



## City of Portland Ad Hoc Committee Agenda

Location, Date, etc.

1. Call the meeting to Order
  - a. Please click the link below to join the webinar:  
<https://us06web.zoom.us/j/84802360159?pwd=MjhqSINvV0JCYkJaVS85UE9RSnF1UT09>  
Passcode: 807501  
Or One tap mobile :  
US: +16465588656,,84802360159#,,,,\*807501# or  
+13017158592,,84802360159#,,,,\*807501#  
Or Telephone:  
Dial(for higher quality, dial a number based on your current location):  
US: +1 646 558 8656 or +1 301 715 8592 or +1 312 626 6799 or +1 720 707 2699 or +1 253 215 8782 or +1 346 248 7799  
Webinar ID: 848 0236 0159  
Passcode: 807501  
International numbers available: <https://us06web.zoom.us/j/84802360159?pwd=MjhqSINvV0JCYkJaVS85UE9RSnF1UT09>
2. Approval of the prior meeting minutes
  - a. Draft Charter Commission Minutes for August 11, 2021
  - b. Approval of Draft Notes prepared by Patricia Washburn for August 11, 2021
3. Goal Setting
  - a. Information from Commissioner Barowitz regarding Agenda Items 3 and 4 (8/25/2021 Meeting).
4. Conflicts of Interest
  - a. Maine Conflict of Interest Law
  - b. Sample of Conflicts of Interest Disclosure forms
  - c. Sample of Conflicts of Interest Code of Ethics
5. Scheduling for Commission and Committees
6. New Business
7. Adjournment

## **Notes of Charter Commission meeting, Aug. 11, 2021**

Present: Kebede, Stewart-Bouley, Barowitz, Eglinton, Buxton, Sheikh-Yousef, Chann, Lizanecz, O'Brien, Waxman, Washburn, Houston, Attorney Jim Katsiaficas

**Approve minutes of July 15 and 28 meetings:** Moved, Eglinton, seconded Washburn. Passed unanimously.

**Community agreements:** Buxton introduced document. Waxman asked for greater explanation for benefit of public. Chann and Buxton shared screens.

Discussion of outreach to "Black, Brown, and Indigenous" populations. Suggestion by Kebede to change to "members of marginalized communities" was adopted.

Houston & Washburn to investigate question of captioning meetings.

Buxton asks that we respect one another's honorifics, name pronunciations

Chann: Zoom profile allows specifying pronouns

General agreement on referring to one another as "Commissioner LastName"

Remove references to public

Waxman: Let's lead with the section about listening. Suggestion was adopted.

Barowitz suggests correcting grammar on WAIT. Left it ungrammatical for the sake of acronym.

Kebede suggests adding "Disagree with ideas, not people." Buxton and Chann point out that it's already there, and made a small edit.

Washburn suggests addressing concerns about violations of community agreements to the Chair rather than individual commissioners. Waxman suggests that some of this is just running a good meeting.

Eglinton moves to adopt amended agreements, Houston seconds. Vote passes unanimously.

**Officer roles:** Chair is primary point of contact with City Clerk. Secretary is not responsible for minutes.

Washburn moves to adopt amended roles document, Houston seconds. Motion passes unanimously.

**Charter reform issues and process:** O'Brien suggests forming committees first and then assigning issues to them.

Barowitz suggests: Executive, legislative, operational, engagement, DEI, finance

Sheikh-Yousef suggests forming the list of issues first and then forming committees.

O'Brien suggests: 3 members on each committee, 4 committees  
Education, City Structures, Elections & Finances, DEI/Justice

Chann suggests: Governance, Education, Elections/Campaign Finance, Finance/Administration

Kebede suggests mapping issues onto Chann's suggested committees.

O'Brien moved to establish 5 committees, Waxman seconded. Motion passed unanimously.

### Charter Commission Committees

|   | Committees & Membership                                             | Jurisdiction                                                                                                                                                                                                                                                                                                                                                                                                     |
|---|---------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A | Governance Committee ( <b>Articles I, II</b> )                      | <ul style="list-style-type: none"><li>• Redistricting and Council Structure</li><li>• Mayor/City Manager Roles, Powers, Duties, Accountability</li><li>• School Board/City Council Relationship</li><li>• Community and Neighborhood Boards</li><li>• Office of Public Advocate</li><li>• Home Rule</li><li>• Human Rights Commission</li><li>• City Staff Relationship to Elected/Appointed Officials</li></ul> |
| B | Education & School Budget Committee ( <b>Article III</b> )          | <ul style="list-style-type: none"><li>• School Board/City Council Relationship</li><li>• Pre-K and After School</li><li>• Mental Health Care</li><li>• School Departments</li></ul>                                                                                                                                                                                                                              |
| C | Elections & Campaign Finance Committee ( <b>Articles IV and V</b> ) | <ul style="list-style-type: none"><li>• Electoral Process</li><li>• Clean Elections</li><li>• Citizen Initiatives</li><li>• Term Limits</li><li>• Timing of Elections</li><li>• Universal Resident Voting</li><li>• Ranked Choice Voting</li><li>• Voter Engagement and Participation</li></ul>                                                                                                                  |
| D | Procedures Committee                                                | <ul style="list-style-type: none"><li>• Conflict of Interest Disclosures</li><li>• Participatory Budgeting</li><li>• Compensation of Officials</li><li>• Term Limits</li><li>• City Staff Relationship to Elected/Appointed Officials</li></ul>                                                                                                                                                                  |

|   |                       |                                                                                                                                                                                                                                                                                                                                                                            |
|---|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| E | Departments Committee | <ul style="list-style-type: none"> <li>• Department of Labor</li> <li>• Department of Community &amp; Constituent Engagement</li> <li>• Housing</li> <li>• Office of Public Advocate</li> <li>• Human Rights Commission</li> <li>• Police Oversight</li> <li>• Public Transit</li> <li>• Mental Health Care</li> <li>• Climate and Environmental Sustainability</li> </ul> |
|---|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**Committee assignments:** Each commissioner to email Chair Kebede their top three choices, Kebede, Stewart-Bouley and Eglinton to make assignments. Committee membership to be capped at 4. Emails to be sent by Friday 5 p.m.

