

Capital Improvement Committee
By-Laws
Approved July 23, 2020

ARTICLE 1: PURPOSES

- a. The purpose of the Eliot Capital Improvement Committee (hereafter referred to as the Committee) is to promote and assist the Town in maintaining and improving buildings and other facilities through consulting on building improvement, facilities maintenance, equipment and vehicle upgrades and replacement.
- b. The Committee will also study and advise the Board on energy conservation, energy efficiency and local energy production throughout the Town of Eliot.
- c. Another purpose of the Capital Improvement Committee, is to serve in an advisory capacity to the Select Board on all matters associated with investigating office needs at the Town Office, including considerations for Community Service Department and Committee usage.
- c. The Eliot Select Board may choose to review the purpose of the Committee, with the option to retain the Committee, restate the Committee's purpose or disband the Committee.

ARTICLE 2: DUTIES

A: The Committee shall:

- Seek opportunities to conserve and improve the management of municipal capital assets by:
 - a. Exploring improvements and maintenance options for the Town's buildings, parks and other physical assets.
 - b. Assisting the Town members on projects as needed, to include any aspect from bid and specification documents through to completion of work.
 - c. Consulting and advising on capital investments as needed or requested by department heads.
 - d. Encouraging increased municipal energy conservation and improved usage of energy resources.
 - e. Establishing a procedure for and continuing to monitor (energy) use within municipal government
 - f. Encourage community participation and input on all projects as well as energy conservation and policies by: Posting information on the

town website and at town hall including updates and evaluations of the project and financial estimates as well as funding options.

g. Developing educational materials, events and programs.

- If funding is sought, a detailed budget request must be submitted to the Town Manager, no later than November 1 of each year.

B: With regard to the purpose of studying the adequacy of the Town Office facility and Community Service Department, the Committee shall:

- a. Examine the space needs and shortcomings of the Town Hall facility and the Community Service Department. The Committee is asked to think very long term (40-50 years).
- b. Examine past efforts, plans, minutes of meetings associated with past examinations of needed space.
- c. Examine the feasibility of ways to reduce the Town's space needs through available technologies, instead of enlarging buildings.
- d. Meet with staff as be advisable to better understand building(s) space needs now and in the future.
- e. Determine the location of any expanded or new building space along with the necessary civil engineering that would need to be undertaken to determine suitability of the land / wetlands, etc.
- f. Recommend to the Select Board specialists needed (architect / construction specialists) to determine options for additional space (expand to a second floor, etc.)
- g. Research what other Towns have done recently with regards to their municipal offices.
- f. Make one or more written proposals for review and action by the Select Board.
- g. If funding of the Committee is sought, a detailed budget request must be submitted to the Town Manager no later than November 1 of each year.

ARTICLE 3: MEMBERSHIP

3.1 Appointments and Terms

- a.) The Committee shall consist of no less than 3 but no more than 7 members appointed by the Select Board. A liaison from the Select Board may also be appointed but be non-voting.
- b.) All members of the Committee shall be residents of the Town of Eliot.
- c.) Members shall serve a term of 3 years and be eligible for reappointment.
- d.) Non-voting specialized consultants may advise the Committee as needed.
- e.) Resignation of a member must be submitted in writing to the Select Board, and becomes effective upon acceptance at a regularly scheduled Select Board meeting.

3.2 Staff Support

- a.) The Town Manager may provide staff support to the Committee.

ARTICLE 4: OFFICERS and ELECTIONS

4.1 Officers and Responsibilities

Annually, the Eliot Capital Improvement Committee shall elect a chairman and vice-chairman, and other officers as may be deemed necessary and required by their by-laws.

The officers of the Committee shall consist of the Chair, Vice Chair, and Secretary. The duties of the Committee officers shall be as follows:

- a. **Chair.** The Chair is the official spokesperson for the Committee and shall publicly express only those points of view that are reflective of and have been agreed upon by the Committee. The Chair shall preside at all meetings of the Committee; call special meetings when necessary; approve agendas drafted by staff; assign members to sub-committees; monitor conflict of interest in all of the Committee's activities; ensure adherence to local Ordinances, Town Charter and State Statutes; ensure proper training of the Committee's members; recruit new members when a Committee vacancy occurs; keep the Select Board apprised of the Committee's activities; and perform all other duties necessary or incidental to the office. The Chair shall decide all points of order and procedure during meetings and his/her decision shall be final unless overruled by a majority of the members present. The Chairperson is a voting member of the Committee.
- b. **Vice Chair.** In the absence of the Chair, or in the event of the Chair's inability to act, the Vice Chair shall perform the Chair's duties. In the event of the absence or inability to act of both the Chair and the Vice Chair, the remaining members shall appoint one of their members to act temporarily as Chair.
- c. **Secretary.** The Secretary shall record the minutes of the Committee meetings and be responsible for maintaining the Committee's records.

The Eliot Capital Improvement Committee is a project-focused group. Members are encouraged to take responsibility for ongoing projects and bring forward new projects for the Committee's consideration. Each member is expected to understand the administrative duties of the Committee and share in the following roles/duties:

- Act as a spokesperson for the Committee
- Monitor conflicts of interest in Committee activities
- Ensure adherence to local Ordinances, Town Charter and State Statutes

- Recruit new members when a Committee vacancy occurs
- Keep the Select Board apprised of the Committee's activities
- Decide on points of order and procedure during the meeting
- Maintain the Committee's records

At the beginning of the meeting, a member or staff will assume responsibility for recording the minutes of the meeting.

4.2 Removal from Committee

- a. Members are expected to attend scheduled meetings on a regular basis. Failure to attend at least 50% of all regular quarterly meetings over a one (1) year period shall constitute a basis for possible resignation that must be acted on or dismissed by a majority vote of the Select Board.
- b. Committee members may be removed by the Select Board for malfeasance in office.

ARTICLE 5: SUBCOMMITTEES

- a. The Chair shall appoint those sub-Committees that are necessary to accomplish the Committee's work, subject to the approval of a majority vote of the Committee.
- b. The Chair shall be an ex-officio member of every sub-Committee.

ARTICLE 6: MEETINGS

6.1 Regular Meetings

- a.) The Committee shall meet at Town Hall on the 2nd Wednesday of the month at 4:30 or at a place and time so designated by an agenda 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. 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 have a section that is specifically for people to offer public comment, though time restrictions for speaking may be adopted as deemed required.

6.2 Special Meetings & Emergency Meetings

- a. The Chair may call a special meeting of the Committee provided that the agenda is posted three (3) days prior to the meeting.

6.3 Executive Sessions

The Committee may call for an executive session only under the provisions and terms specified in the Maine State Statutes.

6.4 Quorum & Voting

- a. A quorum of the Committee shall consist of a majority of the membership.
- b. No official action or binding resolution shall be made by the Committee without a quorum of the membership.
- c. 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.
- d. Proxy voting shall not be allowed.

6.5 Presiding Rules

Parliamentary procedure in Committee meetings shall be governed by the Eliot Capital Improvement and Energy Committee Rules of Order.

ARTICLE 7: PERFORMANCE ISSUES

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.

ARTICLE 8: AMENDMENT OF THE BYLAWS

These by-laws may be amended, and recommended for amendment to the Select Board, by a 2/3 vote of the Committee after two (2) weeks advanced notice of the intent to change has been given in writing to each Committee member.

ARTICLE 9: EFFECTIVE DATE

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

S/ Richard Donhauser
Select Board Chair

July 23, 2020
Date