



TOWN OF
Kennebunk
MAINE
**COMMITTEE
HANDBOOK**
Updated – October 24, 2023



**TOWN OF KENNEBUNK, MAINE
COMMITTEE HANDBOOK**

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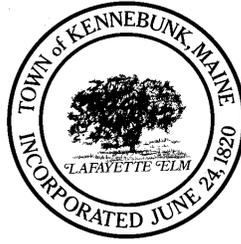
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Town of Kennebunk, Maine



Executive Summary

The Town of Kennebunk highly values the commitment and involvement of its citizens as participants on its Boards and Committees. This involvement is beneficial for the community, staff and the individual participants. Civic service can be rewarding and require an extensive time commitment. In recognition of this commitment and effort, the Town has developed a Committee Handbook to help guide and safeguard the valued work of its volunteers.

The Handbook is intended to accomplish the following things:

- Promote clear expectations and consistent behavior
- Increase awareness of and compliance with Town Policies
- Limit the liability of the Town and volunteers
- Support adherence to Core Values and legal statutes
- Enrich the relationship between Staff & Committee members
- Provide oversight & advocacy

The Handbook contains a set of definitions, references to Town Policies and identifies roles and responsibilities of staff and volunteers. The intent is to help not only foster collaboration in furthering the goals of the various boards and committees, but help all involved have clear expectations of how to function efficiently and transparently.

The ability of committees to function effectively can best be achieved through a strong and consistent relationship with the Town and the members themselves. All boards and committees are expected to adhere to the tenets of the Handbook.

Boards and committees will receive support and oversight through either a Staff liaison or a Select Board liaison. Whether the support is direct or indirect, it is important for committees to understand the principles outlined in the Handbook and utilize this resource.

MISSION STATEMENT

The Town of Kennebunk partners with our community members to deliver superior service in the most efficient and effective manner possible, while preserving, protecting, and enhancing the quality of life as we plan for the future.

CORE VALUES

Culture of Excellence: We respect members of the public and each other, and treat all with courtesy and dignity. We are an inviting community that welcomes diversity and embraces our differences, promoting an atmosphere of inclusion and acceptance among our residents and visitors. We rely on teamwork to provide a seamless experience for all customers. We uphold high ethical standards in our personal, professional, and organizational conduct. We continuously strive to meet the needs of customers through available resources by being flexible and promoting the use of innovation.

Accountability: We accept responsibility for our personal and organizational decisions and actions, while delivering cost-effective and efficient services that are done right the first time.

Communication: We openly communicate with the public and each other by sharing information and soliciting feedback to achieve our goals.

Diversity, Inclusion, Connection: We believe a thriving and vibrant community stems from the diversity of its people. To that end, we strive to ensure people from all backgrounds, experiences and perspectives feel welcomed, respected and accepted.

Environment: We are concerned about our natural, historic, economic, and aesthetic resources and work to preserve and enhance them for future generations.

Safety: We use education, prevention, and enforcement methods to protect life and property in the community, and maintain our infrastructure and facilities to provide a safe environment in which to live, work, shop, and play.

Trust: We realize the perception of our organization is dependent upon the public's confidence in our commitment to our core values and to meeting the goals set collectively by the Town Manager and Select Board.

Kennebunk's Principles of Excellent Service

Concern for the Individual

Positive Engagement

Fair and Equitable Service

Professional Service

Timeliness

Effective Communications

Taking Ownership

Teamwork

Customer Focus

DEFINITIONS

<i>Ad-hoc -</i>	Created or done for a particular purpose only as necessary.
<i>Agenda -</i>	A list of items to be discussed at a formal meeting.
<i>By-Laws</i>	Rules outlining the structure and defining the work of a committee.
<i>Committee -</i>	A group of people organized and appointed for a specific function, typically consisting of members of a larger group. Term is synonymous with "Board" and "Commission" for purposes of this Handbook.
<i>Conflict of Interest -</i>	A situation in which the concerns or aims of two different parties are incompatible.
<i>Ex-officio -</i>	A non-voting member acting in a capacity by virtue of one's position or status.
<i>Harassment -</i>	Creation of an unpleasant or hostile situation by uninvited and unwelcome verbal or physical conduct.
<i>Maine Freedom of Access Act -</i>	A State statute that is intended to open the government of Maine by guaranteeing access to the "public records" and "public proceedings" of state and local government bodies and agencies.
<i>Meeting Minutes -</i>	A written summarized record of the proceedings at a meeting.
<i>Policy -</i>	A course or principle of action adopted or proposed by a government, party, business, or individual (<i>e.g., Town of Kennebunk Purchasing Policy; Town of Kennebunk Committee Correspondence Policy</i>).
<i>Quorum -</i>	The minimum number of members of an assembly or committee that must be present at any of its meetings to conduct business.
<i>Resignation -</i>	An act of retiring from or giving up a position.
<i>Select Board Liaison -</i>	An assigned member of the Select Board who acts on behalf of the Board to facilitate a working relationship between the Select Board and the Board/Committee.
<i>Staff Liaison -</i>	An assigned employee of the Town of Kennebunk who acts on behalf of the Town to facilitate a working relationship between the Town Administration and the Board/Committee

Town Charter -

The governing document of the Town of Kennebunk, consisting of a written list of articles outlining the rights and privileges of the Town, which establishes the form of government, administrative, rulemaking and budget process and is adopted by public vote.