JK suggests officially naming people to committees at next meeting to give time to obtain useful information about how to schedule committee meetings.

**Budget:** Kebede, Barowitz, Waxman, Lizaneczk to meet with the city manager Aug. 26.

**Communications policy:** Media requests will go through the chair. Social media accounts will ban commenting. We will strive to publish emails that we receive in our minutes. Chart the Future web site will be information-only.

Washburn moves to adjourn, Waxman seconds. Barowitz seeks to introduce 2 agenda items while deferring them.

Deferring 2 agenda items: Bar, SY, Hous, Liz against, all others for.

Waxman, Houston motion to adjourn



## City of Portland Charter Commissioners Meeting

via Zoom  
Wednesday, August 11, 2021  
6:00 PM

### 1. Call the Meeting to Order

- a. Due to the existence of an "emergency or urgent issue" the Charter Commission will conduct this meeting by remote methods/technology at the Zoom link provided below, in accordance with the requirements of 1 M.R.S. section 403-B and the Charter Commission Remote Participation Policy.

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/81207968783?pwd=Qkd1Y3g2U25EUE9lbEZPNUVINHAzZz09>

Passcode: 171327

Or One tap mobile :

US: +13126266799,,81207968783#,,,,\*171327# or

+16465588656,,81207968783#,,,,\*171327# Or

Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592 or +1 346 248 7799 or +1 720 707 2699 or +1 253 215 8782

Webinar ID: 812 0796 8783

Passcode: 171327

International numbers available: <https://us06web.zoom.us/j/81207968783?pwd=Qkd1Y3g2U25EUE9lbEZPNUVINHAzZz09>

Commission Chair Kebede called the meeting, held by remote participation by Zoom videoconference, to order at 6:05 PM.

Present were Commissioners Barowitz, Buxton, Chann, Eglinton, Kebede, Lizanecz, O'Brien, Sheikh-Yousef, Stewart-Bouley, Washburn, and Waxman; Commissioner Houston joined the meeting at 6:23 PM.

### 2. Approval of the prior meeting minutes

Motion was made by Commissioner Eglinton and seconded by Commissioner Washburn to approve the minutes of the July 15, 2021, and July 28, 2021, meetings. Vote: Unanimous Roll Call vote in favor.

### **3. Community Agreements**

Motion was made by Commissioner Eglinton and seconded by Commissioner Houston to approve the “Community Agreements” as amended in Commissioner Buxton’s on-screen draft. Vote: Unanimous Roll Call vote in favor.

### **4. Officer Roles**

Motion was made by Commissioner Washburn and seconded by Commissioner Houston to accept “Officers and Their Duties” document as edited on Commissioner Eglinton’s screen. Vote: Unanimous Roll Call in favor.

### **5. Charter Reform Issues and Process**

Motion was made by Commissioner O’Brien and seconded by Commissioner Waxman to establish Committees and assign issues as shown on Commissioner Chann’s screen. Vote: Unanimous Roll Call vote in favor.

Commissioners to email Chair Kebede, Vice Chair Stewart Bouley and Secretary Eglinton with top three Committee choices by 5:00 PM, Friday, August 14, 2021.

### **6. Charter Commission Budget**

No action on item; Chair Kebede reported that he, Commissioner Barowitz, Waxman, and Commissioner Lizanecz have a meeting scheduled on August 26, 2021, with the City Manager to review the Commission’s budget.

### **7. Communication Policy**

No formal policy adopted; Chair Kebede outlined the provisions of a Commission consensus.

### **8. Goal Setting**

No action on item; see item 9.

### **9. Conflicts of Interests**

Motion made by Commissioner Washburn and seconded by Commissioner Waxman to postpone last two agenda items (8 and 9) to next meeting, August 25, 2021. Vote: Roll Call vote of 8-4 in favor (Commissioners Barowitz, Sheikh-Yousef, Houston, and Lizanecz opposed).

### **10. Other Business**

None.

### **11. Adjourn**

Motion made by Commissioner Waxman and seconded by Commissioner Houston to adjourn the meeting. Vote: Unanimous Roll Call vote in favor.

### **Public Disclosures**

To my knowledge, Portland does not have a procedure for disclosures of conflict of interest (or appearance thereof) other than disclosures on an ad-hoc basis. I think that for a city of our size and importance that any conflicts be made public and in writing at the outset of service. I hope that the commission will take this on as part of our work, but in the meantime I think it is important that the commission set an example by making voluntary disclosures. We can use the form used by the State as well as signing on to a code of ethics similar to that used by the Town of Windham. I imagine that the City Clerk would be tasked with preparing the documents and posting them on the Charter Commission web page.

### **Goal Setting**

It was a campaign promise of mine that, at a very early stage, the commission set goals, the objective of which is so that we may all agree on a common lens or standard when considering the various measures and provisions we take up. I see this as a consensus measure to make the commission's work more efficient going forward and do not intend it to be weaponized for any particular issue; I therefore consider it very much a living document, one that can be revised and amended whenever circumstances may suggest doing so.

"Create a structure of government which maintains expert administration while also promoting robust democratic representation, and public participation. This structure should ensure accountability, transparency, and accessibility while increasing equity, inclusion, diversity and justice."

