

ARTICLE 18
CAPITAL IMPROVEMENT COMMITTEE

Section One: Establishment of Committee

- (a) There shall be established a Capital Improvement Committee (hereinafter "Committee") which shall perform the duties set forth in the following sections of this By-Law and shall be governed by the provisions hereof.
- (b) The Committee shall consist of five (5) registered voters of the Town of Milford (hereinafter "Town"), none of whom is a Town employee or Town official (either elected or appointed), and shall be appointed as provided in Section Two. For purposes of this By-Law, no person shall be considered a Town official solely by serving as a Town Meeting Member.

Section Two: Selection of Members; Terms of Service; Vacancies

- (a) Of the five (5) members of the Committee, two (2) shall be appointed by the Town Moderator and three (3) by the Board of Selectmen. Subject to the provisions below, members shall be appointed for terms of (5) years.
- (b) Upon approval of the provisions of this By-Law, the two (2) most senior incumbent members of the Capital Planning Committee as previously in place, not otherwise in conflict with Section One (b) above, shall continue to serve. Such incumbents shall serve as appointees of the Moderator, one to have a term expiring on June 30, 1997 and the other on June 30, 1999, as the Moderator shall designate.
- (c) The Board of Selectmen shall appoint three (3) members whose terms shall expire on June 30, 1996, 1998 and 2000, and shall thereafter upon expiration of each term appoint or reappoint for five (5) year terms.
- (d) Whenever a vacancy occurs on the Committee, it shall be filled by the appointing authority that appointed the member whose position has become vacant. Any person appointed to fill a vacancy shall hold office for the unexpired term of the person succeeded.

Section Three: Governance; Officers; Compensation

- (a) The Committee shall adopt such rules and regulations affecting its Governance as may be deemed necessary.
- (b) The Committee shall annually elect from among its members a Chairperson and such other officers, as it shall deem appropriate.
- (c) Committee members shall serve without compensation.

Section Four: Definitions

- (a) For the purpose of this By-Law, a "Capital Improvement" is defined as:
 - (1) any acquisition, disposition, lease or transfer of land or personal property; or
 - (2) any acquisition, disposition, lease or transfer of motor vehicles; or
 - (3) any acquisition or lease of any single item of equipment, or group of similar or related items of equipment to be used for a common purpose, with a total cost of twenty thousand dollars (\$20,000) or more, and a substantial useful life as determined by the Committee; or

- (4) any construction, reconstruction, replacement, extension or other improvement of public buildings, highways, sidewalks, storm drains, sewerage installations, playgrounds, parks or substantially similar public works, or for a facility, structure or a utility appurtenant to any of the same, with a total cost of twenty thousand dollars (\$20,000) or more.
- (b) For the purpose of this By-law, a “Capital Expenditure” is defined as any expenditure, financed in whole or in part by Town funds, for a Capital Improvement. However, this does not include Capital Improvements to be paid entirely with funds from departmental budgets.

Section Five: Duties of Committee; Submittals & Deliverables; Town Meetings

- (a) In making determinations, the Committee shall consult with such officers of the Commonwealth of Massachusetts or of the Town and its various boards, commissions, or committees, as in its discretion it shall deem appropriate and beneficial. The Committee may also consult with any other person, within the constraints of its approved budget.
- (b) The Committee shall ascertain annually what Capital Expenditures will be required by the Town during the current calendar year, plus the subsequent five (5) fiscal years. In addition, the Committee shall ascertain any potentially significant capital expenditures outside the scope of the aforementioned five (5) years. Department heads and Chairpersons of all boards, commissions, and committees of the Town, whether elected or appointed, shall submit to the Committee, not later than the end of February of each year, recommendations and statements of needs and/or proposed plans involving capital expenditure requirements for the subsequent five (5) fiscal years. By that same deadline, the Department heads and Chairpersons shall also submit a Capital Improvement Worksheet for each capital project to be presented to Town Meeting within the current calendar year.
- (c) The Committee shall publish an annual report in conjunction with the Finance Committee of the Town and shall include in such report its recommendations for the scheduling of capital expenditures and for the financing of such expenditures as in its judgment cannot or should not be paid for entirely from current revenues. The Committee shall assist the Town Meeting with regard to priorities of projects, financing costs, impact of recommended projects to the operating budget, and other related matters, with any assistance from the Finance Committee of the Town that may be necessary.
- (d) No capital improvement shall be voted upon at any Town Meeting until it has been presented in written form to the Capital Improvement Committee for recommendation. As such, the Committee shall report to the Town Moderator prior to any Town Meeting as to the overall status of all capital improvement articles requiring action by that Town Meeting. If, subsequent to said recommendation, a significant change is made to the scope of any capital improvement, as determined by the Committee, it shall be resubmitted to the Committee for reconsideration prior to Town Meeting action. Any capital request that has not been approved by Town Meeting within two (2) years of its original presentation to the Committee shall be presented to the Committee for reconsideration prior to re-submittal to any future Town Meeting.
- (e) In making its determinations, the Committee shall include a comparison of all capital improvement proposals to the goals and objectives of the most recent Comprehensive Plan for the Town, as adopted by the Planning Board. The Committee shall note the level of consistency of each proposed capital improvement with said Comprehensive Plan as part of the Committee’s evaluation process of Capital Improvement Worksheets and subsequent recommendations to Town Meeting.

NOTE: Original Capital Planning Committee authorized under ATM 1972, Article 19, amended STM December 10, 1973; Capital Improvement Committee By-Law enacted as replacement, June 19, 1995 ATM, Article 18; amended STM October 7, 2002, Article 29. Replaced, Article 30, May 18, 2015 ATM, approved A.G. August 14, 2015.