Town Manager -

The chief administrative official of the Town of Kennebunk. Refer to Article IV, Section 4.02 of the Kennebunk Town Charter for powers and duties of the Town Manager.

Volunteer -

A person who freely offers to take part in an enterprise or undertake a task. Also refers to a committee member for purposes of this Handbook.

WELCOME

The Town of Kennebunk appreciates your willingness and commitment to serve on a committee, board, or commission in a volunteer capacity. In this Handbook the term ‘committee’ is used to refer to any board, committee or commission of the Town, and the term ‘member’ shall refer to any appointed or elected volunteer serving on a committee.

The Town recognizes that members have valuable skills, experiences and insights acquired through education, life experience, occupations, or prior community service. Those qualities can be of great benefit to the Town of Kennebunk. Committee members are an integral part of the Town’s function, growth, and sense of community. In order to have a committee that is efficient, it is essential that committee members be appropriately acquainted with the rules and expectations of the Town so they understand the roles and responsibilities and carry them out in an effective manner. This Handbook is intended to instruct and assist those serving on the committees of the Town of Kennebunk.

COMMITTEE FORMATION

The Select Board is the appointing authority for all committees and has the authority to create and appoint ad hoc committees ([Town of Kennebunk Charter, Section 3.06, Enumeration of Powers](#)). Once a committee is formed, it must formulate and adopt by-laws, or rules, using the template provided (**Appendix J**) and may also consider adopting a Mission Statement.

COMMITTEE VACANCIES

Vacancies on committees are often announced on the Town’s website: www.kennebunkmaine.us and membership rosters for each committee are listed, with vacancies noted, on each board/committee page within the Town’s website. A complete listing of vacancies is maintained by the Town Manager’s office. Individuals who would like to be considered for appointment must complete an application [online](#) or submit a paper copy of an application available in the Town Manager’s office, 1 Summer Street, Kennebunk, ME 04043. Interested candidates will be notified when an interview has been scheduled with the Town Manager and/or the Select Board.

APPOINTMENT

The goal of the appointing authority is to appoint qualified and interested Kennebunk residents who are broadly representative of the Town and whose skill set matches the needs of a committee. The appointing authority carefully considers applications and suggestions from many resources, including, but not limited to: letters of interest, verbal expression of interest and recommendations by committees. Once appointed, the appointee receives written notification of appointment. Per the Town Charter, each appointee must be sworn in by the Town Clerk’s office prior to attending a committee meeting as an official member and no later than 30 days from the notification date of appointment (Town Charter, Sec. 3.11.2.f.).

Committee members must perform the duties incumbent as a member of a town committee according to the Constitution of the United States of America, the laws of the State of Maine, the Town of Kennebunk Charter and applicable ordinances and the rules and by-laws of the committee. As a member of a committee, you represent the citizens, the Select Board and the Town Manager, and must abide by a number of policies and procedures which govern public bodies including the by-laws, ordinances and rules that apply to each committee and the rules contained in this Handbook.

REAPPOINTMENT

Any reappointment may be based on several factors, including an evaluation of the member's contribution to the committee, a review of the number of committee meetings held and the member's attendance record, and the diverse and changing needs of the committee and the Town. A committee member is under no obligation to accept reappointment nor is the appointing authority obligated to offer reappointment.

RESIGNATIONS, REMOVALS & OTHER FORFEITURES

A committee member who is no longer able to serve should resign promptly so that the vacancy may be filled. A written resignation must be submitted to the Town Manager's office with a copy to the Chair of the committee. The Chair of the committee shall confirm with the Town Manager's office that the resignation will appear on the next scheduled Select Board agenda for acceptance. Other forfeitures of office may occur as detailed in Section 3.11 of the [Town Charter](#).

CONFLICT OF INTEREST

Committee members shall avoid any situation that may give rise to an actual or perceived conflict of interest. Where circumstances may cause a reasonable person to question the committee member's impartiality or may otherwise give rise to an appearance of a conflict of interest, the committee member shall not participate in a matter unless he or she has appropriately disclosed the situation and there has been a determination by the committee that participation is appropriate. Any potential conflicts of interest (pecuniary or otherwise) must be disclosed immediately to the Staff/Select Board liaison and committee Chair prior to discussion and voting on the issue.

ELECTION OF OFFICERS

All committees shall annually elect a Chair, Vice Chair and a Secretary or Clerk at the first regularly scheduled meeting on or after July 1. For newly-formed committees meeting for the first time to elect officers, the individual with senior rank (i.e., the first person appointed by the Select Board) shall act as temporary Chair and preside over the nomination and election of officers. It is the responsibility of the newly-elected Chair to notify the Town Clerk and/or Staff and Select Board liaisons of changes in membership and officers. Ongoing committees should elect officers at the first meeting held on or after every July 1 (the beginning of the fiscal year).

RESPONSIBILITIES OF OFFICERS

Chair

The Chair presides at all meetings and completes administrative duties such as preparation of meeting agendas, posting of an agenda at least 48 business hours before any meeting by email to the Town Clerk (TownClerk2@kennebunkmaine.us), committee members and liaisons, reservation of meeting space with the Town Clerk and preparation of an annual report of the committee's activities. The Chair sets the tone of meetings, which should be respectful of individuals coming before their committee and between fellow committee members. The Chair has the same rights as other members to offer resolutions, make motions, and vote. The Chair should familiarize themselves with the by-laws and rules of the Committee as well as any applicable ordinances and statutes, and should ensure that other members abide by these as well.

