

Town of New Gloucester



Bylaws for Boards and Committees

Adopted: August 6, 2008
Revised: November 49 2019
Revised: August 1, 2022
Revised: October 11, 2023
Approved: November 6, 2023

Town of New Gloucester

Bylaws for Boards and Committees

Section 1. Purpose and Scope

The purpose of these bylaws is to establish reasonable rules of procedure for the Select Board and all Board and Committee meetings, including Ad Hoc Committees, and to promote the fair, orderly, and efficient conduct of the proceedings and affairs. These bylaws shall govern practices and procedures except as otherwise provided by the New Gloucester Charter, State Statute, or town ordinances, and shall be liberally construed so as to accomplish their purpose.

Section 2. Officers

Boards and Committees shall consist of a Chair and Vice-Chair. The choice for Chair and Vice-Chair shall occur annually at the first meeting of the new fiscal year by members present, unless otherwise provided by Charter, or State Statute. The Select Board shall choose the Chair and Vice-Chair at the first meeting in June, post-election.

The Chair shall preside at all meetings and shall have authority to rule on questions of evidence and procedure, to maintain order and determine the course of proceedings, and to take such other action as may be necessary and not inconsistent with these bylaws or other law to enable the Board and/or Committee to perform its duties and conduct its affairs. In the absence of the Chair the Vice-Chair shall execute all of the duties of the Chair.

Section 3. Meetings

Regular Meetings of the Select Board shall be held at every 1st and 3rd Monday, or as warranted. Regular meetings of Boards and Committees shall be held as required by Charter, State Statute, or town ordinances, or as needed to complete necessary business. Boards and Committees shall be consistent with meeting days and times each month. (Please see Appendix C for a schedule of such.)

Special meetings of the Select Board or any Board or Committee may be called at the discretion of the Chair or upon the request of a majority of the membership. Notice shall be given to each member and to representatives of the press at least 48-hours in advance. Special meetings are defined as meetings that are unscheduled and are non-emergency.

Emergency meetings may be called in the same manor, with as little as 4 hours of notice. Emergency meetings shall be held for only true emergent topics. No additional items may be added to the agenda. Emergency meetings are defined as a meeting to address situations that call for immediate action and cannot wait until a scheduled regular meeting. Notice of all regular meetings shall be given at least 3 days in advance or as required by Charter, or State Statute.

These meetings shall be open to the public except as otherwise provided by State Statute. All meetings shall be held in a public facility, accessible to the public, and recorded for broadcast, if feasible. Meetings shall be conducted at a time of day convenient for all Board or Committee members (including Select Board Liaison and assigned staff), volunteers, and the public.

All regularly schedule meetings are to be held on town property; [*town owned property*] with a notification at least 2 weeks in advance of the scheduled event. All offsite meetings must be approved by the Select Board.

The Board or Committee Chair shall reserve the appropriate space for the meeting through the deputy clerk or appropriate person.

No meetings shall be held on a private zoom account.

No business may be conducted by any Board or Committee except at a duly called and noticed meeting. A quorum consisting of a majority of the appointed or elected Board or Committee members with voting rights must be present. *For example, if a Board or Committee has a total of 9 open seats, and only 7 are appointed, Quorum is based on the 7 appointed members; thus 4 is Quorum.*

The Select Board may hold workshops outside of scheduled meetings to work on projects. Although open to the public, no member of the public will have an opportunity to speak. Workshop announcements shall be conducted in the same manner as a regular or special meeting. There shall be no votes taken at any workshop.

Boards and Committees may hold workshops occasionally to better educate members or to have the ability to better understand subject matter that will be presented before them in the future.

Workshops may or may not be televised depending on subject matter and consensus of the Board or Committee.

Section 4. Agenda

For Select Board meetings, the Chair shall, in conjunction with the Vice-Chair and Town Manager, draft an agenda and share with the complete Board generally one week before the meeting. Any Select Board Member shall be able to have an item placed on the agenda. The request shall be made to the Chair by the deadline established.

For other Boards and Committee meetings, the Chair shall, together with staff, set the agenda for each meeting.

All agendas must be submitted to the deputy clerk to be posted for the public at least 3 days before the meeting.

Agenda items may be added to any regular scheduled or special Board or Committee meeting by a majority vote.

No agenda items may be added at any emergency board or committee meeting. Only items on the posted agenda may be discussed.

The Select Board reserves the right to limit or direct the scope of any agenda of a Board or Committee with the exception of Planning Board, Board of Appeals, and Foreclosure Committee.

