

Bedford Town Council Rules of Procedure

Dated: April 30, 2008
Amended: April 8, 2009
Amended: March 24, 2010

The purpose of this document is to provide guidelines and protocols in written form that the Town Council members should use as they discharge their duties as Town Councilors. This document is meant to be a living document and should be reviewed each year at the first regularly scheduled meeting taking place after the Town Council Organizational Meeting for the election of officers held in March. The Town Manager will provide new Councilors, upon being sworn in, a copy of the current Council Rules of Procedure. The Town Manager shall incorporate any agreed to changes into the document and forward the updated version to the Town Council members prior to the next regularly scheduled meeting.

This document is broken into five (5) major areas of activities that each Councilor may encounter during the year. In most cases the roles and responsibilities identified for each Councilor in each section are guidelines except where a section in the Town Charter has precedence and then the roles and responsibilities are not guidelines but are per the Town Charter. In any case, the Town Charter is the primary document defining Town Councilor responsibilities; this document is intended to supplement the Town Charter; and when a conflict arises between this document and the Town Charter, the Town Charter is the controlling document.

Town Council Chairman

The role of Town Council Chairman is critical to the successful operation of the Town Council in that he/she must provide the leadership to keep the Town Council on track while building the necessary consensus to ensure it is the Council, not the Chairman that is making the necessary decisions to effectively perform their role per the Town Charter.

As such the Chairman shall:

1. Be the primary interface to the Town Manager.
2. Along with the Town Manager, be the primary interface in order to provide all information to the public on behalf of the Town, i.e represent the Town in stating Town positions to the press, etc.
3. Set the agenda for any meeting of the Town Council.
4. Bring each meeting to order at the appropriate time, call the roll, and insure that a quorum exists so that the Town's business may be done. If a quorum does not exist, postpone the meeting to a future date no later than the next scheduled Town Council meeting. Refer to Town Charter Article 1-3 Town Council.
5. Be in control of each meeting and set a respectful meeting tone and pace.
6. Ask to move to motion when he/she believes there has been enough discussion. The Town Council members may override this request by majority vote.

7. Ensure that the meetings are run professionally and that all participants behave in a civil manner with no personal attacks.
8. Not accept public comment on Board appointments at scheduled Council meetings, either prior to or after said appointment.
9. Be the official head of the Town for all ceremonial purposes or appoint a substitute.
10. Disseminate important information to other Council members either directly or by delegation to the Vice Chairman or Town Manager.

Town Council Meeting Protocol

The role of each Town Councilor at the meeting should be to provide the necessary information that they have, ask the appropriate questions in order to be adequately informed, to obtain such additional information as may be required and then vote in the best interests of the Town on any motion made.

Teleconference Attendance:

1. On an unscheduled/emergency basis (the member's physical presence is not reasonably practical) a Councilor may participate in all aspects of a Council meeting via teleconference (phone or computer) provided a quorum is physically present at the official, noticed location of the meeting; and the member can be heard by all persons attending the meeting, including the public present in the room. It is the responsibility of the caller to be on the line in advance of the time of the meeting; calls received after the meeting has begun may or may not be accepted at the discretion of the Chairman. This allowance is to be permitted only on an infrequent basis. With the exception of personal illness, no more than two successive meetings may be attended in this manner. Any member participating in such fashion shall identify any and all persons present in the location from which the member is participating.
2. Should the Council Chairman attend by teleconferencing, he/she shall appoint the Vice Chairman to conduct the meeting, providing he/she is among the quorum that is physically present. If both are absent from the quorum, the Council Chairman may appoint a quorum member as temporary Chair or postpone the meeting to another date. (If the latter situation is known more than twenty-four hours in advance, the meeting should be postponed.)
3. A Councilor planning an extended (more than three consecutive meetings with teleconferences included) absence must receive the agreement of five (5) remaining Council members in advance of the absence. Should the planned absence be unacceptable to the remaining Council members, the Chairman shall ask the Councilor seeking the absence to resign his/her seat prior to the start of the absence. Should an instance of this nature occur the Chairman shall immediately seek resident volunteers to fill the vacated seat until the next scheduled Town election. The Town Charter shall be followed in appointing a replacement.

The responsibilities of the Town Council:

1. Provide any information and ask any questions they feel are necessary to perform their duties. They should do such in a respectful manner to all in attendance at the meeting.
2. Shall respect the rights of other Town Councilors to do the same and shall await Chair acknowledgement prior to speaking.
3. Shall respect the right of the Chairman to control the tone and pace of each discussion and to call for a motion to be made. Once a motion is made and seconded it may not be withdrawn without the approval of both the maker of the motion and the second. The Chairman has the right to clarify the motion from the notes.
4. If, when discussing a subject, a debate is initiated, a member of the Town Council will allow all other members to speak on the subject prior to speaking again except when clarification of the subject matter by the initiating member would be beneficial to the discussion and/or in the discretion of the Chairman. The objective is to hear all points of view and not have one Councilor dominate the discussion.
5. Provide any necessary information about any Board/Commission they serve on as a voting member/alternate or any other matters that have come to their attention of Town importance.
6. If the Chairman states that a Town Councilor is behaving inappropriately in his opinion, the Councilor shall respect the Chairman's opinion. If not, the Chairman has the right to ask the offending Councilor to leave the meeting.
7. Recognize that a member of the prevailing side must move a vote for reconsideration.
8. These rules may be amended or suspended at any regularly scheduled Council meeting with the affirmative vote of five Councilors.