Vice Chair

The Vice-Chair assumes all responsibilities of the Chair whenever the Chair is absent from meetings, and performs other duties as necessary. Should the Chair resign, the Vice Chair will serve as the Chair until such a time as the committee can elect a new Chair.

Clerk/Secretary

The Clerk/Secretary is responsible for ensuring that meeting minutes are recorded and that this written record is filed with the Town Clerk's office once approved by the committee (see Appendix K, Sample Minutes).

STANDARDS OF CONDUCT

The Select Board recognizes the importance of civil discourse at all levels of the government including those who volunteer their time and services on behalf of the Town. Committee members are representatives of the Town. Members should conduct themselves so as to maintain public confidence in their local government and in the performance of the public trust. They should treat with respect and civility the rights of all fellow members, attendees and staff regardless of any differences of opinion. In turn, it is expected that those members from the community attending Town committee meetings will display respect for the public, committee members and Town staff. Professional respect does not preclude differences of opinion, but calls for respect for those differences and the people who express them. Everyone should strive for civil discourse on all matters. Committee members are expected to act in a professional manner at meetings even when diverse ideas and opinions are presented. If differences cannot be resolved, committee members should consult the staff liaison who will seek to assist in finding resolution.

All employees, committee members and volunteers are expected to uphold and abide by the Town's Anti-Harassment and Discrimination policy, which requires that:

- Employees, committee members and volunteers shall refrain from any form of workplace abuse, harassment, discrimination, or violence. This includes refraining from unwelcome, offensive, or abusive comments or conduct, or discriminatory treatment, related to an individual's race, religion, age, sex, physical or mental disability, sexual orientation, including gender identity and expression, national origin, genetic predisposition, color, political affiliation, whistleblower activity, or any other status protected by law.
- Employees and volunteers shall cooperate fully in any investigation of a workplace abuse, harassment, discrimination, or violence complaint.
- Failure to adhere to these standards is a violation of law and Town policy and may result in removal from the committee.

TRAINING

As part of its commitment to creating and maintaining respect for human rights and fostering equality and inclusion, the Town of Kennebunk will provide appropriate education and support for committee members and volunteers so that everyone is aware of their rights and responsibilities.

Review of the Committee Handbook, Conflict of Interest laws, Freedom of Access Act, best practices for meeting management, code of conduct and the anti-harassment policy are available via staff or Select Board liaisons.

STAFF LIAISON

Town staff will serve on committees as non-voting, ex-officio members. Staff will attend meetings whenever possible and guide the work of the committee. Staff members can provide technical support and information and will act as a liaison between other Town staff and the Town Manager to provide information regarding the work of the committee and any items of significance that may arise. Staff liaisons should be the primary conduit for information requests, legal support and the expenditure of

funds. In all cases, the Town Manager provides general management, direction and supervision of staff members and their daily operations.

SELECT BOARD LIAISON

Each Select Board member elects to serve as liaison to several town committees. Attendance by the Select Board liaison at a committee's meeting is at the discretion of the assigned Select Board member. The Select Board liaison maintains communication with the assigned committee; reviews its deliberations and/or minutes; is included when informational notices and meeting postings are disseminated, and keeps the Town Manager and the Select Board advised and updated on the committee's progress.

MEETINGS

Scheduling

Depending on a committee's workload, meetings may be held weekly, bimonthly, monthly, quarterly or less frequently when appropriate. When possible, a regular meeting time, day and place should be established and then posted on the Town's website calendar by the Town Clerk's office (see **Postings and Notice of Meetings** below). Except in cases of emergency, Town committees shall not meet on major religious or official holidays. The Select Board requires committees to meet in a Town building that is open to the public, encourages public attendance and participation and meets ADA guidelines for accessibility by the public. Meetings shall not be held via email, in private homes, restaurants or other private spaces as that may give the appearance of being secret and discourage the public from attending. A committee may reserve a room in a Town building by contacting the Town Clerk's office by phone (207) 985-2102 ext. 1602 or by email: TownClerk2@kennebunkmaine.us.

Posting and Notice of Meetings

The Town Clerk's office is responsible for maintaining a current listing of all posted meetings on the bulletin board at the Town Hall and on the Town's website. All meeting agendas and notices should be submitted to the Town Clerk's office either in person or via email to: TownClerk2@kennebunkmaine.us. It is the responsibility of each committee Chair or designee to give notice and provide an agenda to the Town Clerk's office with the committee's meeting date, time and place. Notices of meetings must be posted 48 business hours in advance (excluding Saturdays, Sundays and legal holidays). Agendas should include all matters that the Chair anticipates will be discussed at the meeting. Changes to a posted agenda must be submitted to the Town Clerk's office to re-post to the website and send a notification to website subscribers. Meetings should adhere to the topics noticed on agendas and any new substantive business shall be noticed for the next scheduled meeting.

In the case of emergency meetings (sudden, unexpected occasions which require immediate action by the committee), the Town Clerk's office must be informed and the meeting posted as soon as possible. In the case of a meeting cancellation, notice must be given to the Town Clerk's office as soon as possible to post notice of the cancellation. In the case of the Town Hall closing due to weather, meetings are also generally cancelled; any exceptions must be approved by the Town Manager.

