a final resolution of removal, which may be made effective immediately, by affirmative vote of a majority of all its members at any time after 20 days from the date when a copy of the preliminary resolution was received by the Town Manager, if he/she has not requested a Public Hearing, or at any time after the Public Hearing if he/she has requested one.
- (d) The Town Manager shall continue to receive his/her salary until the effective date of final resolution or removal.

### Section 3.03 ACTING AND OR TEMPORARY TOWN MANAGER

- (a) By letter filed with the secretary to the Board of Selectpersons, the Town Manager shall designate, subject to the approval of the Board of Selectpersons, a qualified person to exercise the powers and perform the duties of the Town Manager during his/her temporary absence or disability. The temporary Town Manager shall be sworn in as soon as possible after his/her appointment. During such absence or disability, the Board of Selectpersons may revoke such designation at any time and appoint another person to serve until the Town Manager shall return or his disability shall cease.

### Section 3.04 POWERS AND DUTIES OF THE TOWN MANAGER

The Town Manager shall be the Chief Administrative Officer of the town. He/she shall be responsible to the Board of Selectpersons for the administration of all town affairs placed in his charge by or under this charter. He/she shall have the following powers and duties:

- (a) He/she shall administer the Personnel Policies of the town.
- (b) He/she shall direct and supervise the administration of all departments, officers and agencies, except as otherwise provided by the charter or by laws.
- (c) Unless excused, he/she shall attend all Board of Selectpersons meetings and shall have the right to take part in discussions but may not vote.
- (d) He/she shall see that all laws, provisions of the Charter, and acts of the Board of Selectpersons, subject to enforcement by him/her or officers subject to his/her direction and supervision, are faithfully executed.
- (e) He/she shall prepare and submit the annual budget, the annual capital program and annual financial and administrative reports to the Board of Selectpersons.
- (f) He/she shall prepare and submit to the Board of Selectpersons such reports and shall perform such duties as the Board of Selectpersons may require and shall make such recommendations to the Board of Selectpersons concerning the affairs of the town as he deems desirable.
- (g) He/she shall assist, in so far as is practical, residents and taxpayers in discovering their lawful remedies in cases involving complaints of unfair vendor, administrative and governmental practices.
- (h) The Town Manager shall perform other duties as required by the Board of Selectpersons, such as but not limited to Tax Collector, Chief of Police, Health Officer, Agent of Overseers of the Poor and Road Commissioner.
- (i) The Town Manager shall be the Purchasing Agent for the Town of Brownville. He/she may delegate this authority as he/she deems necessary to the Department Heads. The authority of the Board of Selectpersons to issue warrants to the Town Treasurer to disburse money for specific purposes stated in such warrants shall be delegated by this Charter to the Town Manager who shall have authority to issue

warrants in place of the Board of Selectpersons with the following restrictions:

He/she shall have the authority to issue warrants to instruct the Town Treasurer to issue checks or disbursements of an amount not to exceed a total  $\frac{3}{4}$ 's of 1% of the Municipal Budget raised at the last regular Town Meeting without a prior approval of the Board of Selectpersons. After said expenditures of  $\frac{3}{4}$ 's of 1% of the Municipal Budget raised at the last regular Town Meeting has been approved by the Board of Selectpersons, said authority will be renewed. This restriction shall not apply to nor shall it include the payroll of the town employees, payments to the county government, payments to AOS #43, or loan payments which have been authorized by the voters of the Town of Brownville.

- (j) The Town Manager may hire personnel in the event of an emergency, for projects of a duration of not more than one week, or for a replacement for an employee who is unable to work and will be out of work more than ten days. Removal of employees may be made by the Town Manager or by the Board of Selectpersons acting through the Town Manager. All removals must be for a reasonable cause, except for reductions in work force. All removals and layoffs must be made in accordance with the Personnel Policy of the Town of Brownville.

#### Article IV TOWN CLERK AND TREASURER

##### Section 4.01 TERMS OF OFFICE

The Town Clerk and Town Treasurer shall each be appointed by Brownville Board of Selectpersons each year, within 30 days after the Annual Town Meeting. Also, a Town Clerk must be available at the Town Office during normal business hours.

