

RULES AND REGULATIONS FOR ORDERLY CONDUCT OF BUSINESS

DEFINITIONS

Regular Meetings -Scheduled or special meetings with an agenda, where items are reported on and discussed and motions may be made and voted.

Special Meetings -Special meetings for the purpose of reviewing one or more reports, schedules, formats, or proposals, and formulating or amending same but otherwise a “regular meeting.” Special meetings must be publicly announced at least 24 hours in advance of the meeting.

Public Hearing -A meeting or part of a meeting set aside for input by the public at large with regard to a proposed ordinance, report or specific idea, or proposal or project, and warned as a "public hearing".

Informational Meeting -A meeting or part of a meeting for the purpose of dissemination of information to the public at large on a specific proposal, report, idea or project by the Selectboard, staff or consultants conducted by the Selectboard and warned as an "Informational Meeting".

PREAMBLE

The within “Rules and Procedures” are intended to facilitate the orderly conduct of the business of the Town of Essex and specifically to establish an understanding among the members of the Selectboard, staff and the public of the existence of a consistent procedure for agendas and participation in and at meetings of the Selectboard.

It is recognized by these rules and the policy of the Selectboard, that the general welfare of all of the residents or a majority of them is paramount in the resolution of issues and, therefore, the Selectboard will conduct its business in a manner that affords the greatest opportunity for full disclosure of facts pertinent to the issue. To this end, an orderly agenda is necessary. However, public awareness and input through the several methods outlined herein will be sought and encouraged.

It is the intent of the Selectboard to exercise the authority and trust vested in it as a representative body to conduct the affairs of the public, as it deems, on the merit of the information before it, is in the best interest of the Town of Essex and its residents, affording all parties the opportunity to prepare comments upon issues before they are discussed in a public meeting.

PARTICIPATION

1. **Public Meetings** -Regular participation shall include the members of the Selectboard and the Town Manager and staff or consultants whose participation is pertinent to the issues on the agenda. Other individuals shall be included on the agenda in accordance with number 4 below.

2. **Public Hearings** -Public hearings shall be warned and held on specific agenda items and any person wishing to attend and be heard may do so. Anyone wishing to speak may do so only when recognized by the Chair, and shall state their name for the record. All comments shall be germane to the issue and shall be presented in a productive manner without ridicule, or insults and free of tumultuous or threatening remarks or gestures. No member of the audience shall at any public hearing interrogate or poll members of the Selectboard individually or collectively. Minor clarification may be requested and granted at the discretion of the Chair. The Chair may establish procedures for input including, but not limited to, time limits, sign-up sheets, and division of speakers pro and con, except in the latter case provision for rebuttal shall be made.

3. **Informational Meetings** -Informational meetings shall be restricted to the agenda item. The meeting shall begin with a presentation of the item by the Selectboard, the Chair, and a staff member or when appropriate, a consultant. The prime consideration should be to present information to the public through statements, presentation of audio-visual displays and secondly, through response to audience questions. This exchange should be exhausted prior to receiving comments and opinions to assure that everyone is afforded the opportunity to become familiar with the issue. Public comment under the public hearing procedure may then be heard if the Selectboard so votes.

The Selectboard may combine public informational meetings and public hearings in the same call or may hold them separately on a given issue.

4. **Agenda** - Each meeting shall have an agenda listing the time and place, the type of meeting and the items to be discussed or acted on. Items listed on the agenda shall be worded so as to give warning of the scope of the issue and should not be vague, deceptive or overly limiting. Any person may request that a new item be placed on the regular meeting agenda by informing the Town Manager's office by noon on the Wednesday before the agenda is published; exceptions may be permitted for special meetings. This rule shall not apply to old business already acted upon, tabled, or tabled to a specific time without the consent of the Selectboard. Selectboard members may contact the Town Manager's office to add items to the agenda by noon on the Wednesday before the agenda is published; exceptions may be permitted for special meetings. Selectboard members or the Manager may ask for an amended agenda based on new information when delay would not be in the best interest of the Town of Essex. The agenda may be amended by a quorum of the Selectboard.

5. **Absences** -When a Selectboard member is to be absent from a duly warned meeting of the Selectboard, the member should notify the Chair and Manager as soon as is practicable. The Chair and Manager will then determine if a quorum of members will be present at the meeting, and if not, cancel the meeting. A new meeting will be scheduled for such time when a quorum will be present

CONDUCT OF MEETINGS

1. The meeting shall be called to order by the Chair, who shall proceed through the agenda as presented or who shall oversee its change or amendment through an orderly process.

