

**TOWN OF GOULDSBORO
BUDGET COMMITTEE ORDINANCE**

I. Authority, Repeal of Prior Ordinances

This Budget Committee Ordinance (this “Ordinance”) is adopted pursuant to Article VIII, Part Second, of the Maine Constitution, 30-A M.R.S. § 3001 *et seq.*, and any other enabling statutes. This Ordinance repeals and replaces in its entirety any prior ordinances establishing a budget committee for the Town of Gouldsboro. Nothing in this Ordinance shall be construed to limit the authority of the Select Board or Town Manager to prepare and present the annual municipal budget to the voters, as required by Maine law.

II. Purpose

The purpose of this Ordinance is to establish the Budget Committee to provide advisory recommendations to the Select Board and voters of the Town on the annual municipal budget and to serve as advisors on other fiscal matters upon request by the Select Board.

III. Establishment; Membership

- A. Establishment. A Budget Committee is hereby established for the Town of Gouldsboro.
- B. Membership. The Budget Committee shall consist of five regular voting members. By a vote of the Select Board, the Budget Committee may also consist of one alternate member.
- C. Eligibility. All members and alternate members of the Budget Committee must be residents and registered voters of the Town of Gouldsboro. Neither the Town Manager nor any Select Board member may serve on the Budget Committee as a regular or alternate voting member.
- D. Method of Appointment; Vacancies.
 - 1. Initial Appointments. Initial members and any alternate member of the Budget Committee shall be appointed by the Select Board at a duly called meeting of the Select Board following adoption of this Ordinance. To establish staggered terms, the Select Board shall assign the initial appointments as follows:
 - a. Two members with terms ending June 30, 2026;
 - b. Two members with terms ending June 30, 2027; and
 - c. One member with a term ending June 30, 2028.
 - d. If the Select Board votes to establish an alternate member seat, one alternate member with a term ending June 30, 2026.

2. Subsequent Appointments. After the initial appointments, all expiring terms shall be filled by Select Board appointment at a duly called public meeting for three-year terms for regular members and one-year terms for alternate members, beginning July 1 and ending June 30.
 3. Vacancies.
 - a. A vacancy on the Budget Committee may occur by the following means: (i) nonacceptance, (ii) resignation, (iii) death, (iv) removal by the Select Board, with or without cause, (v) permanent disability or incompetency, (vi) failure to qualify for the office within 10 days after written demand by the Select Board, or (vii) nonparticipation, as indicated by the failure to attend, without good cause, a majority of the meetings of the Budget Committee in any fiscal year. The Select Board shall decide, in its discretion, whether a vacancy exists.
 - b. Any vacancy on the Budget Committee shall be filled by Select Board appointment for the remainder of the unexpired term.
- E. Quorum. A quorum of the Budget Committee consists of three voting members. The Budget Committee may meet to discuss matters but may not issue recommendations or take any other votes without a quorum. The alternate member may participate in discussions of the Budget Committee but may vote only when designated by the Chair of the Budget Committee to fill a temporary absence of a regular member for the purpose of establishing a quorum.

IV. Organization and Procedures

- A. Officers. At the first meeting following initial appointment and thereafter at the first meeting of each fiscal year, the Budget Committee shall select by majority vote a Chair, Vice-Chair, and Secretary to serve as officers of the Budget Committee for one-year terms ending June 30.
- B. Meetings. The Budget Committee shall meet at least once annually each fiscal year to develop and vote on its annual municipal budget recommendations. The Chair is responsible for calling all meetings and setting the agenda. The Chair must call the annual meeting of the Budget Committee and other meetings of the Budget Committee when requested to do so by a majority of the Budget Committee or by the Select Board. The Chair presides at all meetings and is the official spokesperson of the Budget Committee. In the absence of the Chair, the Vice-Chair presides over meetings. Notice of meetings must be given in accordance with the Maine Freedom of Access Act. All meetings must be open to the public, except executive sessions as provided under state law. Remote meetings must be conducted in accordance with the Town's remote participation policy, as may be amended from time to time.

- C. Meeting Minutes. The Secretary must keep minutes of all meetings and records of all votes of the Budget Committee. Copies of the meeting minutes must be distributed to all regular and alternate members and filed with the Town Clerk, who must make them available for public inspection.
- D. Rules of Procedure. The Budget Committee may adopt rules of procedure not inconsistent with this Ordinance, applicable Town policies, and with state law.

V. Powers and Duties

- A. Advisory Responsibilities. The Budget Committee's authority is strictly advisory. The Budget Committee shall:
 - 1. Review the annual municipal budget prepared and presented to the Select Board by the Town Manager and make written advisory recommendations to the Select Board in such form and in such detail as the Select Board requires, in accordance with the requirements of this Ordinance.
 - 2. Review proposed capital expenditures and capital plans presented by the Town Manager to the Select Board and make written advisory recommendations to the Select Board regarding the same.
 - 3. Review proposed supplemental appropriations or budget amendments and make written advisory recommendations regarding the same when specifically requested by the Select Board.
 - 4. Provide other fiscal reviews and recommendations when specifically requested by the Select Board.
- B. Limitation on Authority. Without expanding the foregoing powers and duties, the Budget Committee is not responsible for preparing the annual municipal budget of the Town, and shall not direct, supervise, or require meetings with the Town Manager or department heads, except as authorized by the Select Board.
- C. Cooperation. The Town Manager shall provide the Budget Committee with information that the Town Manager determines is reasonably necessary and available for the Budget Committee to perform its advisory functions as set forth in this Ordinance.

VI. Framework for Development of the Annual Municipal Budget

- A. The annual municipal budget shall be prepared by the Town Manger with the assistance of department heads. The Town Manager shall present the budget to the Select Board. The Town Manager shall inform the Budget Committee of the dates of the budget presentations. The Budget Committee is encouraged to attend all such presentations.

- B. The Select Board may conduct any number of budget workshops and may, in its discretion, direct the Budget Committee to attend and participate in one or more such workshops to serve as an advisory body to the Select Board.
- C. The Select Board shall refer portions or the entirety of the annual municipal budget to the Budget Committee for its review and recommendations. All Budget Committee recommendations on the annual municipal budget, or any portion thereof, must be provided to the Select Board in writing by the deadline established by the Select Board.
- D. The Select Board shall determine the final budget to be submitted to the voters.
- E. The Budget Committee's recommendations shall be printed alongside recommendations of the Select Board with budget warrant articles requiring action of the Town's legislative body when required by law.

VII. Legal

- A. Effective Date; Amendment. The effective date of this Ordinance is immediately upon its adoption by a majority vote of the legislative body of the Town. This Ordinance may be amended by the legislative body of the Town in accordance with applicable state law.
- B. Effect of Repeal or Amendment. Whenever a provision of this Ordinance is repealed or amended, such repeal or amendment must not be construed to revive such former provision unless it is so expressly provided therein.
- C. Severability. The parts this Ordinance are severable. If any portion of this Ordinance is declared unconstitutional, invalid, or unenforceable by a court of competent jurisdiction, the remainder shall remain in full force and effect.