



## **TOWN OF OGUNQUIT**

### **BYLAWS of the MARGINAL WAY COMMITTEE**

#### **I. AUTHORITY**

The Marginal Way Committee (herein after referred to as the MWC) has been created pursuant to the Resolutions of the MWC created by the Ogunquit Select Board on March 21, 2006 and shall be governed by the terms thereof including any approved updates.

#### **II. MEMBERSHIP**

- a. The MWC shall be appointed by the Select Board as specified in the Town Charter. There will be seven (7) full time members and two (2) alternate members on the committee, with a majority being residents of the Town of Ogunquit.
- b. Any member of the MWC can be removed, for cause, by the Select Board before the expiration of his/her term as outlined in the Town Charter.

#### **III. OFFICERS & DUTIES**

- a. The officers of the MWC shall consist of a Chair, Vice Chair, Secretary and Treasurer who shall be elected annually by a majority vote of the Full Members of the Committee. All officers shall be Full Members of the MWC. The election of officers shall take place in July or at the first MWC meeting following the Annual Town Meeting.
- b. Chair – The Chair shall preside at all meetings, workshops and presentations. The Chair shall take those actions necessary for the efficient and orderly conduct of the meetings, decide all points of order and procedure, and call for a decision and vote on any matters before the committee. The Chair shall also

- be responsible to appoint any subcommittees deemed necessary to carry out the business of the MWC.
- c. Vice Chair - The Vice Chair shall serve as acting Chair in the absence of the Chair, or when that officer shall refrain from participation because of conflict of interest, and shall have the same powers as the Chair when acting in that capacity.
  - d. Secretary - The Secretary shall prepare a record of each meeting of the MWC which shall include, at a minimum, a record of all resolutions, proceedings and actions of the body. The Secretary shall serve as acting Chair if both the Chair and the Vice Chair are unable to participate due to absence or a conflict of interest, and shall have the same powers and duties as the Chair when acting in that capacity. Once voted on, the Secretary will submit the minutes to the Town administration for publication on the Town of Ogunquit's website.
  - e. Treasurer - The Treasurer maintains an overview of the MWC's income and expenses, prepares monthly financial reports, and reconciles reports for all accounts related to the MWC with those prepared by the Town Treasurer. The Treasurer also monitors donations placed in the Lighthouse cash box. These donations will be collected on a timely basis.
  - f. All Members are expected to:
    - 1. Comply with both the letter and spirit of the laws and policies affecting the Town of Ogunquit and its Code of Ethics for Boards and Committees.
    - 2. Be knowledgeable about the history of the Marginal Way, the Resolution and its Objectives, the Bylaws, the Standards of Protection, the "*Green Book*" (*Management Strategy for Controlling Invasive Plants & Restoring Native Plant Communities Along the MW - 2014*), and the Protocols for Ecological Gardening.
    - 3. Attend MWC meetings and workshops.
    - 4. Volunteer and participate actively in projects that advance the objectives of the MWC including, but not limited to, outdoor work, research, outreach or any other assignments approved by the MWC.

#### **IV. Meetings**

- a. Regular Meetings – Regular meetings of the MWC shall be held on the first Monday of the month at 4:00 pm at the location listed on the Agenda. If a regularly scheduled meeting occurs on a legal holiday, the Chair may set an alternate day for the meeting.

- b. Special Meetings – Special meetings/Workshops of the MWC may be called at any time by the Chair. The purpose of the meeting will be stated in the notice.
- c. Cancellation of Meetings – Whenever there is no business to be conducted, the Chair may cancel the meeting by notice to all members prior to the set time for the meeting.
- d. Adjourned Meetings – Should the business before the MWC not be completed, the Chair may call for a motion to adjourn until the next scheduled meeting.
- e. Quorum – A quorum shall consist of a majority of the members.
- f. Open Meetings – All meetings of the MWC shall be open to the public. However, members of the public shall not address the MWC unless invited to do so by the Chair or when Public Comments are solicited at the specified time on the agenda. A time limit may be set by the MWC for the presentation of remarks by non-members.
- g. Agenda – The agenda for each meeting shall be prepared at the direction of the Chair. The normal order of business at each meeting shall be:
  - 1. Rollcall (and appointment of an Alternate member if necessary)
  - 2. Approval of Minutes of preceding Meeting(s)
  - 3. Report of the Treasurer
  - 4. Report of the Chair
  - 5. Special Presentations
  - 6. Old Business
  - 7. New Business
  - 8. Public Comment
  - 9. Other
  - 10. Adjournment
- h. Decisions – Decisions of the MWC shall be by a majority of those members present and voting, a quorum being present. Decisions may be made by voice vote unless any member requests a roll call vote.

## **V. CONFLICT OF INTEREST**

A member shall not cast a vote on any issue before the committee which involves the interests of that member or an organization in which that member has an ownership interest or position of control or directly represents. Neither shall a member cast a vote on any matter which could provide direct financial benefit to that member. Whenever a conflict-of-interest situation arises in the conduct of business, the following actions shall be taken:

- a. The individual shall divulge the existence and reasons for the potential conflict.
- b. The committee shall decide if a conflict exists.

- c. If it is determined that a conflict exists, the affected member shall refrain from presenting, voting on, or discussing the project, other than answering a direct question.
- d. Should the MWC determine that a conflict-of-interest does not exist, or the nature of the alleged conflict and the reason(s) for determining a conflict does not exist, then this determination shall be entered into the minutes.

## **VI. AMENDMENTS**

- a. These bylaws may be amended by the affirmative vote of a majority of members of the MWC.
- b. The invalidity of any section or provision of these bylaws shall not be held to invalidate any other section or provision of these bylaws.

### **ADOPTED BY VOTE OF THE OGUNQUIT MARGINAL WAY COMMITTEE ON**

**January 4, 2021:**

Members:

Joan Griswold, Chair

Elaine Cooper, Vice-chair

Gail Brother, Treasurer

Joyce Fletcher

Louesa Gillespie

Kristen Arnold, Alternate

(Absent – Paul Breen, Secretary)