##### Section 4.02 COMPENSATION

The minimum compensation of the Town Treasurer and Town Clerk shall be fixed from time to time at a regular Town Meeting.

##### Section 4.03 INDUCTION INTO OFFICE

The Town Clerk and Town Treasurer shall be sworn to the faithful discharge of their duties by an appropriate official.

##### Section 4.04 DUTIES

The respective duties of the Town Clerk and Town Treasurer shall be those enumerated in the general laws of the State of Maine.

#### Section 4.05 VACANCIES AND FORFEITURE OF OFFICE

The rules governing either vacancies or forfeiture of both of the positions of the Town Treasurer and Town Clerk shall be governed by the general laws of the State of Maine.

### Article V ADMINISTRATIVE ORGANIZATION

#### Section 5.01 GENERAL PROVISIONS

##### Creation of Departments:

The Board of Selectpersons may establish town departments, offices or agencies in addition to those created by this Charter and prescribe the functions of all departments, offices, or agencies.

#### Section 5.02 PERSONNEL ADMINISTRATION

##### (a) Merit Principle:

All appointments and promotions of town official and employees shall be made solely on the basis of merit, experience, and fitness demonstrated by examination or other evidence of competence.

##### (b) Personnel Director:

The Town Manager shall be designated Personnel Director. The Personnel Director shall administer the personnel system of the Town of Brownville, and shall be responsible for administrating the Personnel Policy of the Town of Brownville.

##### (c) Administrative Rules:

The Personnel Director shall prepare administrative rules and job descriptions consistent with state law. The rules shall then be proposed to the Board of Selectpersons. The Board of Selectpersons may adopt them with or without amendment. The administrative rules and job descriptions shall be maintained and called "The Personnel Policy of the Town of Brownville, Maine." All personnel administrations, decisions, and reviews shall be made in accordance with the Personnel Policy of the Town of Brownville, and State and Federal law.

## Article VI FINANCIAL PROCEDURES

### Section 6.01 FISCAL YEAR

The fiscal year of the town shall begin on the first day of January and end on the last day of December or such dates as the voters of the Town of Brownville may decide, or as otherwise established by vote of the Municipal officers.

### Section 6.02 BUDGET COMMITTEE

The Board of Selectpersons shall appoint registered voters, representing all sections of the town, to cooperate with the Selectpersons and Town Manager in making recommendations concerning all articles in the Warrant, especially, those calling for appropriations, and this committee of registered voters shall submit a report for consideration by the voters at the Annual Town Meeting, said committee to be known as the Budget Committee. There shall be 7 members whose terms shall be staggered as follows:

- 4 members appointed by the Selectpersons to serve for three years.
- 3 members appointed by the Selectpersons to serve for two years.

### Section 6.03 SUBMISSION OF BUDGET AND BUDGET MESSAGE

On or before the 15<sup>th</sup> day of January each year, the Town Manager shall submit to the Board of Selectpersons, a budget for the current fiscal year and an accompanying message. The Town Manager's message shall explain the Budget in fiscal terms, describe the important features of the budget, indicate any major changes from the current year in expenditures and revenue together with the reasons for such changes and summarize the Town's debt positions and include other material as the Board of Selectpersons deems desirable.

### Section 6.04 BUDGET

The budget shall provide a complete financial plan of all town funds and activities for the current fiscal year and, except as required by this charter, shall be in such form as the Town Manager deems desirable or the Board of Selectpersons may require. In organizing the budget, the Town Manager shall utilize the most feasible combination of expenditure classification by fund, organization unit, program, purpose or activity, and object. It shall begin with a clear general summary of its contents; shall show in detail all estimated income, and all proposed expenditures, including debt service, for the current fiscal year; and shall be so arranged as to show comparative figures for actual and estimated income and

expenditures of the fiscal year just ended and actual income and expenditures of the preceding fiscal year. It shall indicate in separate sections:

- (a) Proposed expenditures for current operations during the ensuing fiscal year, detailed by office, departments and agencies in terms of their respective work programs, and the method of financing such expenditures.
- (b) Proposed capital expenditures during the ensuing fiscal year, detailed by offices, departments and agencies when practical and the proposed method of financial each such capital expenditure when practical.

