

LEWISTON-AUBURN 911 COMMITTEE

BY-LAWS

ARTICLE I PREAMBLE

Section 1 - Name: The name of this Committee is the Lewiston-Auburn 911 Committee, hereinafter called the "Committee."

Section 2 - Purpose: The purpose of this Committee will be to establish, operate, and maintain a 911 Emergency Reporting Communications System for the Lewiston-Auburn area.

Section 3 - Intentions: It is the intention of this Committee to seek assistance from federal, state, and local governments as well as the private sector in the form of grants, loans, and any other available assistance to carry out the goals of this Committee. The Committee will seek laws, ordinances, codes, and so forth at local, state and national levels to further the growth and development of the 911 Emergency Reporting communications System. The Committee shall endeavor to assist and influence both the public and private sectors of the cities and surrounding communities, as it may be appropriate to furthering the purposes of the Committee.

Section 4 - Principal Officers: The officers shall be a Chairperson, a Vice-Chairperson, a Treasurer, and a Clerk, to be elected by the Committee members.

ARTICLE II
LEWISTON-AUBURN 911 COMMITTEE

Section 1 - Membership: The Committee will consist of nine (9) members. The respective Police and Fire Chiefs of both Lewiston and Auburn will be members of the Committee by virtue of their respective offices and in the event of their death, incapacity, resignation, or discharge from said offices, their successors shall fill the vacancy thus created.

A fifth and sixth member, who must be a resident of the city or a city employee, of the Committee shall be nominated by the Mayor and confirmed by the Lewiston City Council, at their first regular meeting in January, pursuant to Article IV, Section 4 of the City Charter, as amended. These two additional members must be residents of the City of Lewiston or a city employee, and shall be appointed to a two (2) year term.

The seventh and eighth member of the Committee shall be nominated by the Mayor and confirmed by the Auburn City Council, at their first regular meeting in January. These two additional members must be residents of the City of Auburn or a city employee, and shall be appointed to a two (2) year term.

In the event that either of said additional members of the Committee shall cease to be residents of their respective cities or cease to be employed by their respective city, or should die, become incapacitated, or resign from the Committee, a successor shall be appointed to serve for the remainder of the term in the same manner as the original appointments are made.

The eight (8) above-named members of the Committee shall elect the ninth member who shall be a resident of Auburn or Lewiston but does not hold any public municipal office nor is a member of any municipal board or commission. After the election of the ninth member, the ninth member must not be a resident of the same city as the previous ninth member, unless this provision is waived by the opposite municipality. The ninth member of the Committee will serve for a three-year (3) term and thereafter until a successor is appointed.

Section 2 - Compensation: Members of the Committee will serve without compensation but may be reimbursed for their actual expenses incurred in the performance of their duties upon the approval of the Committee.

Section 3 - Election of Officers: All officers of the Committee shall be elected annually, with the exception of the Chairperson, at the first regular meeting in January by members of the Committee and shall hold office until their successors are chosen and qualified. The Clerk and Treasurer need not be members of the committee, and both offices may, in the discretion of the Committee, be held by the same person, except as provided in the agreement.

Section 4 - Officers:

4a: Chairperson The Chairperson shall have the general control and management of the Committee, subject to any specific power delegated by the Committee and shall preside at all meetings of the Lewiston-Auburn 911 Committee.

The Chairperson shall execute all deeds, leases, bonds, mortgages, and all other contracts and papers of which this Committee is party under the seal of the Committee. The Chairperson shall vote only in the event of a tie.

4b: Vice
Chairperson The Vice-Chairperson shall be a member of, and be elected from among the Committee members. The Vice-Chairperson shall assist the Chairperson in carrying out the latter's duties and shall preside at meetings in his absence.

4c: Treasurer The Treasurer shall be the Treasurer of the Cities of Lewiston or Auburn or such other qualified city employee and shall have the custody of the funds and securities and shall keep full and accurate accounts of receipts and disbursements in books belonging to the Committee and

shall deposit all monies and other valuable effects in the name of and to the credit of the Committee at such depositories as may be designated by the Committee.

The Treasurer shall render to the members at the regular meetings of the Committee or whenever they may require it, an account of all transactions as Treasurer and of the financial condition of the Committee from time to time. The Treasurer shall perform such other duties as may be prescribed by the Committee from time to time.

4d: Clerk

The Clerk of the Committee shall keep a faithful record of all meetings of the Committee and send proper notices of the meeting of said Committee and generally perform those duties as may be required by the Chairperson and members.

All minutes of the Committee shall be filed at the Clerk's Office of the respective Cities of Lewiston and Auburn.

Section 5 - Removal of Officers from office: A majority of five (5) members to be required for removal from office.