Quorum

There must be a quorum, meaning a majority (more than half) of the regular members of the committee size, to hold a meeting. When a meeting is posted and less than a quorum is available for the meeting, the following steps should be taken:

- 1) When this is known before the meeting, the meeting should be cancelled and the Town Clerk's office notified to post the cancellation.

2) If the lack of a quorum becomes known as the members are gathering, the attending members should simply announce and note that no hearing or meeting shall be held in the absence of a quorum. A workshop or discussion may take place, but no formal voting action should be taken.

Recordkeeping

Each committee must keep accurate records of its meetings (see **Appendix K, Sample Minutes for Non-Binding Committees**). Draft minutes should be noted as such if submitted to the Town Clerk. Once minutes are formally approved at the next scheduled meeting, that record should be submitted to the Town Clerk's office, (once corrected or amended if applicable), and replace any draft minutes as soon as possible. Minutes should be submitted not more than 30 days from the original meeting for binding committees and not more than 45 days from the original meeting for non-binding committees. The records of each meeting, including the draft minutes, are public information, and the Town Clerk's office shall maintain a copy of all approved minutes for public inspection, as well as of draft minutes prior to approval as appropriate.

At a minimum, minutes must include:

- A list of committee members present and absent at the meeting
- Names of others present when relevant
- Date, time convened, location and time adjourned
- All motions and votes, agreements or decisions reached by consensus; assignments; mention of topics discussed
- Summaries of discussion (recommended as they are helpful in understanding decisions or provide factual information that may be useful to the committee)

COMMUNICATIONS

Maine Freedom of Access Act

According to the State of Maine, "The [Freedom of Access Act](#) (FOAA) is a state statute that is intended to open the government of Maine by guaranteeing access to the "public records" and "public proceedings" of state and local government bodies and agencies." The act defines public records as, "any written, printed or graphic matter or any mechanical or electronic data compilation from which information can be obtained, directly or after translation into a form susceptible of visual or aural comprehension, that is in the possession or custody of an agency or public official of this State or any of its political subdivisions, or is in the possession or custody of an association, the membership of which is composed exclusively of one or more of any of these entities, and has been received or prepared for use in connection with the transaction of public or governmental business or contains information relating to the transaction of public or governmental business." *(Further reading and exceptions specified in Title 1, Chapter 13.1 §402: <http://www.mainelegislature.org/legis/statutes/1/title1sec402.html>)*

The Maine Open Meeting law, included in the Maine Freedom of Access Act, establishes the methods by which public meetings are conducted. The act applies to all meetings where transactions that affect the citizens of the state have occurred. *(Further reading on the Maine Open Meeting law found at: https://ballotpedia.org/Maine_Open_Meeting_Law)*

"Unintended meetings, also, are made illegal by the Right to Know Law unless adequate notice is given and the public is allowed to attend. An unintended meeting occurs when at least a quorum (majority) of a board discusses town business in a public or private setting, such as at the hardware store or at dinner with friends, or even over the telephone. Obviously, board members are in no way legally prevented from

meeting socially outside the public arena. At those occasions, however, every effort should be made to avoid discussing public business.” (**Appendix E, “Right to Know”**)

Email, Texting, Telephone and other Electronic Communications

Communications between committee members via phone, email, text message or any other electronic communication method must be limited to non-substantive administrative business.

Substantive discussions or deliberations on public business involving three or more members that occur via email, telephone or other electronic technologies are a violation of the Maine Open Meeting Law and furthermore are subject to the Maine Freedom of Access Act (FOAA).

The ease by which text or email messages are sent and forwarded may inadvertently facilitate the improper discussion of public policy issues. Emails or text messages written or received in the capacity of a committee member are considered public records, which must be made available for public inspection in the same manner as hard copy documents. There is no distinction in law between written and electronic records. *Use of one’s own computer, electronic devices and personal email accounts for Town business does not exempt such communications from the FOAA and those communications become public records that must be disclosed if requested by members of the public.*

Communications sent or received using a member's personal computer or e-mail account are still considered a public record if it contains information relating to the transaction of public or governmental business unless the information is designated as confidential or excepted from the definition of a public record ([1 M.R.S.A. §402](#)). Employees and committee members acting in their official capacity should have no expectation of privacy in their use of electronic mail. As a result, committee members should be aware that all e-mails and e-mail attachments relating to a member's participation on a committee are likely public records, subject to public inspection under the FOAA.

If committee members wish to share information with each other as it pertains to the work of the committee (such as a recommendation for an agenda item at an upcoming meeting, or alerting fellow members of an absence) this must be limited to one-way dissemination. Recipients who “reply” or “reply all” to an email run the risk of developing a conversation that could be construed as committee business. Notifying committee members that an agenda has been posted or a meeting scheduled is an example of non-substantive communication. Committee members may also choose to sign up to receive notification of an agenda or minutes being posted to the Town’s website and view the document on the website rather than receiving such notice from a fellow committee member via email (**Appendix G**). In no event should any committee member discuss with another committee member the substance of an application that requires review and approval by the committee. Such discussion shall only occur as part of a duly noticed public meeting.

Communications such as inviting fellow members to an event unrelated to the work of the committee is considered non-substantive, but members should always err on the side of caution and keep any communication outside of a public meeting strictly non-substantive. Committee members should also avoid group replies to citizens that may become quorum discussions among the members that violate the Maine Open Meeting Law.