The "expert administration" points to the need for a person with skills and responsibilities similar to a City Manager/Administrator whereas "robust democratic participation" refers to putting the policy directions and political decisions in the hands of elected officials such as (but not necessarily) the Mayor.

**Title 30-A: MUNICIPALITIES AND COUNTIES****Part 2: MUNICIPALITIES****Subpart 3: MUNICIPAL AFFAIRS****Chapter 123: MUNICIPAL OFFICIALS****Subchapter 1: GENERAL PROVISIONS****§2605. Conflicts of interest**

Certain proceedings of municipalities, counties and quasi-municipal corporations and their officials are voidable and actionable according to the following provisions. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

**1. Voting.** The vote of a body is voidable when any official in an official position votes on any question in which that official has a direct or an indirect pecuniary interest.

[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

**2. Contracts.** A contract, other than a contract obtained through properly advertised bid procedures, made by a municipality, county or quasi-municipal corporation during the term of an official of a body of the municipality, county or quasi-municipal corporation involved in the negotiation or award of the contract who has a direct or an indirect pecuniary interest in it is voidable, except as provided in subsection 4.

[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

**3. Restrain proceedings.** The Superior Court may restrain proceedings in violation of this section on the application of at least 10 residents of the municipality, county or area served by the quasi-municipal corporation.

[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

**4. Direct or indirect pecuniary interest.** In the absence of actual fraud, an official of a body of the municipality, county government or a quasi-municipal corporation involved in a question or in the negotiation or award of a contract is deemed to have a direct or indirect pecuniary interest in a question or in a contract where the official is an officer, director, partner, associate, employee or stockholder of a private corporation, business or other economic entity to which the question relates or with which the unit of municipal, county government or the quasi-municipal corporation contracts only where the official is directly or indirectly the owner of at least 10% of the stock of the private corporation or owns at least a 10% interest in the business or other economic entity.

When an official is deemed to have a direct or indirect pecuniary interest, the vote on the question or the contract is not voidable and actionable if the official makes full disclosure of interest before any action is taken and if the official abstains from voting, from the negotiation or award of the contract and from otherwise attempting to influence a decision in which that official has an interest. The official's disclosure and a notice of abstention from taking part in a

decision in which the official has an interest shall be recorded with the clerk or secretary of the municipal or county government or the quasi-municipal corporation.

A. This subsection does not prohibit a member of a city or town council or a member of a quasi-municipal corporation who is a teacher from making or renewing a teacher employment contract with the municipality or quasi-municipal corporation for which the member serves. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

**5. Former municipal and county officials.** This subsection applies to former municipal and county officials.

A. No former municipal or county official may, for anyone other than the municipality or county, knowingly act as an agent or attorney, or participate in a proceeding before a municipal or county government body for one year after termination of the official's employment or term of office with that government body in connection with any proceeding:

(1) In which the specific issue was pending before the municipal or county official and was directly within the responsibilities of that official; and

(2) Which was completed at least one year before the termination of that official's employment or term of office. [PL 1989, c. 104, Pt. A, §22 (NEW); PL 1989, c. 104, Pt. C, §10 (NEW).]

B. No former municipal or county official may, for anyone other than the municipality or county, knowingly act as an agent or attorney, or participate in a proceeding before a municipal or county government body at any time after termination of the official's employment or term of office with that government body in connection with any proceeding:

(1) In which the specific issue was pending before the municipal or county official and was directly within the responsibilities of that official; and

(2) Which was pending within one year of the termination of the municipal or county official's employment or term of office. [PL 1989, c. 104, Pt. A, §22 (NEW); PL 1989, c. 104, Pt. C, §10 (NEW).]

C. This subsection may not be construed to prohibit former municipal or county officials from doing personal business with the municipality or county. This subsection does not limit the application of Title 17-A, chapter 25 (../17-A/title17-Ach25sec0.html). [PL 1989, c. 104, Pt. A, §22 (NEW); PL 1989, c. 104, Pt. C, §10 (NEW).]

For the purpose of this subsection, a municipal or county government body includes an agency, board, commission, authority, committee, legislative body, department or other governmental entity of a municipality or county.

[PL 1989, c. 104, Pt. A, §22 (NEW); PL 1989, c. 104, Pt. C, §10 (NEW).]

**6. Avoidance of appearance of conflict of interest.** Every municipal and county official shall attempt to avoid the appearance of a conflict of interest by disclosure or by abstention.

[PL 1989, c. 104, Pt. A, §22 (NEW); PL 1989, c. 104, Pt. C, §10 (NEW).]

**7. Municipal officers adopt ethics policy.** In their discretion, the municipal officers may adopt an ethics policy governing the conduct of elected and appointed municipal officials.

[PL 1989, c. 561, §19 (NEW).]

#### SECTION HISTORY

PL 1987, c. 737, §§A2,C106 (NEW). PL 1989, c. 6 (AMD). PL 1989, c. 9, §2 (AMD). PL 1989, c. 104, §§A22,C8,C10 (AMD). PL 1989, c. 561, §19 (AMD).

The Revisor's Office cannot provide legal advice or interpretation of Maine law to the public.  
If you need legal advice, please consult a qualified attorney.

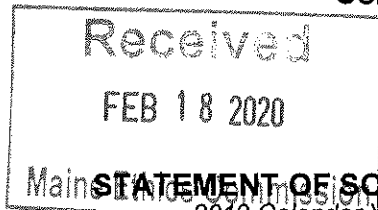
Office of the Revisor of Statutes (mailto:webmaster\_ros@legislature.maine.gov) · 7 State House Station · State House Room 108 · Augusta, Maine 04333-0007

Data for this page extracted on 11/25/2020 14:51:37.



COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES

MAIL: 135 STATE HOUSE STATION, AUGUSTA, MAINE 04333  
OFFICE: 45 MEMORIAL CIRCLE, AUGUSTA, MAINE  
WEBSITE: WWW.MAINE.GOV/ETHICS  
EMAIL: ETHICS@MAINE.GOV  
PHONE: 207-287-4179



STATEMENT OF SOURCES OF INCOME FOR LEGISLATORS

2019 Calendar Year: January 1, 2019 - December 31, 2019

☐ Check here if this statement is an amendment of a previously filed statement.

|                                                      |                                                                                     |
|------------------------------------------------------|-------------------------------------------------------------------------------------|
| Name<br><i>Shenna Bellows</i>                        | Office<br><input type="checkbox"/> House <input checked="" type="checkbox"/> Senate |
| Mailing Address<br><i>33 Kerns Hill Rd</i>           | District Number<br><i>14</i>                                                        |
| City/Town, State, Zip<br><i>Manchester, ME 04351</i> | E-mail Address<br><i>shenna.bellows@legislature.maine.gov</i>                       |

FILING DEADLINE

*maine.gov*

Please file this statement with the Clerk of the House or Secretary of the Senate by 5:00 p.m., Friday, February 18, 2020.

GENERAL INSTRUCTIONS TO COMPLETE THIS FORM

- Complete all sections. If a section is not applicable, check the box labeled "None" for that section.
- A glossary is located in the back of this form.
- If completing this form by hand, **PLEASE WRITE LEGIBLY.**
- Report the sources of income for you, your spouse or domestic partner, and your dependent children.
- Report only specific sources of income. **Dollar amounts should not be reported.**
- Campaign contributions and Maine Clean Election Act payments should not be reported in this statement.
- The completed statements are posted on the Commission's website and copies are made available to the public upon request.
- Please keep a copy of this statement for your records.

**IMPORTANT NOTICE: REQUIREMENT TO FILE AN UPDATED STATEMENT**

Legislators are required to update their statement of sources of incomes within 30 days of a substantial change in income, reportable liabilities, or positions of the Legislator or an immediate family member (except dependent children) that occurs in the current calendar year. (1 M.R.S.A. § 1016-G(2)(B)) Updated statement forms are available at [www.maine.gov/ethics](http://www.maine.gov/ethics) or by calling the Commission. Substantial changes include but are not limited to:

- A new employer or other source of income that has paid the Legislator or immediate family member \$2,000 or more in the current year;
- A new reportable liability of \$3,000 or more obtained during the current calendar year;
- A new contract or other arrangement between the Legislator, immediate family member or associated organization and a State agency, board or commission for the lease or sale of goods or services with a value of more than \$10,000 during the current calendar year; and
- A new position in a political action committee, ballot question committee, party committee, or non-profit or for profit organization.

***Please call the Commission staff 207-287-4179 if you have any questions.***

***Thank you for your cooperation!***

| Part 1. Income from Employment by Another                                                                                                      |                                  |                                                             |                                |                                                 |
|------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|-------------------------------------------------------------|--------------------------------|-------------------------------------------------|
| <input type="checkbox"/> None. Check this box if you did not have income from employment by another.                                           |                                  |                                                             |                                |                                                 |
| Name of Employer                                                                                                                               | Address                          | Principal Type of Economic or Business Activity of Employer | Job Title                      |                                                 |
| Maine State Legislature                                                                                                                        | State House<br>Augusta, ME       | Government                                                  | Legislator                     |                                                 |
| Holocaust and Human Rights Center of Maine                                                                                                     | 46 University Dr.<br>Augusta, ME | Nonprofit                                                   | Executive Director             |                                                 |
| Part 2. Income from Self-Employment                                                                                                            |                                  |                                                             |                                |                                                 |
| <input checked="" type="checkbox"/> None. Check this box if you did not have income from self-employment.                                      |                                  |                                                             |                                |                                                 |
| Name of Your Business/Trade Name                                                                                                               | Address                          | Principal Type of Economic or Business Activity             |                                |                                                 |
|                                                                                                                                                |                                  |                                                             |                                |                                                 |
|                                                                                                                                                |                                  |                                                             |                                |                                                 |
| Name of Client or Customer, if required (see instructions)                                                                                     | Address                          | Principal Type of Economic or Business Activity of Client   |                                |                                                 |
|                                                                                                                                                |                                  |                                                             |                                |                                                 |
|                                                                                                                                                |                                  |                                                             |                                |                                                 |
| Part 3. Business Entities                                                                                                                      |                                  |                                                             |                                |                                                 |
| <input checked="" type="checkbox"/> None. Check this box if you and your immediate family did not own or control more than 5% of any business. |                                  |                                                             |                                |                                                 |
| Name of Business                                                                                                                               | Address                          | Principal Type of Economic or Business Activity             |                                |                                                 |
|                                                                                                                                                |                                  |                                                             |                                |                                                 |
|                                                                                                                                                |                                  |                                                             |                                |                                                 |
| Part 4. Income from the Practice of Law                                                                                                        |                                  |                                                             |                                |                                                 |
| <input checked="" type="checkbox"/> None. Check this box if you did not have income from the practice of law.                                  |                                  |                                                             |                                |                                                 |
| Name of Practice or Firm                                                                                                                       | Address                          | Your Major Areas of Practice                                | Firm's Major Areas of Practice | Position: Partner, Associate, Sole Practitioner |
|                                                                                                                                                |                                  |                                                             |                                |                                                 |
|                                                                                                                                                |                                  |                                                             |                                |                                                 |

