

# Bedford Town Council Rules of Procedure

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 Chairperson

The role of Town Council Chairperson 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 Chair that is making the necessary decisions to effectively perform their role per the Town Charter.

As such the Chairperson 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 Chairperson 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 not be accepted at the discretion of the Chairperson.

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 Chairperson attend by teleconferencing, he/she shall appoint the Vice Chairperson to conduct the meeting, providing he/she is among the quorum that is physically present. If both are absent from the quorum, the Council Chairperson 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 Chairperson 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 Chairperson 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 each Town Councilor:**

1. Each Councilor is expected to be prepared, to the extent possible, prior to the start of a Council meeting.
2. 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.
3. Shall respect the rights of other Town Councilors to do the same and shall await Chair acknowledgement prior to speaking.
4. Shall respect the right of the Chairperson 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 Chairperson has the right to clarify the motion from the notes.

5. 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 Chairperson. The objective is to hear all points of view and not have one Councilor dominate the discussion.
6. 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.
7. If the Chairperson states that a Town Councilor is behaving inappropriately in his opinion, the Councilor shall respect the Chairperson's opinion. If not, the Chairperson has the right to ask the offending Councilor to leave the meeting.
8. Recognize that a member of the prevailing side must move a vote for reconsideration. The request for reconsideration of a decision must happen no later than at the next regular Council meeting. [amended 6-13-18]
9. The Town Council may refer to or cite any correspondence received by the Town Council (e.g., letters, or E-mail) into the record of any Town Council meeting. The Town Council shall not permit a member of the public to read any correspondence or documents into the record, unless the person (or authorized representative of the organization submitting the correspondence or document) who signed the correspondence or submitted the document is present at the meeting. A person may, however, submit a document not of their own to the Town Manager or a Town Councilor for the Town Council's consideration; however, such submission of a document shall neither constitute, or be construed as, acceptance by the Town Manager, Town Councilor or the Town Council of any of the facts or opinions expressed in the document. [Town Council amended 9-28-16]
10. 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 Chairperson. The Chairperson 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 Chairperson, Vice Chairperson 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 Chairperson or Town Manager well in advance of any known inability to attend a scheduled meeting.

#### Expenditures from Capital Reserve Accounts:

Following a public hearing, the Town Council, as authorized agent pursuant to Article 7 of the 2004 Budgetary Town Meeting, by an affirmative vote of five (5) Councilors may approve the expenditure of funds from capital reserve accounts maintained by the Trustees of the Trust Funds for the purpose for which the capital reserve accounts were created.

### **Annual Organizational Meeting:**

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

1. The Organizational Meeting shall be called to order by the incumbent Chairperson or Vice Chairperson of the Town Council. The incumbent Chairperson, if not just re-elected, 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 Chairperson shall then call for the election of the Chairperson and Vice Chairperson for the new Council year.
2. Upon the proper elections of the new Chairperson and Vice Chairperson, the retiring Chairperson shall turn the meeting over to the newly elected Chair for the remainder of the business of the Town Council's Organizational Meeting.
3. Chairperson and Vice Chairperson's term of office: The Council limits the term of the Chairperson to not more than two consecutive years. The Council limits the term of the Vice Chairperson to not more than two consecutive years.
4. The new Chairperson shall assign Councilors to serve on Boards, Commissions and Committees for a term of one (1) year. In accepting Councilor assignments, Councilors agree that their assignments shall terminate upon the commencement of the Organizational Meeting in the following calendar year. Such termination of appointments shall be by operation of State statute or the Town Charter where so provided, and otherwise by resignation effective upon the commencement of the Organizational Meeting in the following calendar year.
5. The Town Council may take up business and other agenda items at its Organizational meeting.

### **Departing Councilor Recognition Policy:**

When a vacancy occurs on the Town Council, whether by reaching the end of a term and not seeking re-election, not being re-elected or a resignation, the following recognition policy will be followed:

1. Councilor having served less than a full 3-year term: Framed Certificate of Appreciation.
2. Councilor having served 1-2 full terms: Engraved Plaque.
3. Councilor having served 3 or more terms: Town Chair and plaque.
4. Councilor having served 1 or more full terms and having served one or more years as Chairperson: An engraved plaque with gavel.
5. Chairperson at the end of each year as Chair: A small Chair plaque.