#### Section 6.05 BOARD ACTION ON THE BUDGET

The budget prepared by the Manager shall be reviewed by the Board of Selectpersons which shall approve such proposed budget with or without amendment, prior to the first meeting of the Budget Committee. If a difference exists between the budget as proposed by the Selectpersons and proposed by the Town Manager, the Town Manager may present such differences to the Budget Committee for their consideration.

#### Section 6.06 BUDGET COMMITTEE ACTION ON THE BUDGET

After review by the Selectpersons the Town Manager and Selectpersons shall meet with the Budget Committee for their review of the budget.

#### Section 6.07 PUBLIC RECORDS

- (a) Copies of the budget and the capital program as adopted by the Selectpersons and Budget Committee shall be public record and shall be made available to the public at the Town Office.
- (b) Town Warrant:  
The Town Warrant shall contain the total money available (through appropriation, credits, and re-appropriation) for the two previous years and the Board of Selectpersons and Budget Committee's recommendations for the current fiscal year, all under each article requiring an appropriation.

#### Section 6.08 AMENDMENTS AFTER ADOPTION

- (a) Reduction of Appropriations:  
If at any time during the fiscal year it appears probable to the Town Manager that the revenues available will be insufficient to meet the amount appropriated, he/she shall report to the Board of Selectpersons



without delay, indicating the estimated amount of the deficit, any remedial action taken by him/her and his/her recommendations as to any other steps to be taken. The Board of Selectpersons shall then take further action as it deems necessary to prevent or minimize any deficit.

(b) Transfer of Appropriations:

Upon written request by the Town Manager, the Board of Selectpersons may call a Special Town Meeting to consider and vote on the transfer of part or all of any unencumbered appropriations balance from one appropriation to another.

Section 6.09 LAPSE OF APPROPRIATIONS

General fund appropriations, except an appropriation to any of the reserve fund accounts specified in 30 M.R.S.A S 5201, shall lapse at the close of the fiscal year to the extent that they have not been expended or encumbered, or except as prohibited by law or prior agreement. Such funds shall be transferred to a surplus account unless re-appropriated at the annual Town Meeting. An appropriation for a capital expenditure shall continue in force until the purpose for which it was made has been accomplished or abandoned.

Section 6.10 ANNUAL POST AUDIT

The Board of Selectpersons shall each year appoint a Certified Public Accountant for the purpose of conducting the annual post-audit of the prior fiscal year municipal finances, as authorized by law.

Article VII TOWN MEETINGS AND ELECTIONS

Section 7.01 ANNUAL TOWN MEETING

The Annual Town Meeting shall be held in the Town of Brownville in the County of Piscataquis on the 3<sup>rd</sup> Monday of March in each year, and the voters shall then choose by ballot, as now provided by law, a Moderator.

Section 7.02 ELECTION OF OFFICERS

The election of officers will be in accordance with Title 30 Section 2067 M.R.S.A "Affirmative Nomination Procedure."

- (a) The nomination for any office shall be made by nomination papers signed by not less than 25 nor more than 74 persons. Nomination papers shall be made available by the municipal clerk to prospective candidates during the 40 days prior to the final date of filing, and

before issuance, the town clerk may complete each sheet by filling in the name of the candidate, the title and term of office which is being sought.