| Part 5. Income from Any Other Source                                                                                                                      |                                                             |                                                             |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|-------------------------------------------------------------|
| <input checked="" type="checkbox"/> None. Check this box if you did not have income from any other source.                                                |                                                             |                                                             |
| Name of Source                                                                                                                                            | Address                                                     | Description of Income                                       |
|                                                                                                                                                           |                                                             |                                                             |
|                                                                                                                                                           |                                                             |                                                             |
|                                                                                                                                                           |                                                             |                                                             |
| Part 6-A. Compensation Income of Immediate Family Members                                                                                                 |                                                             |                                                             |
| <input type="checkbox"/> None. Check this box if no members of your immediate family received income of \$2,000 or more from employment or compensation.  |                                                             |                                                             |
| Name and Job Title<br>(do not list name of dependent child)                                                                                               | Employer's Name and Address                                 | Principal Type of Economic or Business Activity of Employer |
| Brandon Baldwin<br>Project Director<br>Civil Rights Team Project                                                                                          | State of Maine<br>Office of Attorney General<br>Augusta, ME | Government                                                  |
|                                                                                                                                                           |                                                             |                                                             |
|                                                                                                                                                           |                                                             |                                                             |
| Part 6-B. Other Sources of Income of Immediate Family Members                                                                                             |                                                             |                                                             |
| <input checked="" type="checkbox"/> None. Check this box if no members of your immediate family received income of \$2,000 or more from any other source. |                                                             |                                                             |
| Name of Spouse or Partner<br>(do not list name of dependent child)                                                                                        | Source of Income<br>Name and Address                        | Type of Income                                              |
|                                                                                                                                                           |                                                             |                                                             |
|                                                                                                                                                           |                                                             |                                                             |
|                                                                                                                                                           |                                                             |                                                             |

### Part 7. Loans

☒ None. Check this box if you did not have reportable liabilities.

| Lender's Name | Lender's Address | Principal Type of Economic or Business Activity of Lender |
|---------------|------------------|-----------------------------------------------------------|
|               |                  |                                                           |
|               |                  |                                                           |

### Part 8. Gifts, Including Travel and Accommodations

☐ None. Check this box if you did not receive any gifts.

| Source of Gift               | Description of Gift                                                                                    |
|------------------------------|--------------------------------------------------------------------------------------------------------|
| Council of State Governments | Travel to nat'l conference to present on privacy in Puerto Rico.<br>Airfare: \$517.40, Hotel: \$512.46 |
|                              |                                                                                                        |

### Part 9. Honoraria

☒ None. Check this box if you did not receive honoraria.

| Source of Honoraria | Source of Honoraria |
|---------------------|---------------------|
| 1.                  | 2.                  |
| 3.                  | 4.                  |

### Part 10. Positions in Political Action, Ballot Question or Party Committees

☐ None. Check this box if you and your immediate family were not a treasurer, or principal officer, decision-maker or fundraiser of a PAC, BQC, or Party Committee.

| Name of Committee     | Name of Official or Family Member | Title               |
|-----------------------|-----------------------------------|---------------------|
| 1. Bellows for Senate | Sherna Bellows                    | Assistant Treasurer |
| 2.                    |                                   |                     |
| 3.                    |                                   |                     |

**Part 11. Conducting Business with State Agencies**

☒ None. Check this box if neither you nor your immediate family did business with any State agency.

| Name of Agency | Name of Individual/Organization<br>Selling Goods or Services | Description of Good or Services |
|----------------|--------------------------------------------------------------|---------------------------------|
|                |                                                              |                                 |
|                |                                                              |                                 |
|                |                                                              |                                 |

**Part 12. Representing Others Before State Agencies**

☒ None. Check this box if neither you nor your immediate family represented another before a State agency.

| Name of Agency | Name of Individual Receiving Compensation |
|----------------|-------------------------------------------|
|                |                                           |
|                |                                           |
|                |                                           |

**Part 13. Positions in For-Profit and Non-Profit Organizations**

☐ None. Check this box if you and members your immediate family did not hold positions in any for-profit or non-profit organizations.

| Organization/Business<br>and Address             | Title                 | Name of Position<br>Holder | Relationship to<br>Legislator                                                                                     | Compensated<br>Yes/No |
|--------------------------------------------------|-----------------------|----------------------------|-------------------------------------------------------------------------------------------------------------------|-----------------------|
| Holocaust and<br>Human Rights Center<br>of Maine | Executive<br>Director | Shenna<br>Bellows          | <input checked="" type="checkbox"/> Self<br><input type="checkbox"/> Spouse<br><input type="checkbox"/> Dependent | yes                   |
| Manchester<br>Conservation<br>Commission         | Member                | Shenna<br>Bellows          | <input checked="" type="checkbox"/> Self<br><input type="checkbox"/> Spouse<br><input type="checkbox"/> Dependent | No                    |
|                                                  |                       |                            | <input type="checkbox"/> Self<br><input type="checkbox"/> Spouse<br><input type="checkbox"/> Dependent            |                       |

**SIGNATURE**

I CERTIFY THAT I HAVE EXAMINED THIS REPORT AND TO THE BEST OF MY KNOWLEDGE IT IS TRUE, CORRECT, AND COMPLETE.

Shenna Bellows  
Signature

2/18/20  
Date

THE INTENTIONAL FILING OF A FALSE STATEMENT IS A CLASS E CRIME (1 M.R.S.A. § 1016-G(3)(B))

## **WINDHAM MUNICIPAL CODE OF ETHICS**

### **Declaration of Policy**

The proper operation of the Town of Windham requires that all Town officials with executive decision-making authority, whether elected or appointed, be impartial, equitable and responsive to the needs of the people and each other in the performance of their respective functions and duties; that proper conduct by Town officials will promote public confidence in the integrity of government and will be maintained by all Town officials; that public office not be used for personal or financial gain or advantage; that the structure of Town government be used properly in decision and policy making. In recognition of these goals and the importance of protecting public interest and Town officials, a Code of Ethics is hereby established for all.