Communication Materials from Committees

Committees are encouraged to communicate with the public about the work and activities of the committee. However, as a safeguard for the Town and its volunteers, correspondence must be approved and disseminated from the Town. All correspondence including funding requests, grant applications, informational flyers, promotional materials and website and social media posts must be sent to the Staff

liaison and copied to the Select Board associated with each committee. In addition, the Select Board/Town Manager's office may be included for approval. All communications must follow the **Town Committee Correspondence Policy**, which states in part, "Any correspondence, including but not limited to letters, emails, brochures, flyers, etc. directed to residents, businesses or agencies needs to be pre-approved by the Committee's Select Board liaison or Town Manager prior to public distribution." (See full policy, **Appendix D**).

Town Website & Social Media

Town staff maintains a website for the Town of Kennebunk (www.kennebunkmaine.us) as well as social media accounts (Facebook, Twitter, Instagram, etc.). These online resources provide official communication methods for town business, including committee notices, resources, events and publicity.

Every committee has a dedicated page on the Town's website, which contains basic information about the committee, meeting times, a list of committee members and terms, and links to agendas and minutes of the committee. Committees should review their page periodically to ensure the information is current and accurate. These pages offer an opportunity to post and share news and resources as it relates to the work of the committee. Any information a committee wishes to be posted to the Town's website and/or social media outlets must be provided to and approved by the Staff liaison. Committees **are not permitted** to create and/or manage independent websites or social media account pages on behalf of the committee and/or Town.

Committee Events/Sponsorship

From time to time committees may wish to host activities or events or provide sponsorship for another organization's activity or event. Committees should seek the approval of the Select Board liaison and Staff liaison and should discuss and approve any event or activity as a committee. Any publicity or informational materials generated for the event or activity should follow the guidelines of the **Town Committee Correspondence Policy (Appendix D)**. If a committee is co-sponsoring an event with another outside organization, any promotional materials must include the Town and/or committee logo indicating that the Town is a co-sponsor and have a direct relationship with a Town committee and/or department. For further clarification on hosting and/or sponsoring town events, see **Appendix F**.

Committee Programming/Initiatives

Committees are urged to utilize the resource titled, "**Worksheet for Creating Programming/Initiatives**" (**Appendix I**) when considering the recommendation of a new program or initiative. This worksheet is intended to guide committees through the process of creating a new program or initiative and to think about the opportunities, challenges and impacts that come with new program creation as well as provide direction to move forward with an initiative through proper channels.

BUDGETS

In general, an individual committee does not have a budget unless one is authorized by Town Meeting. Budget requests should be tied to goals each committee generates and should include the expenses associated with stated goals. Committees must submit budget requests to the Finance Director and Staff liaison for the upcoming fiscal year (July 1-June 30) no later than December 1. The budget request must be formulated using the **Committee Budget Request Worksheet (Appendix A)**. Budget status reports are available upon request through staff or Select Board liaison throughout the year. Select Board liaisons may initiate a budget review at any time during the fiscal year and this information may be considered with any future budget requests.

PURCHASES & REIMBURSEMENTS

All committees should discuss and approve as a group, and at a regularly scheduled meeting, expenditure requests before they are made, and must consult the staff liaison or Town Manager regarding purchases. All purchases must adhere to the approved budget for a fiscal year and the **Town Purchasing Policy (Appendix H)**. Every effort should be made to utilize town resources (such as photocopies and printing) and cost-saving measures prior to purchases. Staff and Select Board liaisons may assist in sourcing items either via donation or discount using the Town's established procedures. Proof of expense and receipts for items must be submitted before reimbursement is requested. The Town is tax-exempt and committees shall avoid paying sales tax (contact staff liaison and/or Finance Director if tax-exempt certificate is required).

As expenses are incurred by the committee, an **Expense Reimbursement Request (Appendix B)** must be completed and submitted to the staff liaison with all appropriate receipts, invoices, etc., attached for approval, processing and payment. Failure to follow this purchase and reimbursement procedure may result in less than full reimbursement.

RECEIPT OF FUNDS/GRANTS/DONATIONS/GIFTS

Committees engaged in any fundraising or grant writing activities may do so with approval and coordination with the staff liaison. In order to coordinate grant-writing efforts and avoid duplication, any grant applications must be approved by the Town Manager prior to submission and a copy of the application and supporting documents must be on file with the Town. Volunteers may not enter into contracts on behalf of the Town and should coordinate any such work with a Staff liaison.

Fundraising at events via a "donation jar" with cash donations is not permitted due to the inability to account for, track and verify donations received. Donations should be directed to the Tax Collector's office at Town Hall allowing for proper documentation and receipt of funds. Committees may also provide a mailing address for checks and donations, Town of Kennebunk, c/o the Committee, 1 Summer Street, Kennebunk, ME 04043.

All funds received by the committee and during the course of the work of the committee must be documented and submitted to the Finance office. A record of the transaction must be submitted to the Finance Director for proper account designation. These or other funds may not be dispersed by the committee on its own without special arrangements, most generally through an existing Select Board/staff liaison and/or Finance Director. All gifts or donations received by a committee must be accepted by the Select Board. Contact the Town Manager's Administrative Assistant if this occurs to place an item on the next agenda of the Select Board.