Section 6 - METRO System: The Police Chiefs of the Cities of Lewiston and Auburn shall have responsibility for ensuring compliance of the 911 Committee with the rules and regulations governing access to the Maine Telecommunications and Radio Operations (METRO) system. In the event that the Committee takes action that would result in loss of the access by the Committee to the METRO system, the Police Chiefs of the Cities of Lewiston and Auburn, acting together, shall have authority to take such action binding on the Committee as is necessary to preserve the Committee's continued access to the METRO system.

ARTICLE III MEETINGS

Section 1 - Regular Meetings: Regular meetings of the Committee for the transaction of any business that may come before the Committee shall be held monthly or, as designated by the Committee, at a time and date mutually agreed upon by the Committee at a public place previously designated by the Committee.

Notices of a regular meeting shall be sent by the Clerk to each Committee member at least five (5) days before such meetings.

Section 2 - Special Meetings: Special meetings of the Committee can be called by the Chairperson or majority of the Committee members upon reasonable notice to all members to administer the affairs of the Committee.

Section 3 - Order of Business: At regular meetings of the Committee, the following shall be the order of business:

- a) Roll Call
- b) Reading and Approval of the Previous Meeting Minutes
- c) Communications
- d) Reports of the Treasurer
- e) Reports to the Committee
- f) Reports of the 911 Director
- g) Old Business
- h) New Business
- i) Adjournment

Section 4 - Quorum: A majority of the members of the Committee shall constitute a quorum.

Section 5 - Committee Decisions: The act of a majority of the members present at a meeting at which a quorum is present shall be the act of the Committee.

Section 6 - Waivers: Notice of any and all special meetings of the Committee may be waived by any Committee member and any special meeting, notice of which shall have been so waived by each Committee member not there present shall be open for transaction of any business within the powers of the Committee without special notice of such business.

ARTICLE IV ADMINISTRATION

Section 1 - Office: The Committee will establish an office at the same location as the 911 Dispatch Center or other suitable location as determined by the Committee where its business may be conducted and in which maps, plans, records, and other papers relating to operation of the Committee will be kept, but the Committee may vote to hold its meetings in any public building in Lewiston or Auburn.

The Committee will, at all times, keep full and accurate accounts of its receipts, expenditures, liabilities, and assets, which will, at all reasonable times be open to inspection.

Section 2 - Fiscal Year: The fiscal year of the Committee shall be the same fiscal year as that of both cities, being the first day of July in each year and end at midnight on the thirtieth day of June in each year.

Section 3 - Estimating Annual Expenses and Revenues: The Committee will annually prepare a budget for its next fiscal year, itemizing expenses of operations, maintenance and repairs, costs of contemplated capital improvements, and payment of principal and interest on fixed indebtedness and other borrowing. The budget will also include such other details as to present assets, surplus, accounts receivable, expenses, and liabilities as the Committee shall deem advisable and as the Cities of Lewiston and Auburn may reasonably require. The Committee will also estimate all anticipated revenues of the Committee for the forthcoming fiscal year.

Section 4 - Notice of Apportionment: In any year in which it is anticipated expenses exceed anticipated revenues, the Committee shall give notice of apportionment to the Cities of Lewiston and Auburn.

Such notice of apportionment will be submitted to each city in time for inclusion in their respective budgets for their next fiscal year.

Section 5 - Annual Report: The Committee will make an annual report of its activities and submit audited financial statements for the preceding fiscal year to the Mayor and Council of the Cities of Lewiston and Auburn.

The Committee will adopt the same annual report date as that of both cities, the first day of July in each year.

Section 6 - Appointments: The Committee may appoint a 911 Director on a full-time basis to direct the general administration of the Communications Center and related facilities.

The Committee may also, on its own initiative or upon recommendation of the 911 Director, employ such engineers and experts, agents, officers, clerks, and other employees and agents as it deems necessary for the proper operation and administration of the 911 Emergency Communications System and it may prescribe their duties.

ARTICLE V COMMITTEE

The Chairperson may from time to time appoint committees composed of Committee members and other, whenever deemed necessary or desirable, in carrying out the business of the Committee.

ARTICLE VI
AMENDMENTS

The foregoing By-Laws may be amended at any regular or special meeting of the Committee by a vote of a majority of the members.

A TRUE COPY ATTEST:

Alison Wickson
Clerk, Lewiston-Auburn 911 Committee

Revisions:

November 2, 1995

1/21/99 Committee Meeting - Delete Article IV, Section 6, 3rd Paragraph

2/18/00 Changes to Membership and Office of Treasurer

9/4/2001 Changes to Article III, Section 1, Section 3 & Article IV, Section 6