### **Definitions**

**BUSINESS** - any corporation, partnership, individual, sole proprietorship, joint venture, or any other legal recognized entity organized for the purposes of making a profit.

**CENSURE** - a judgment or resolution condemning a person for misconduct.

**EXECUTIVE BOARDS** - Town Council, Board of Assessment Review, Planning Board and Zoning Board of Appeals.

**FINANCIAL INTEREST** - a direct or indirect interest having monetary or pecuniary value, including, but not limited to, the ownership of shares of stock.

**IMMEDIATE FAMILY** - spouse, and the following when living in the household of a Council member, board member or commission member: children, parents, brothers and sisters.

**SPECIAL INTEREST** - any interest which will allow some form of personal gain, usually of pecuniary nature.

**TOWN OFFICIAL** - any individual who is a member of an executive board.

### **Standards of Conduct**

The purpose of this Code is to establish ethical standards of conduct for the Town's officials by setting forth those acts or actions that may be in conflict or incompatible, or that create the appearance of impropriety, with the best interests of the Town of Windham.

### **Statutory Standards**

There are certain provisions of the general statutes of the State of Maine which should, while not set forth herein, be considered an integral part of this Ordinance. Accordingly, the provisions of the

following sections of the general statutes of the State of Maine, as may be amended, are hereby incorporated by reference and made a part of this Code of Ethics, and shall apply to all Town officials of the Town of Windham whenever applicable as if more fully set forth therein, to wit:

|                   |                                                     |
|-------------------|-----------------------------------------------------|
| 17 MRSA SS 3104   | Conflicts of Interest; Purchases by the State       |
| 17-A MRSA SS 456  | Tampering with Public Records of Information        |
| 17-A MRSA SS 602  | Bribery in Official and Political Matters           |
| 17-A MRSA SS 603  | Improper Influence                                  |
| 17-A MRSA SS 604  | Improper Compensation for Past Action               |
| 17-A MRSA SS 605  | Improper Gifts to Public Servants                   |
| 17-A MRSA SS 606  | Improper Compensation for Services                  |
| 17-A MRSA SS 607  | Purchase of Public Office                           |
| 17-A MRSA SS 608  | Official Oppression                                 |
| 17-A MRSA SS 609  | Misuse of Information                               |
| 17-A MRSA SS 903  | Misuse of Entrusted Property                        |
| 21 MRSA SS 533    | Persons Ineligible to Serve as Election Officials   |
| 30-A MRSA SS 2605 | Conflicts of Interest                               |
| 30-A MRSA SS 5122 | Interest of Public Officials, Trustees or Employees |

### **Disclosure of Confidential Information**

No Town official shall, to the detriment of the Town, disclose confidential information concerning the property, government or affairs of the Town; nor shall he/she use such information to advance the financial or private interest of him/herself or others. For purposes of this subsection, the term "confidential information" shall mean any information, oral or written, which comes to the attention of, or is available to, such Town municipal official only because of his or her position with the Town, and is not a matter of public record. Information received and discussed during an executive session of the Windham Town Council called pursuant to 1 MRSA SS 405 et seq. shall be considered within the constraints of this section, and shall not be disclosed to any third party unless permitted by affirmative vote of such body.

### **Contracts, Purchases and Employment**

No Town official shall participate directly by means of deliberation, approval or disapproval, or recommendation, in the purchase of goods and services for the Town, and the award of any contracts with the Town, where to his/her knowledge there is a financial interest, or special interest other than that possessed by the public generally, in such purchase or award, held by:

- A. him/herself or a member of his/her immediate family;
- B. a business in which he/she or a member of his/her immediate family serves as an officer, director, trustee, partner or employee in a supervisory or management position; or
- C. any other person or business with whom he/she or a member of his/her immediate family are in business, or are negotiating or have an arrangement concerning future employment.

No Town official shall participate by means of deliberation, approval or disapproval, or recommendation, in the decision to hire, promote, discipline, lay off or to take any other personnel action in respect to any applicant for employment or employee, as the case may be, or vote for appointed positions, where said applicant or employee is:

- A. a member of his/her immediate family; or
- B. a person with whom either he/she or a member of his/her immediate family are in business.

### **Incompatible Employment**

No Town official shall engage in or accept private employment or render or sell services or goods for private interests when such employment or service is incompatible with the proper discharge of his/her official duties.

### **Solicitation of Future Employment**

A Town official shall not solicit future employment with any person who has a substantial matter pending before the Council, Board or Committee in which the official was a member. A matter is "substantial" if it involves a financial value of one thousand (\$1,000) dollars or more or involves a question of policy of comparable significance.

An individual who has served as an official shall not, within one (1) year after termination of his/her service, assist any person, other than the Town, in any matter that was pending before the Council, Board or Committee in which he/she was a member or appear before the Council, Board, or Committee in which he/she was a member or assist any other person to make such an appearance.

### **Gifts and Favors**

No Town official, shall accept any valuable gift, whether in the form of service, loan, thing or promise, from any person and/or business which to his/her knowledge is interested directly or indirectly in any manner whatsoever in business dealings with the Town; nor shall any elected or appointed municipal official: accept any gift, favor or thing of value that tends to influence or could reasonably be expected to influence him/her in the performance of official duties or was intended as a reward for any official action. This does not prohibit:

- A. gifts or social courtesies related to a family relationship or friendship between the elected or appointed official and the donor, which are not designed to influence the proper judgment or action of the officer or employee in a matter within his authority;

- B. public, government-sponsored or informational events, generally accepted as a condition of office, where refreshments may be served, which are not designed to influence the proper judgment or action of the elected or appointed official in a matter within his/her authority;
- C. political contributions received in compliance with law;
- D. loans obtained according to commercial practice at the prevailing rate of interest;
- E. customary performance, merit awards or honorariums, consistent with municipal practices.