Punctuality:

1. Councilors are expected to be in chamber and ready to be seated at the call of the Chairman. The Chairman shall announce any known late arrivals during roll call.
2. Should a Councilor find he/she is unexpectedly unable to be in chamber at the scheduled time of the meeting he/she will immediately notify (preferably by phone) the Chairman, Vice Chairman or Town Manager (in order) of the delay and an anticipated time of arrival or an inability to attend. Voice mail is not considered notification.
3. Councilors are expected to advise the Chairman or Town Manager well in advance of any known inability to attend a scheduled meeting.

Annual Organizational Meeting:

The following procedures shall control the organizational meeting of the Town Council following the annual election held in March:

The Organizational Meeting shall be called to order by the incumbent Chairman or Vice Chairman of the Town Council. The incumbent Chairman shall request the Town Clerk (or any other official empowered to swear in the newly elected Council members) to give the Oath of Office. Upon the swearing in of the newly elected Council members, the incumbent Chairman shall then call for the election of the Chairman and Vice Chairman for the new Council year.

Upon the proper elections of the new Chairman and Vice Chairman, the retiring Chairman shall turn the meeting over to the newly elected Chairman for the remainder of the business of the Town Council's Organizational Meeting.

Town Council Interface: Town Manager, Department Heads & the Town Attorney

1. Council members may contact the Town Manager for any information required that is necessary to perform their duties and to contact Department Heads for the same purpose with the permission of the Town Manager. Council members shall recognize the Town Manager's authority to manage Town employees; and Council members shall not separately engage in the direct management or supervision of Town employees.
2. The Town Manager and Chairman of the Town Council are the individuals who are authorized to contact the Town's Attorney to conduct Town business. Other members of the Town Council who wish to contact the Town's Attorney should first contact either the Chairman of the Town Council or in his/her absence, the Vice Chairman or, if more appropriate, the Town Manager first to insure that there has been no duplication or other reason not to make the call.

If the Councilor is denied the ability to contact the Attorney, an appeal may be made to the full Council for authorization.

Town Council interface to Press/other public information groups/BCTV to release information

1. Each Town Council member shall recognize that it is the responsibility of the Town Manager and/or the Council Chairman to speak for and on behalf of the Town. Any Council member may speak on behalf of the town on a specific subject as long as they get permission from the Town Council Chairman.
2. That being said, each Council member has the right to speak for/on their own behalf as long as they clearly identify that is the case in any communications that are intended to be released to the public.

Board/Commission member appointment protocol:

1. In January of each year, the Town Manager and Executive Assistant will review the list of all Board, Commission and Committee appointments that the Council must make that year. The list will include all the years of expiration.
2. A list of all vacancies will be compiled and sent to the Council for their review along with a summary of the attendance records of each Board. At the same time, the Manager will prepare a letter for each of the terms that are about to expire asking the incumbent if they wish to be reappointed by the Council. (This letter does in no way guarantee that the Council will automatically approve the re-appointment.) The responses from the incumbents are due back to the Manager's Office no later than March 1.
3. In mid February, the Town Manager will prepare a Press Release with a description of each Board, Commission and Committee, along with the number of vacancies. This release will be sent to our three local papers, posted on the WEB page and BCTV, along with a formal advertisement. Deadline for these letters of interest and recommended Application for Appointment should be sent to the Town Manager's Office no later than March 1.
4. No later than the last meeting of the prior term, a sub-committee made up of Councilors whose terms are not up for re-election shall be charged with scheduling interviews with the prospective Board appointees the week of the town elections. That sub-committee will encourage newly elected members to participate in the interview process following their election.
5. Following the interviews, the Council should be prepared to make the formal appointments at the Council's Organizational meeting in March. [It has been the Council's policy not to appoint individuals to more than one Board or Commission at any one time]
6. After the appointments are made, the Town Manager and Executive Assistant will send formal letters of appointment to each of the appointed members.
7. All new appointed members will sit at the first meeting of their respective Board once they've been officially sworn in.

A file of all members of the various Boards and Commissions shall be kept in the Town Manager's office, and if there is no information on file, that a brief application of appointment be completed of all Board or Commission members.

Date of Town Council Approval: April 30, 2008

Date of Town Council Amendment: April 8, 2009

Date of Town Council Amendment: March 24, 2010

Charter Provision:

1-3-16 Board Procedures

Except as expressly prohibited by state law, the Council shall adopt rules of attendance and forfeiture of office for all town appointed boards and commissions.

Adopted by the Town Council: April 14, 2010

Attendance at meetings of all Boards and Commissions:

The Town Council has adopted a formal Attendance Policy, applicable to all Town Boards and Commissions. In the past the policy has been expressed differently to members of Boards and Commissions depending on the position an individual held and depending on the appointment to either a regular or alternate position.

The Council has determined the need for **all** members to be of regular attendance regardless of their voting status at the meetings. There will be times that require an alternate member to fill in for a regular member and to cast a vote. By requiring regular attendance all members shall be able to cast their vote based on a well informed decision.

This not to say that members cannot miss a meeting, it is stating, that members should be actively involved in the Board or Commission that they requested to be appointed to.

Any member unable to attend a meeting for any reason must notify the Chairperson of that Board or Commission to receive an excused absence. Unexcused absences shall be treated in the same manner as unexcused absences on the Town Council (see below) per Town of Bedford Charter. Board and Commission unexcused absences will be referred to the Council along with the Board/Commission Chairman's recommendation for continuation or dismissal. The Council's determination will be provided to the member in writing. (This is a means of applying the Charter to Boards and Commissions.)

1-3-4

A majority of the Council may after investigation and hearing ***declare a vacancy if a member has missed three (3) regularly scheduled meetings in sequence without leave of the Council; has missed one-third (1/3) of all meetings within a calendar year without leave of the Council;*** has Interfered with administration, falsified records, misapplied town funds or property; or is guilty of public conduct the result of which would bring loss of respect for the Council or the Town of Bedford.