

Town of Newcastle
Board of Selectmen Policy
Rules of Procedure and Protocol of Selectmen's Meetings

Preamble: The Town of Newcastle Board of Selectmen is committed to effective governance. To that end it is our desire that all meetings of the Board of Selectmen operate smoothly, in a timely manner and be conducted in a fashion which exhibits and promotes order, collegiality, respect, and civility during the conduct of our public proceedings. Therefore, we do hereby adopt and agree to adhere to the following rules of procedures and protocols which follow.

- 1. Meeting Schedule, Order at Proceedings:** As a general rule the Board will meet as a Board of Selectmen every second and fourth Monday evening of the month, except for when holidays fall on a Monday. The selectmen will meet as a Board of Assessors every first and third Monday evening of the month. The selectmen reserve the right to take up the business of the town when requested by the town administrator or upon a majority vote of the Board at any of these meetings. Unless posted otherwise, the meetings will start at 7 pm at the Taniscot Town Office Building.

As a matter of course the Chairperson will practice and the members of the Board of Selectmen will conform to the Maine Municipal Officers Manual and Roberts Rules of Order during all sessions and meetings.

It shall be the primary responsibility of the Chairperson to open meetings, lead and direct the proceedings, and ensure that decorum and order is maintained at all times. To ensure and allow sufficient comment, discussion and debate among Board members and others in attendance, the Chairperson is responsible for recognizing all who wish to speak. Those wishing to speak will wait to be recognized accordingly. However, to avoid filibustering or repetition of a position expressed by members of the public, the Chair is empowered to move the discourse on to another item on the agenda or call for action if it is deemed appropriate.

- 2. Agenda:** The Town Administrator in consultation with the Chairperson will have broad discretion in establishing the Board's official meeting agenda. Members who wish to introduce an item not anticipated to be on the agenda must make a request of the Chairperson ahead of the meeting or in the alternative make the request at the meeting, which will require a majority vote to happen. The Town Administrator will take steps to ensure that at a minimum the agenda is posted on the town web page, the post office and at the Town Office. In addition, the Town Administrator will prepare binders containing all materials pertinent to the agenda for its distribution to Board members in sufficient advance of meetings for the Board to review.
- 3. Minutes:** All of the Board's proceedings shall be routinely summarized by a person designated as the recording secretary. Copies of these minutes will also be posted on the town web page and a hard copy maintained in the town office files. In the absence of the recording secretary, the Town Administrator will be responsible for the recording of minutes or a designee from the town office.
- 4. Public Discussion:** All Selectmen's meetings are open to the public. The Board of Selectmen as a general rule allow a high degree of input and comment from Newcastle residents and others who desire to come before the Board to make a public statement. At regular meetings the agenda will require the Chairperson to customarily ask if any member of the public wishes to speak on any matter that is not already on the agenda. If a person wishes to speak on matter listed on the agenda they will be asked to wait until that item is discussed, unless the Board agrees by majority vote to take the item out of order. However, we also recognize that there may be instances when it may be entirely appropriate for the Chairperson to open and close the time allotted for discussion from the public to preclude having its own business agenda and discussion limited or take a back seat.
- 5. Financial Reporting:** On a no less than quarterly basis the Town Administrator/Treasurer shall provide the Board of Selectmen with a comprehensive and thorough report on the status of the town's budget revenues and expenditures.

6. Quorum, Majority Rule & Tie Vote: A quorum or the number of board members necessary to constitute a legal meeting and for taking any action is three members. Without such a quorum the Board cannot legally take any action. When a quorum is not present those who are present may be free to informally discuss matters or items, until such time as the board obtains a quorum. A majority of the full board is required when a motion is made on a legally binding matter.

The Town Administrator is accountable to the collective members or the board as one unit. It takes a majority vote of the board to direct the town administrator. No individual board member can impose or demand that their personal wishes be implemented or direct the town administrator to take action inconsistent with a previous decision for which a majority of the board has not voted.

If there is a tie vote or a 2 to 2 vote with one vote in abstention or as a result from an absent member, then the measure before the Board will be considered to have failed. Under such circumstances the Board can, if a majority of the board agrees, resume discussion and subsequently take another vote to try and obtain a compromise or definitive decision.

7. Ethics, Conflict of Interest and Bias: Individual board members have some personal responsibility and duty to be aware and familiar with the applicable state statutes, provisions, and standards governing a legal conflict of interest. However, this board in the interest of pursuing a high degree of integrity, openness, and transparency does further expect that members will go the extra step to avoid even the appearance of a conflict of interest. Whether a member is certain or uncertain about the legal applicability of Chapter 30 A to them on the matter before the board, it is preferred the member still disclose and refrain from the discussion or voting. However, if a member still wishes to be heard on the matter as a member of the general public they can do so by withdrawing from their respective seat at the decision making table and taking a seat in the audience until such matter has been disposed of by the board.

8. E-mail Communication: Selectmen as well as the Town Administrator may use e-mail to coordinate and facilitate meeting schedule and agenda or to advise the membership of an impending absence or emergency condition. Members and the Town Administrator will refrain from generating or responding to e-mails for other purposes that could be construed as discussing a subject that should be in the public domain for discussion.

9. Executive Session: At any time in its proceedings the Board may enter into Executive Session. When doing so the Chairperson if scheduled on the agenda or the member making a new request must state the specific statutory reason along with a brief explanation of the matter to be discussed. When an executive session is proposed for a person or member of the board who is present to protect the reputation of this individual or their right to privacy such as in an employment related matter or a potential conflict of interest, the person whose interest is being protected will be offered the opportunity to have the subject discussed in the open meeting. When this situation arises the Board will use the attaché form to duly record their agreement to waive their right to confidentiality. However, if the person refuses to follow said procedure, the board will not discuss in open proceedings the matters directly concerning them.

Date Approved by Selectmen: June 15, 2009

Ellen McFarland _____

Robert Plourde _____

Pat Hudson _____

Lee Straw _____

Ellen Dickens _____