### **Use of Town Property and Facilities**

No Town official shall use or authorize others to use Town-owned property, including but not limited to, motor vehicles, equipment and buildings except for the following:

- A. for Town business;
- B. for purposes and on terms generally available to other persons;
- C. according to a contract of employment with the Town in which use of such property is part of the compensation or a term of employment.

### **Representing Third Party Interests Before Town Agencies**

No Town official shall either appear on behalf of any third party interest before any Town agency, or represent a third party interest in any action, proceeding, or litigation in which the Town or one of its agencies is a party. Nothing herein shall prohibit a Town official, on behalf of a constituent in the course of his or her duties as a representative of the electorate, or any Town official, on behalf of his or her personal interest, from appearing before a Town agency. No Town official shall appear on behalf of any third party interest before a Town agency of which he or she is a current member. Nothing herein shall prohibit a Town official, on behalf of his or her personal interest, from appearing before any Town agency including that of which he or she is a current member. An official who is employed or under retainer by a person having a matter pending before the agency of which the official is a member shall disclose that fact and shall abstain from participation in the matter. Participation includes but is not limited to discussion and/or voting on the matter.

### **Conflicts of Interest**

No Town official shall, in such capacity, participate in the deliberation or vote, or otherwise take part in the decision-making process, on any agenda item before his/her collective body in which he/she or a member of his/her immediate family has a financial or special interest of a pecuniary nature, other than an interest held by the public generally.

### **Disclosure of Conflict**

Any Town official who believes that he/she or a member of his/her immediate family has a financial or special interest, other than an interest held by the public generally, in any agenda item before his or her

collective body, shall disclose the nature and possible extent of such interest. The collective body will vote to determine if there is a conflict.

Any Town official who believes that any fellow Town official, or a member of his/her immediate family has a financial or special interest, other than an interest held by the public generally, in any item before his/her collective body, shall disclose the possibility of such interest, and the Town Clerk or his/her designee shall make a record of such disclosure, with a copy forwarded to the Chair of the Appropriate Executive Board.

### **Determination of Conflict**

Once the issue of conflict has been initiated relative to an individual Town official, and disclosure has been made as provided above, such individual's fellow Town officials shall vote on whether or not such individual shall be excused from participating in the deliberation or vote.

### **Avoidance of Appearance of Conflict**

To avoid the appearance of a violation of this section, once any individual Town official is determined to have a conflict of interest in respect to any agenda item, said individual shall immediately remove him/herself from the meeting room or to the area of the room occupied by the general public. He/she shall not return to his/her regular seat as a member of the body until deliberation and action on the item is completed. Nothing herein shall require an individual Town official to remove him/herself for any item contained on a "Consent Agenda" on which there is no deliberation, the individual's conflict has been determined by the other members, and the right to abstain from voting on the item has been granted.

### **Personal Interest**

Nothing herein shall be construed to prohibit any Town official from representing his/her own personal interest by appearing before his/her collective body on any such agenda item.

### **Disclosure Statement by Town Elected and Appointed Municipal Official**

Within fifteen (15) days after each annual municipal election, every elected official shall file a completed disclosure form with the Town Clerk with a copy forwarded to the Chair of the appropriate Executive Board and to the chair of the Town Council. Within thirty (30) days after his/her appointment, every appointed official shall file a completed disclosure form with the Town Clerk, with a copy forwarded to the Chair of the appropriate Executive Board. Each executive body is responsible for ensuring that members comply with the filing of a disclosure statement. An extension beyond the stated time frame for filing a disclosure statement may be approved with a majority vote of the appropriate executive body. Each executive body will review the financial reports of its members. Should a conflict be discovered, a majority vote of the executive body can refer the matter to the Ethics Board for an opinion. Such disclosure forms shall be under oath and shall contain the following information to the best of the disclosing party's knowledge and belief:

- A. the name of each person or entity, whether incorporated or not, doing business with the Town in an amount in excess of \$1,000 during the preceding calendar year from which such disclosing party or member of his/her immediate family has received money or other thing of value in an amount in excess of \$1,000 during the preceding calendar year, including, but not limited to, campaign contributions where applicable;

- B. the name of each entity, whether incorporated or not, doing business with the Town in an amount in excess of \$1,000 for preceding calendar year in which such disclosing party or member of his/her immediate family has a financial interest in an amount in excess of \$1,000, including, but not limited to, the ownership of shares of stock;
- C. the name of each nonprofit and/or for profit entity, whether incorporated or not, for which such disclosing party or member of his/her immediate family holds a position of officer or member of any board. For each such entity, such disclosing party shall provide the following information:
  - a) a brief description of the purpose of each board and/or office;
  - b) a short summary of such disclosing party's or family member's duties relative to any such board and/or office;
  - c) the term of service on each such board and/or office;
  - d) whether or not such disclosing party or family member receives compensation for service on such board and/or office and the extent to which such compensation exceeds \$100 in the aggregate annually.

For purposes of this subsection "compensation" shall include, but not be limited to, monetary compensation, gifts, gratuities, perks, fringe benefits, services, and any other thing of value.