### **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 Chairperson 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 Chairperson of the Town Council or in his/her absence, the Vice Chairperson 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 Chairperson 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 Chairperson.
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. (See the Town Council Media Policy)

### **Board/Commission member appointment protocol:**

1. In February 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 the attendance records of each Board. At the same time, the Manager and Executive Assistant will email each incumbent member whose term is expiring asking them if they wish to be reappointed by the Council. (This 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 the 1<sup>st</sup> week of March.
3. In mid-February, the Town Manager and Executive Assistant 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 local papers, posted on the website, BCTV, and social media along with a formal advertisement indicating the application deadline. Applications for Appointment should be sent to the Town Manager's Office no later than the 2<sup>nd</sup> Tuesday of March.
4. The Town Council shall interview interested applicants at their 1<sup>st</sup> meeting in April with additional interviews being held the 2<sup>nd</sup> meeting in April if needed.
5. The Town Council should neither consider nor act upon public input (email, calls, etc.) critical of or on behalf of any new or incumbent applicant or their assignment during or after the interview process or prior to formal Council approval and appointments are announced.
6. Following the interviews, the Council should be prepared to make the formal appointments at the Council's 2<sup>nd</sup> meeting in April with an effective date of May 1<sup>st</sup>. [It has been the Council's policy not to appoint individuals to more than one legislative or quasi-judicial Board, Commission or Committee at any one time. In addition to the appointment of Councilors to Boards, Commissions or Committees as provided above and/or by the Town Charter, the Council may appoint other elected Town officials to

a Board, Commission or Committee position; however, in evaluating the appropriateness of such appointment, the Council shall consider potential conflicts of interest that may result from the appointment and whether the appointment potentially would diminish the effectiveness of the Board, Commission or Committee.]

7. After the appointments are made, the Town Manager and Executive Assistant will notify those newly appointed members of their appointment and shall also inform them that they must contact the Town Clerk to get sworn in as soon as possible in order to have voting rights on their perspective Board.
8. All newly appointed members will sit at the 1<sup>st</sup> meeting of their respective Board, however, they will not be a voting member until they've been officially sworn in.
9. The Council may conduct interviews and make appointments during the year if vacancies occur.

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, then a brief application of appointment shall be completed by all Board or Commission members.

**Election Attendance:**

Councilors are required to attend Elections in their capacity as Election officials or to appoint an Election official pro tem to serve in their place.

- Town Council Approval: April 30, 2008
- Town Council Amended: April 8, 2009, March 24, 2010, April 13, 2011
- Town Council Re-affirmed: March 28, 2012
- Town Council Amended: March 27, 2013
- Town Council Amended: March 26, 2014
- Town Council Amended: April 8, 2015
- Town Council Amended: March 14, 2016
- Town Council Amended: September 28, 2016
- Town Council Amended: April 19, 2017
- Town Council Reaffirmed: April 4, 2018
- Town Council Amended: June 12, 2019
- Town Council Amended: April 28, 2021

## APPENDIX

- Town Council Recognition Policy for Departing Board/Commission/Committee Appointees
- Volunteer Recognition program
- Board Procedures - Attendance at meetings of all Boards and Commissions

### **Town Council Recognition Policy for Retiring Board/Commission/Committee Appointees**

**PURPOSE:** The Council recognizes the importance of Town Boards / Commissions / Committees (hereafter referred as “Boards”) in serving the Town and its residents. Town Boards are comprised of residents who volunteer their time and capabilities. Volunteers deserve recognition for their community service as follows:

1. Member having served less than two full terms: Framed Certificate of Appreciation signed by the Town Council Chairman.
2. Member having served two or more full terms: Engraved plaque.
3. Member having served two or more full terms and having served at least one full year as Chairperson: Engraved plaque with gavel.

Presentations will normally take place during a town council meeting.

### **Volunteer Recognition Program**

Eligibility: Volunteers on the Town of Bedford Boards, Commissions, and Committees to include chairs

Frequency: Annually

Criteria: Exceptional performance and leadership manifested by increased benefit to the Bedford community

Nomination Procedures: Each Board, Commission, and Committee will provide Town Council (TC) their nomination (or “No nomination this year” response) using procedures deemed most suited to their particular and specific responsibilities. Nomination packages will be passed to a TC subcommittee each May to allow adequate consideration leading to a final selection by the TC.

Nomination Packages: Justification should include what benefit the town has realized to include any specific examples such as effectiveness, efficiencies, or cost savings.

Selection Process: The TC subcommittee will use the nomination packages as the sole source for determining the recommendation to the TC. The TC as a whole will then determine the winner based on a majority vote. The winner will be announced during the first June TC meeting.

Recognition: The winner will be presented a Letter of Recognition (or other TC selected recognition) by the TC Chair and be the subject of an article submitted to local papers.

## 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 in 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. Exception: Alternate members of Boards and Commissions that are Councilors are not required to attend those meetings.

This is 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.)

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.

Town Council Amended: April 8, 2015  
Town Council Amended: March 14, 2016  
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