- (b) Each voter who signs a nomination paper shall add his/her place of residence with the street and number if any. He/she may subscribe only to as many nomination papers for each office as there are vacancies to be filled.
- (c) All certificates of political caucus nomination shall be signed by the chairperson and secretary of the caucus. Such certificates and nomination papers shall specify the name of the candidate and the office for which he/she is nominated. They shall be filed with the clerk during business hours on or before the 35<sup>th</sup> day next prior to the day of election.
- (d) A certificate of political caucus nomination and nomination paper which conforms with this section is valid unless a written objection to it is made to the Selectpersons on or before the 33<sup>rd</sup> day next prior to the day of election. When an objection is made, notice shall be delivered immediately by the clerk to the candidate affected by it. Objections arising in the case of nominations shall be determined by the Selectpersons, and their decision is final.
- (e) Notwithstanding the provisions of this subsection, where the municipal officers determined to fill a vacancy, which must be filled by election, the municipal officers may designate a shorter time period for the availability of nomination papers but not less than 10 days prior to the final date for filing, and may designate a shorter time period for the final date for filing nomination papers but not less than the 14<sup>th</sup> day next prior to the day of election. Notice of the designation shall be posted in the same place as town meeting warrants are posted and local representatives of the media shall be notified of the designation.
- (f) The names of candidates nominated and the office for which they are nominated shall be attested by the clerk and posted at least 7 days prior to town meeting.
- (g) Voting of municipal officials will take place at a town meeting.

### Section 7.03 SPECIAL TOWN MEETINGS

Special Town Meetings shall be called in accordance with the Maine Revised Statutes Annotated.

## Article VIII GENERAL PROVISIONS

### Section 8.01 SWEARING IN OFFICERS

Every town officer or official shall be sworn to the faithful discharge of the duties incumbent upon him/her according to the Constitution and laws of the State of Maine and the Charter and ordinances of the town and shall be sworn to support the Constitution of the United States and the Constitution of the State of Maine.

### Section 8.02 PERSONAL FINANCIAL INTEREST

Any officer or employee who has any financial interest, direct or indirect or by reason of ownership of stock in any corporation, in any contract with the town or in the sale of any land, material, supplies or services to the town or to a contractor supplying the town shall make known that interest and shall refrain from voting upon or otherwise participating in his/her capacity as an officer or employee in making such sale or in the making or performance of such a contract. Any officer or employee who willfully conceals such a financial interest or willfully violates the requirements of this section shall be guilty of malfeasance in officer or position. Violation of this section with the knowledge expressed or implied of the person or corporation contracting with or making a sale to the town shall render the contract or sale voidable by the Board of Selectpersons.

### Section 8.03 PROHIBITIONS

#### (a) Activities Prohibited:

- (1) No person shall be appointed to or removed without notice and hearing from, or in any way favored or discriminated against with respect to any town position or appointive town administrative office because of race, sex, political or religious opinions or affiliations.
- (2) No person shall willfully make any false statement, certificate, mark, rating or report in regard to any test certification or appointment under the personnel provisions of this charter or the rules and regulations made thereunder, or in any manner commit or attempt to commit any fraud preventing the impartial execution of such provisions, rules and regulations.
- (3) No person shall, directly or indirectly give, render, pay, offer, solicit, or accept any money, service or other valuable consideration for any appointment, proposed appointment,

promotion or proposed promotion to, or any advantage in, a position in the municipal service.

- (4) Nothing herein contained shall affect the right of any person to hold membership in, and support, a political party, to vote as he/she chooses, to express privately and publicly his/her opinions on all political subjects and candidates, to maintain political neutrality and to attend political meetings.

(b) Sanctions:

If any person to hold membership in, and support, a political party, to vote as he/she chooses, to express privately and publicly his opinions on all political subjects and candidates, to maintain political neutrality and to attend political meetings.

Section 8.04 SEVERABILITY

If any provision of this charter is held invalid, the other provisions of the charter shall not be affected thereby. If the applications of the charter or any of its provisions to any person or circumstance is held invalid, the applications of the charter and its provisions to other persons or circumstances shall not be affected thereby. If any provision of this charter is held invalid by reason of any conflict with State or Federal law, the provisions of the applicable State or Federal law shall automatically become incorporated in this charter in place of the invalid charter provision.

Article IX TRANSITIONAL PROVISIONS

Section 9.01 EFFECTIVE DATE

- (a) This charter shall be in full effort for all purposes on January 1, 1980 except for those elected and appointed officials whose terms naturally expire at the town meeting.
- (b) Those persons who are or will be holding office on January 1, 1980 shall continue to fill their regular term of office under the prior charter of the Town of Brownville.

Accepted June 21, 2022

A true copy, Attest: \_\_\_\_\_

Alicia M. Harmon  
Town Clerk  
Brownville, Maine