2. All participants shall address the Chair who shall ensure that each participant has the opportunity to be heard without interruption or competing conversations.
3. People wishing to speak shall seek recognition from the Chair by raising their hand or making a similar gesture or other method adopted by the Selectboard. Only the Chair should interrupt the speaker, and only in exercise of the impartial role of Chair. Speakers shall keep statements pertinent to the agenda item being discussed and the Chair shall suppress divergent comments.
4. If necessary to interrupt, a Selectboard member or Manager should:
 - a. Seek permission from the Chair;
 - b. Speakers interrupted may yield or not. In the latter case, the Chair may allow the interruption, in the former case the interrupter will be allowed to speak as provided above.
 - c. Chair may interrupt speaker and recognize interrupter.
 - d. If recognized, interrupter may either:
 - (1) Direct question or brief comment to the Chair;
 - (2) Ask permission to interrogate speaker directly;
 - e. Questions or comments should be brief.
 - f. The Chair shall take responsibility to track developments and assure speaker gets back expeditiously to where the speaker left off.
5. Side conversations shall not be allowed at the table or from the audience. Persons invited to participate should come to the table and participate in the same manner as the Selectboard and Manager.
6. Only the Chair may, at an appropriate time, call for a vote on a motion made and seconded. A member may, however, move the question.
7. The Chair should assure that each person at the table has an opportunity to speak, pass or reserve or speak and reserve. To reserve simply means that the person, while not wishing to speak at that time, reserves the privilege before a vote is taken.
8. The Chair shall alternate the rotation of comments to the extent practical.
9. Board members and all other participants shall welcome a variety of opinions. When disagreements occur, discussion shall remain civil and all viewpoints shall be treated with respect.
10. Members of the body shall not post to social media, respond to email, or similar actions during meetings unless specifically required for the purpose of the meeting (i.e., reaching a staff member or member of the public who is needed during the meeting).

MOTIONS AND VOTES

1. It shall be the responsibility of the Chair to steer each issue to a conclusion. The Chair shall be alert to repetition and at the appropriate time shall ask the body if members are ready to vote, shall entertain motions, or shall invite additional comment.
2. Motions shall not always be necessary on each item, however, if the Selectboard wishes to create policy, give direction, enact, enable, or adopt a proposal, or an ordinance, or anything within its authority, it shall be by motion made and seconded and a recorded vote.
3. The motion before the Selectboard shall be read and the Chair shall assure the body is prepared to vote. Abstentions must be declared before the vote is taken and acknowledged by the Chair. The vote of any member, who fails to declare and have recognized an abstention, shall be recorded as contrary to the motion. In such cases, it shall be so recorded in the minutes without additional comment.
4. Abstentions shall be made only in cases of conflict of interest and the reason therefore shall be stated.
5. Conflict of interest is defined in the Town of Essex Conflict of Interest Policy.
6. Petitions may be accepted and acknowledged. The Selectboard may then place the item on a future agenda for discussion and possible action. When petitions are placed on agendas for regular meetings, a spokesperson may be allowed to speak briefly on behalf of the signers. Further action shall be as deemed appropriate by the Selectboard. The administration, consultants, or others shall not be called upon to respond to a petition without a reasonable opportunity to investigate and prepare a response.
7. All decisions of the Selectboard shall be explicit with the intent that all members, the staff, the Manager and the public shall be able to understand the action from reading the minutes.
8. Any member of the Selectboard may call for point of order on violation of these rules compelling a ruling of the Chair.
9. The parliamentary authority for the conduct of meetings shall be the latest edition of "Robert's Rules of Order, Newly Revised," in all cases where they are applicable and in which they are not inconsistent with these "Rules and Procedures."
10. Cell phones or other electronic, handheld devices shall only be used during meetings for purposes related to the meeting. Phones or devices should either be turned off or placed on a setting that does not utilize an audible ring (such as "silent" or "vibrate").
11. All policies shall be introduced at a Selectboard meeting and acted upon at the next meeting. Policy amendments that are not substantial may be acted upon at the same meeting at which they are introduced.

12. Resolutions may be introduced and adopted at the same Selectboard meeting.
13. The Selectboard must give unanimous consent before proceeding past 11 p.m.

These rules are adopted under the authority of Section 204 of the Charter of the Town of Essex and as such are incumbent upon all persons in attendance. Upon failure to yield to the Chair, any person may be warned and then expelled from the meeting place.

Adopted on September 13, 1984 by the Town of Essex Selectboard. Amended on November 16, 1987; December 7, 2009; April 5, 2010; October 16, 2017; April 16, 2018; April 5, 2021.

Town of Essex Selectboard



Andrew J Watts (Apr 24, 2021 08:13 EDT)

Andrew J. Watts, Chair



Tracey A Delphia (Apr 16, 2021 13:36 EDT)

Tracey Delphia, Clerk



Dawn Hill-fleury (Apr 16, 2021 17:02 EDT)

Dawn Hill-Fleury

Dated: April 5, 2021



Patrick Murray (Apr 24, 2021 13:51 EDT)

Patrick Murray, Vice Chair



Vince Franco (Apr 23, 2021 13:42 EDT)

Vince Franco