- D. Every Town official shall annually amend his/her disclosure statement as may be required to ensure the continued accuracy thereof. Each such amendment shall be made within fifteen (15) days following the occurrence which requires the amendment.
- E. The Town Clerk shall deliver a copy of each completed disclosure statement to every fellow member of each disclosing party within thirty (30) days after the expiration of the filing period.
- F. For purposes of this Code, a list prepared by the Finance Director of those persons or entities doing business with the Town in an amount in excess of \$1,000 for the preceding year shall be determinative for purposes of reporting under this section. Income from, and financial investments in, policies of insurance, and deposits in accounts from commercial or savings banks, savings and loan associations, or credit unions and the ownership of less than 5% of the outstanding shares of stock in a publicly held corporation shall not be considered to be a financial interest within the meaning of this section.

### **Political Standards of Conduct**

- A. No Town official shall participate in any political activity which would be in conflict or incompatible with the performance of his or her official functions and duties for the Town. In conjunction therewith:
- B. No Town official may use his/her official authority or position for the purposes of influencing or interfering with or affecting the results of any election, nor shall he/she

solicit funds or contributions or accept or receive funds or contributions from Town employees for political purposes. No Town official may distribute pamphlets/handbills while he or she is performing their official functions and duties with the Town. Nothing herein shall be construed to prohibit any Town official from participating in the political process in their capacity as private citizens. Acceptable conduct would allow endorsements of a candidate, without the use of an official title. "I, John Doe, support Jim Smith for Council", not "as John Doe, Board member, I support Jim Smith for Council". Except for official functions and duties, political pins can be worn. During Council or Board meetings, view of such pins would not be appropriate.

### **Incompatible Employment of Office**

No Town official shall occupy any other office, elected or appointed, in any other governmental entity, where the duties of such office are incompatible with the proper discharge of his or her official duties with the Town. For purposes of this Code, the occupancy of any office, elected or appointed, with any other governmental entity by any municipal official is hereby prohibited in any one of the following circumstances:

- A. where the duties of the other office make it a physical impossibility to discharge the duties of the Town position; or
- B. where one office is subordinate of the other; or
- C. where one office carries the power of removal of the other; or
- D. where the occupancy of both offices is otherwise prohibited by law.

### **Board of Ethics**

**BOARD OF ETHICS ESTABLISHED** - There is hereby created and established a Board of Ethics consisting of three (3) members who will be sworn in on appointment by the Town Council.

**TERMS** - All members shall be appointed for terms of three (3) years each. Each member shall serve until December 31st of the final year on term, subject to continuance in office for a period not to exceed six (6) months until a successor is appointed. All members must be residents of the Town of Windham. No member shall serve more than two (2) complete consecutive terms.

**OTHER OFFICES PROHIBITED** - No member of the Board shall hold any other Town office or position or be the member of any Town Council appointed committees. A rare exception can be made by majority vote of the Town Council, if so warranted.

**PROCEDURES AND RECORDS** - The Board shall establish such rules as it may determine to be necessary to govern its procedures. In addition, the Board shall at all times maintain in the office of the Town Clerk appropriate records of its opinions and proceedings subject to the State's "Right to Know" Law.

**DUTIES** - The Board shall render advisory opinions to any of the executive boards when there is doubt as to the applicability of any provisions of this Code to any particular situation. In the performance of its duties, the Board shall limit its review and fact finding only to those issues referred to it by the respective

executive board. The Board shall also perform such other duties as may be prescribed from time to time by the Town Council.

**PROCEDURE** - Any Town official seeking advice as to whether a particular situation constitutes a violation of this Code shall first submit a written statement describing the nature of the matter to the chairperson of the appropriate executive board as well as the Chair of the Town Council. If the chairman of the executive board feels that an advisory opinion is necessary, or if three (3) or more members of the executive board feel that an advisory opinion is necessary, they may refer the matter in a written statement to the Ethics Board. The Council may seek legal guidance of its own will or the will of the Board. If the Ethics Board finds any matter referred to it to have been based upon allegations it determines to have been frivolous, unfounded or with malice, they shall so advise the appropriate executive board. It is the purpose and intent of this Code to provide a mechanism by which all such matters shall be investigated by the Ethics Board and reported to the appropriate executive body as a whole within thirty (30) days if its findings warrant further action. The orderly and impartial fashion of this process will protect the best interest of the citizens of the Town of Windham and the personal and private interest of its Town officials. Upon written request to the appropriate executive board (due to extenuating circumstances) an extension can be obtained.

**ORIENTATION OF EXECUTIVE BOARD MEMBERS AND MUNICIPAL OFFICIALS** - All executive Board members are requested to attend an annual orientation meeting to be scheduled during the month of January of each calendar year or as can be scheduled.

All municipal officials are encouraged to attend an annual presentation given by the Board.

**DUTIES OF THE BOARD OF ETHICS** - The Board shall meet at least quarterly and, prior to December 31 of each calendar year, shall prepare and submit to the Town Council an annual report outlining its doings during the preceding 12 month period.

**PUBLIC RELEASE OF FINDINGS OF INNOCENCE OF WRONGDOING** - In cases where the respective executive board finds the person accused not guilty of wrongdoing, he/she will be publicly cleared, at the next regular meeting of the executive board.

**PENALTIES** - In addition to any other penalties or remedies as may be provided by law, violation of this Code shall constitute cause for censure, after notice and hearing conducted by the Town Council. A majority of the Windham Town Council shall conduct such proceedings.

**SEPARABILITY** - If any section, subsection, sentence, clause or phrase of this Code is for any reason held to be invalid or unconstitutional, such validity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of the Code.

Adopted: May 28, 1991

Amended: February 25, 1992

March 9, 1993

August 24, 2011 (Order 11-142. Cleaned up document formatting, added ability of three or more members of a board to seek advisory opinions.)