

## *BOARD OF ASSESSMENT REVIEW*

### **SECTION 1: ESTABLISHMENT.**

Pursuant to Maine Revised Status Annotated Title 30 ss 2060 Subsection 6 and 30 ss 2411 Subsection 3 the Town of Waterboro hereby establishes the Waterboro Board of Assessment Review.

### **SECTION 2: ORGANIZATION.**

- A. The Board of Assessment Review shall consist of three (3) members to be appointed by the Selectmen.
- B. The members shall be residents and registered voters of the Town of Waterboro.
- C. Neither a Municipal Officer nor his/her spouse may be a member of the Board.
- D. One member shall be appointed for one year, one member for two years and one member for three years and there after the term of each member shall be three (3) years.
- E. The Board of Assessment Review shall elect annually its membership a Chairman and a Secretary and shall be subject to the procedural requirements of Section 3.
- F. Any question of whether a particular issue involves a conflict of interest sufficient to disqualify a member from voting thereon, shall be decided by a majority vote of the members excluding the member being challenged.
- G. A member of the Board may be dismissed for cause by the Board of Selectmen before the expiration of his or her term.

### **Section 3.**

- F. Any question of whether a particular issue involves a conflict of interest sufficient to disqualify a member from voting thereon, shall be decided by a majority vote of the members excluding the member being challenged.
- G. A member of the Board may be dismissed for cause by the Board of Selectmen before the expiration of his/her term.

### **SECTION 3: PROCEDURE**

- A. The Chairman shall call meetings of the Board as required. The Chairman shall also call meetings of the Board when requested to do so by the Municipal Officers. A quorum of the Board necessary to conduct any official Board meeting shall consist of at least two (2) members. The Chairman shall preside at all meetings of the Board and be the official spokesman of the Board.
- B. The Secretary shall maintain a permanent record of all Board meetings and all correspondence of the Board. The Secretary shall be responsible for maintaining these records which are required as part of the various proceedings which may be brought before the Board. All records to be maintained or prepared by the Secretary are deemed public, shall be filed in the Municipal Clerk's office and may be inspected at reasonable times.
- C. The Board may provide by rule, which shall be recorded by the Secretary, for any matter relating to the conduct of any hearing, provided that any rule may be waived by the Chairman upon cause shown.
- D. The Board may receive any oral or documentary evidence but shall provide as a matter of policy for the exclusion of irrelevant, immaterial or unduly repetitious evidence. Every party shall have the right to present his case or defense by oral or documentary evidence, to submit rebuttal evidence and to conduct such cross-examination as may be required for a full and true disclosure of the facts.
- E. The transcript of testimony, if any, and exhibits, together with all papers and requests filed in the proceedings, shall constitute the record. All decisions shall be come a part of the record and shall include a statement of findings and conclusions, as well as the reasons or basis therefor, upon all the material issues of fact, law or discretion presented and the appropriate order, relief or denial thereof. Notice of any decision shall be mailed or hand delivered to the petitioner, his representative or agent, the planning board, agency or office and the municipal officers within 7 days of their decision.

F. An appeal may be taken, within 30 days after the decision is rendered, by any party to Superior Court from any order, relief, or denial in accordance with the Maine Rules of Civil Procedure, Rule 80B. The hearing before the Superior Court shall be without a jury.

**SECTION 4: EFFECTIVE DATE**

A. Effective date, March 10, 1984, Annual Town Meeting, which is 60 days after this meeting.