ANNUAL TOWN REPORT

All appointed committees must file an annual report of committee activities for the Town Report, which is due to the Town Manager's Office each year on March 1. The Chair or other designated member should detail committee activities and a one to three paragraph explanation of major accomplishments of the previous year as well as any future plans or goals.

ADDITIONAL PUBLICATIONS

All committee members should read the Town Charter, available on the Town of Kennebunk's website: www.kennebunkmaine.us/charter. This is the official document granting, guaranteeing, or defining the local governing structure of the Town of Kennebunk. The Town Clerk's Office also maintains copies of this document. Familiarity with Town Ordinances and policies is recommended as they may affect the operation of various committees.

USE OF TOWN EQUIPMENT AND FACILITIES

Each committee is responsible for its clerical work. However, with advance notice, Town Staff may be able to provide assistance in assembly of documents, photocopying, mailings, and other services. Town equipment and facilities may be used for official committee business only. Most committees are assigned a mailbox at the Town Hall, which the Chair should check on a regular basis.

Proposed Budget Worksheet

Type of expense <i>(e.g., postage, printing, purchases of specific items, etc.)</i>	Reason for expense <i>(e.g., create informational mailing and distribute to residents, beautification project, etc.)</i>	Estimated expense <i>(List dollar amount. All purchases must comply with the Town's purchasing policy.)</i>

Available online: <https://www.kennebunkmaine.us/DocumentCenter/View/7599/Committee-Budget-Worksheet>

Appendix B – Expense Reimbursement Request



Name: _____

Committee: _____

Date	Reason for Expenditure	Expenses (54002)	Miles x Current IRS Reimbursement Rate (52009)	Description of Expenses	Total

Signature

Date

All receipts must be attached to this request to verify the expense.

Any person wishing to be reimbursed must have completed and submitted a W-9 form to the Tax Office in order to complete reimbursement.

Available online: <https://www.kennebunkmaine.us/DocumentCenter/View/7600/Volunteer-Expense-Reimbursement-Request->

Town of Kennebunk, Maine



AGENDA

Committee Name

Date (Month, Day, Year) - Time (X:XX p.m.)

Meeting Location (ex. Town Hall, 3rd Floor)

1. Attendance/Roll Call
2. Approval of Minutes
3. New Business
4. Old Business
5. Adjournment

Appendix D - Town Committee Correspondence Policy

TOWN COMMITTEE CORRESPONDENCE POLICY

Purpose: To inform the Select Board on pertinent information distributed by Town committees.

Policy: Any committee correspondence, including but not limited to letters, emails, brochures, flyers, etc. directed to residents, businesses, or agencies needs to be pre-approved by the Committee's Select Board liaison or Town Manager prior to public distribution. Either representative can bring the information to the full Board if necessary. A final copy will be sent to all members of the Select Board.

The policy would exempt:

- Abutter notifications
- Decisions by the Planning Board, Site Plan Review Board, Historic Preservation Commission, Zoning Board of Appeals, Board of Assessment Review, Fair Hearing Authority
- Routine correspondence with State and local agencies

APPROVED: By the Select Board on 11/22/11

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Right to Know, by Geoff Herman, MMA Paralegal
(from *Maine Townsman*, November 1990)

Please Note: This article can be viewed in its entirety [here](#). The material below has been abridged. Despite this article's original publication date, it remains a valid resource on the relevant subject matter. Recent cases and statutory changes are footnoted to reflect current law. (8/04)

Maine's Right to Know Law (1 MRSA § 401 et seq.) was enacted for the broad purpose of allowing the general public full access to public proceedings and public records. The exceptions to this law are few and carefully defined. Since the law governs both public proceedings and public records, each of these two aspects of the law deserve special attention.

Public Proceedings

Along with a number of proceedings conducted on the level of state government, a public proceeding is defined as "the transaction of any function" by "any board, commission, agency or authority of any county, municipality, school district or any regional or other political or administrative subdivision." Public proceedings, except where exempted, must be "open to the public." 1 MRSA § 402, 403. By the use of the term "transaction of any function," it is clear that the law is not limited to board meetings or proceedings of any special level of formality. **Except for the specifically exempted activities, virtually every activity or action undertaken by a municipal board or committee is subject to open review and attendance by the general public.**

It should be noted that the Right to Know law governs regularly scheduled meetings of municipal boards as well as specially convened, informally convened, impromptu, or emergency meetings. The law covers meetings where the board members are going to deliberate among themselves as well as meetings where the board is going to discuss or transact business with a third party or the public at large.

Notice Requirements

The law requires that the public be given notice of public proceedings whenever the public proceeding is "a meeting of a body or agency consisting of 3 or more persons." 1 MRSA § 406. The phrase "3 or more persons" refers to the formal membership of the body or agency, not to the actual attendance of the board's membership at any particular proceeding. Therefore, notice is still required for a meeting of the 3-member budget committee even if only two members are able to attend, because those two members represent a quorum of the 3-member committee.

Notice Requirements for Emergency Meetings

The notice requirements of the Right to Know law are particularly relevant for special, emergency or impromptu meetings called by a board or committee to deal with a specific issue requiring prompt attention. Whenever the general public could not be expected to anticipate the time and location of any meeting held outside of the regular schedule, some form of public notice is still required.

Agendas and the Right to Know Law

The final point to be made regarding notice requirements under the Right to Know law is that the notice need not contain an agenda of the meeting. The Right to Know law only requires that notice contain 1) a statement that the board is meeting and 2) the date, time and place of meeting.

