

**Eliot Harbor Committee
Adopted Draft By-Laws
08-10-2017**

ARTICLE 1: PURPOSE

The purposes of the Eliot Harbor Committee (hereafter referred to as the "Committee") is to serve as an advisory board to the Select Board to recommend strategies to enhance and protect the use of the Town's waterways and water facilities.

ARTICLE 2: DUTIES

The duties of the Committee are as follows:

- A. Study and evaluate public usage of and boating access to coastal waters under the jurisdiction of the Town of Eliot, working closely with the Harbormaster to advise the Select Board on all matters pertaining to the Harbor Ordinance;
- B. Make recommendations for balancing the enhancement of harbor facilities with the conservation of natural, cultural and aesthetic resources for the long-term benefit for all stakeholders;
- C. Review regulations and policies for the use of waterways, navigational lanes, anchorage areas, town docking facilities and mooring areas, to remain consistent with federal and state law;
- D. Regularly inform the Select Board and other boards, committees, commissions or officials of the Town, as is appropriate, of its activities.

ARTICLE 3: ORGANIZATION

3.1 MEMBERSHIP AND TERMS

- A. The Committee shall consist of seven (7) members appointed by the Select Board. Five (5) members shall be members with full voting rights and two (2) shall be appointed as "Alternate" members. Members shall serve a term of three (3) years and be eligible for reappointment upon application to the Select Board prior to the expiration of the term. Terms shall be staggered at the time of Committee creation.
- B. All members of the Committee shall be residents of the Town of Eliot.

3.2 OFFICERS

- A. In accordance with Sec. 8.7 of the Charter, the committee shall annually elect a chairperson and vice-chairperson. A secretary also shall be elected annually and shall be responsible for preparing recorded minutes of each meeting.

- B. The committee chairperson shall perform all duties and act in accordance with Sec. 8.7A.2 of the Town Charter.

3.3 STAFF SUPPORT

The Harbormaster or his or her designee shall attend and participate in each meeting, and shall serve as support staff to the committee. The Committee has no authority to oversee the activities of the Harbormaster nor to give direction to him or her.

ARTICLE 4: CONDUCT; ATTENDANCE; REMOVAL FROM OFFICE

4.1 CONDUCT

- A. Members shall act in accordance with the Standards of Conduct (Sec. 7) of the Ordinance Governing Municipal Boards, Commissions & Committees.
- B. Committee members serve as official representatives of the Town of Eliot to the business community, to other governmental units, to the press, and to the public at large and therefore are expected to comport themselves accordingly. All members shall adhere to the Maine Freedom of Access Act Laws (1 MRS § 401 et seq.) and, where applicable, the Eliot Personnel Policies and Procedures Manual. The Town Manager is the FOAA Officer for the Town and all such requests to the Committee shall be immediately conveyed to the FOAA Officer.

4.2 ATTENDANCE

- A. The Chairperson shall be responsible for maintaining official attendance records for the committee.
- B. Members are expected to attend all scheduled meetings and participate fully in the general conduct of the committee. Absences shall be reviewed by the committee and determined to be excusable or not. "Excessive absence" is defined in Sec. 5.4 of the Ordinance Governing Municipal Boards, Commissions & Committees.

ARTICLE 5: MEETINGS

- A. The Committee shall meet at Town Hall at a regular time and day of the month as determined by the Committee and so designated by agendas approved by the Chair.
- B. Members may attend in person or via electronic means (video). Participation by video is limited to less than 50% of the membership by Charter.
- C. Agendas shall be posted on the Eliot website and locations that the Select Board agendas are posted, as required by the Town Charter. Agendas of regular meetings shall be posted at least seven (7) days prior to the meeting.
- D. All meetings shall be open to the public. Every agenda shall include a public comment portion, though time restrictions for speaking may be adopted as deemed required.

5.2 Special Meetings & Emergency Meetings

The Chairperson may call a special or emergency meeting of the Committee provided that the agenda is posted according to the requirements of the Charter.

5.3 Quorum & Voting

- A. A quorum of the Committee shall consist of a majority of the membership.
- B. Meetings may be held and any official business or action may occur only with at least the required quorum of members who are eligible to vote being present.
- C. At a scheduled meeting, if fewer members than the legal quorum are present, then the secretary should record the attendees and the absentees and note that "No business of the board was conducted due to a lack of a quorum" and the members should then adjourn."
- D. The Committee will take action pursuant to motions and seconds made by Committee members. A roll call vote count shall be maintained on any Committee vote. The action will be approved if a quorum is present at a meeting and a majority of those present at a meeting or attending via telecommunications, vote in favor of the action.
- E. Proxy voting is prohibited.

ARTICLE 6: AMENDMENT OF BYLAWS

- A. These bylaws may be amended, as necessary, by a 2/3 majority vote of the Committee.
- B. Any amendments of these bylaws shall be consistent with the provisions of the Town Charter and Ordinance Governing Municipal Boards, Commissions & Committees, and shall follow parliamentary procedures.
- C. The Chairperson shall ensure all amendments to these bylaws are provided to the Town Clerk immediately upon approval by the committee.

ARTICLE 7: EFFECTIVE DATE

These by-laws shall become effective upon majority vote of Committee members in a regular meeting and a majority vote of Select Board.

Richard Davis
Select Board Chair

8/18/17
Date