Public Participation

The Right to Know law requires that the general public has full access to public proceedings, but full public access does not mean an unconditional right of public participation. Public hearings and the town meeting are two occasions when the public is specifically allowed to participate. At regular board meetings, however, the board members can feel free to deliberate among themselves without entertaining comment from the general public.

The board members, and especially the board's chair, have broad discretion in allowing the public to speak. Inappropriate, offensive, interruptive, or repetitive comments from the public never have to be entertained by a municipal board or official.

Public Records

The Right to Know law is intended to allow full public access to both public proceedings and public records. Simply stated, municipal officials are to allow for the open inspection and/or reproduction of public records, as defined, at the request of virtually anyone. Public records are defined in 1 MRSA §402 as: ...any written, printed or graphic matter or any mechanical or electronic data compilation for which information can be obtained, directly or after translation into a form susceptible of visual or aural comprehension, that is in the possession or custody of an agency or public official of this State or any of its political subdivisions... In short, almost any document is a public record, including any drafts, memos, notes, files, correspondence, photographs, videos, recordings or computer data. **[E-mail regarding the transaction of public or governmental business also is a public record unless it is confidential by statute or protected by privilege.]** It does not matter whether that material is in rough draft or final form, or whether that material has been prepared by a municipal official or received from another source. Likewise, the importance or insignificance of the information is irrelevant.

Is This Event Town sponsored?

Maine Town & City, a publication of Maine Municipal Association, July 2018

Throughout Maine, special events and activities are commonly held. In the planning of these events, entities appropriate funding and dedicate a great amount of time and resources to ensure that the event is enjoyed by the attending public, but there often exists confusion over whose event is it. Is your municipality truly sponsoring the event or is another entity responsible for the event and insurance?

For an event to be considered a function of the municipality, the following minimum criteria must be met:

- The Board of Selectmen, Council, or a designated municipal administrator must appoint or confirm, or the citizens of the municipality must elect, the individuals responsible for planning, organizing, and Staffing the activity.
- The Board of Selectmen or Council must have ultimate authority and oversight over the activity. The Board or Council, or a municipal manager appointed by the Board or Council, or an elected municipal official must have jurisdiction over hiring, safety issues and cash management policies and procedures.
- All funds that are collected and disbursed for the activity must be accounted for in the municipality's annual audit and overseen by the municipal treasurer.

Stay Connected with the Town

5 Easy Ways To Find Out What's Going On



1. Town Website

You'll find lots of information on our website (www.kennebunkmaine.us) about town government including information about boards and committees, department news and events. You can subscribe to updates and receive email and/or text message notifications when we post items including emergency alerts, committee agendas, town news and more (www.kennebunkmaine.us/notifyme!)!

2. Mobile App

Download the Town of Kennebunk's official app! This app is available from the Apple App store and the Google Play store for Android users. The app provides a convenient way to access news, events, property and mapping information and more.

To download the app on an Apple device, search the name 'CivicMobile' in the Apple store. Once the CivicMobile app is downloaded, search for 'Kennebunk' or use the 'Find My Location' feature to find our app. Select Kennebunk this first time and each time after this will be displayed when you open the CivicMobile app. To download the app on an Android device, simply search for 'Kennebunk ME' in the search bar and tap to download. The Town of Kennebunk app will now appear in your app listing for you to access at any time.



3. Committee and Department Annual Town Reports

Town Departments and Committees submit annual reports published each year in May. Reports contain summaries of activities over the last year, as well as future plans and goals for the upcoming year. To view individual committee and department reports, as well as the current or previous year's Annual Town Reports, please visit www.kennebunkmaine.us/annualtownreports.

4. Social Media



Connect with us on Social Media: you can like and follow us on Facebook where the Town maintains official Facebook pages for the [Town of Kennebunk](#), [Kennebunk Police Department](#), [Kennebunk Fire Rescue](#) and [Kennebunk Parks & Recreation](#). Find the above accounts on Twitter and Instagram too!

Purchasing Guidelines and Policy

Please work with your Staff Liaison for any necessary purchases and refer to the following with regard to the Town Purchasing Policy:

www.kennebunkmaine.us/purchasingpolicy

Appendix I—Worksheet for Creating Programming/Initiatives

Committees are encouraged to discuss as a group the development of new programs and initiatives. This worksheet can be useful in exploring all aspects and impacts of new programming.

1. What is the initiative being proposed?
2. Does this address an identified goal of the Committee? Of the Town?
3. What is the level of urgency and/or relevance for implementing this initiative?
4. Is there a cost associated with this initiative? If so, how much? Who will fund this?
5. Who will benefit from this initiative?
6. Who will manage the initiative?
7. Who will support the initiative?
8. Who will perform tasks?
9. Where will the program/initiative take place? Is this a one-time event or an on-going initiative?
10. Why is this initiative important to the Committee?
11. Why is this initiative important to the Town?
12. How will you encourage participation?
13. Are there other partners or co-collaborators that can be involved to create a broader benefit?
14. Where do you see this initiative in 6 months? In 1 year? In 3 years?
15. How will this initiative be sustainable?

Committee By-Laws

Each committee must formulate by-laws and its rules of procedure. These should be reviewed on an annual basis. The following template should be amended to include any committee specific guidelines providing the language below remains.

BY-LAWS OF _____ COMMITTEE

ARTICLE I - NAME AND PURPOSE

Section 1. Committee Name

The name of this organization shall be the _____ Committee, herein called the "Committee."

Section 2. Purpose

The purpose of the Committee is to _____.

Its activities include:

- _____

Section 3. Mission Statement

ARTICLE II - COMMITTEE MEMBERSHIP AND OFFICERS

Section 1. Membership

The Committee shall be comprised of up to _____ members, (___ Regular, ___ Alternates) appointed by the Select Board. Regular members shall serve staggered three-year terms, ending on June 30. The term of an Alternate member shall be for one-year and run from appointment to June 30 each year.

Section 2. Appointments and Vacancies

Original appointments to the membership of the Committee shall be made and by the Select Board. Vacancies caused by a member resignation or expiration of a term of office shall be filled in the same manner.

Committee resignations shall be submitted to the Town Manager's office for inclusion on the next Select Board's agenda, at which time the resignation will be accepted and the position deemed vacant. The Board may be asked to move a senior alternate member up to fill the regular member position just vacated.

Section 3. Officers

The officers of the Committee shall be elected from the regular voting membership annually at the meeting held in _____. Officers shall include the following positions and duties:

- **Chair** - The Chair shall preside at all meetings of the Committee at which he or she is present and direct the work of the Committee.
- **Vice Chair** - The Vice-Chair shall act for the Chair in his or her absence.
- **Clerk/Secretary** - The Secretary shall keep an accurate record of the proceedings of the meeting, including attendance, shall notify each member of upcoming meetings, and post the agendas with the Town Clerk's office.

ARTICLE III - MEETINGS

Section 1. Meetings

Regular monthly meetings shall be held at a time and place designated by a vote of the members. Special meetings of the Committee may be called by the Chair or by a majority of the membership. Meeting schedules shall be provided to the Town Clerk's office.

The meeting held in November of each year shall be for the approval of the budget for the coming fiscal year, preparation of the annual town report, and for other business that needs to come before such meeting.

All meetings must be held in a town building, meeting ADA accessibility requirements and are open to the public.

Section 2. Attendance

Members who are unable to attend a meeting of the Committee shall so notify the Clerk/Secretary, Chair, or Vice-Chair, prior to the meeting. Members shall make every effort to attend all meetings and perform all duties assigned by the Chair.

Members of the Committee are required to comply with the attendance requirements of the Town of Kennebunk Charter. At the time of the adoption of these by-laws, members absent from three consecutive regular meetings or from 25% of all meetings in a six-month period will be subject to forfeiture proceedings, as deemed appropriate by the Select Board.

Section 3. Quorum

A majority of the regular members of the Committee shall constitute a quorum. A majority of those present and voting, if a quorum is present, shall be sufficient to conduct the business of the Committee.

ARTICLE IV– STANDARDS OF CONDUCT

_____ Committee members are representatives of the Town. Members should conduct themselves so as to maintain public confidence in their local government and in the performance of the public trust. They should treat with respect and civility the rights of all fellow members, attendees and Staff regardless of any differences of opinion. Professional respect does not preclude differences of opinion but requires respect for those differences and the people who express them. Everyone should strive for civil discourse on all matters. Committee members are expected to act in a professional manner at meetings even when diverse ideas and opinions

are presented. If differences cannot be resolved, committee members should consult the Staff liaison who will seek to assist in finding resolution.

All employees and volunteers are expected to uphold and abide by the Town's Anti-Harassment and Discrimination policy, which requires that:

- Employees and volunteers shall refrain from any form of workplace abuse, harassment, discrimination, or violence.
- Employees and volunteers shall cooperate fully in any investigation of a workplace abuse, harassment, discrimination, or violence complaint. This includes refraining from unwelcome, offensive, or abusive comments or conduct, or discriminatory treatment, related to an individual's race, religion, age, sex, physical or mental disability, sexual orientation (including gender identity and expression), national origin, genetic predisposition, color, political affiliation, whistleblower activity, or any other status protected by law.

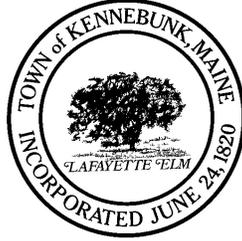
Failure to adhere to these standards is a violation of law and Town policy and may result in removal from the committee.

ARTICLE V- ADOPTION OF BY-LAWS AND AMENDMENTS

These by-laws are effective upon adoption by a majority vote of the Committee. Amendments to the by-laws may be adopted by a majority vote of the Committee, provided that notice of the proposed changes are circulated to the members prior to the meeting when they will be voted on.

Above original by-laws were adopted on _____.

Town of Kennebunk, Maine



Committee Name

MEETING MINUTES
DAY/DATE
TIME/LOCATION

Call to Order

The meeting was called to order at _____ by _____.

Members present:

Members absent:

Meeting Discussion:

- Summary of meeting/discussion
- Note any motions with members calling for motion, member seconding the motion and the vote count:

Motion by:

Second by:

Vote:

Signed by: _____

Committee Secretary/Clerk

Date

Acknowledgement and Receipt of Handbook

By signing below I hereby acknowledge receipt of this Handbook and understand it is my responsibility to read and abide by the procedures and policies herein.

Signature of Committee Member/Volunteer

Printed Name of Committee Member/Volunteer

Date

Witness

- Paper Copy**
- Electronic Copy**

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