An Agenda shall contain the following items at a minimum:

- Call to Order and Attendance
- Pledge of Allegiance
- Adjustments to the Agenda
- Public Comment or Citizens Hearings
- Updates / Reports
- Old Business o New Business
- Schedule Next Meeting
- Adjourn

Section 5. Procedure

All Boards and Committees will conduct meetings following Roberts Rules of Order. The only exception is agenda items may be discussed before a motion is made.

No business may be conducted by any Board or Committee except at a duly called and noticed meeting. A quorum consisting of a majority of the appointed or elected Board or Committee members must be present.

All Select Board motions must receive at least 3 votes in the affirmative to pass. All other Boards and Committees' motions will be considered passed if a quorum has been met, and a majority of the votes cast, are in the affirmative.

Written minutes shall be the official record of all Boards and Committees. At a minimum, they shall include attendance and all motions made and a record of votes.

Minutes should be approved at the next regular meeting and within 3 days, be emailed to the deputy clerk to post to the public.

Section 6. Public Comment

Any individual who wishes to address the Board or Committee may do so during public comment. Any individual may do so for a reasonable time, typically not to exceed three minutes. Each person who addresses the Board or Committee shall step to the speaker's podium, if available, and state their name and road or street name for the record. To facilitate the Board or Committees' work, the Chair may extend or limit the time an individual may speak on a given topic. If an individual reads from a prepared statement, copies of the statement shall be given to the Select Board and the recorder for inclusion in the official public record. In order to permit full and clear communication and open exchange, Board members and town officials may respond to the speaker answering general questions, if the information is available. If the information is not available at the time of public comment, then it will be provided at the next meeting. Board members shall refrain from back-and-forth dialogue during public comment period.

Prearranged guest speakers shall be allowed to speak following public comment.

Public comment at a meeting cannot be used for personal attacks against a Board or Committee member, an employee, or other members of the public. The Board or Committee Chair has the responsibility to immediately end any public comment that is not legal, ethical, or violates these bylaws.

If a resident cannot attend a Select Board meeting and wishes to have a letter read at the meeting they may do so. By 10:00 am on the day of the meeting, a letter must be received by the Town Manager via email or dropped off at the town office. The letter must clearly state the request to be read at the meeting. After public comment, letters will then be read into the record.

Planning Board and Board of Appeals operate based on State Statute (*30 M.R.S.A §4301 & 30 M.R.S.A §269I*), and will use a "Public Hearing" due to its judiciary responsibilities.

No letters of recommendation, for an upcoming appointed candidate will be publicly read. Residents may send recommendation letters directly to board members.

Section 7. Participation and Voting

Members of Boards and Committees are subject to the provisions of the Town of New Gloucester Code of Ethics Policy. No member may take part or vote in any matter in which the member has a conflict of interest or other disqualification as defined by Charter, or State Statute. Members are responsible for disclosing any conflict of interest and must recuse themselves from any pertinent discussions or decisions. Any question of whether a member has such a conflict of interest or other disqualification shall be decided by majority vote of the remaining members.

Liaisons cannot be voting members of Boards and Committees unless as defined by Charter, State Statute, or town ordinances.

All members who are present and not disqualified as provided herein or under the Code of Ethics Policy shall vote and participate in every matter to be voted upon. Any member abstaining shall note the reason for the record.

Members shall not represent the committee as a whole when speaking publicly without prior authorization from the Board or Committee itself. When speaking with any media outlets, approval must come from the Select Board, through the Select Board Liaison.

All board and committee members are subject to FOAA rules and regulations.

Section 8. Attendance

All persons appointed or elected to a Board or Committee shall be expected to attend regularly scheduled meetings and actively participate. Excused absences are for illness, family emergency, pre-planned vacation, weddings, graduations, funerals, and non-scheduled work shifts only. Excused absences reported to the Board or Committee chairperson prior to a regularly scheduled meeting shall be approved with a vote of the Board or Committee. If a member is going to be absent, they shall notify the Chair as soon as possible. Three unexcused absences or missing more than 25% of annual meetings may be cause for removal by the Select Board. Each Board or Committee Chair shall alert the Chair of the Select Board of a members' consistent absence. Due process shall be followed by the Select Board in consideration of a pending removal from a Board or Committee. A majority vote by the Select Board shall be required to cause the removal of an appointed member of a Board or Committee. (Please see appendix B for application and additional provisions.)

Removal of Planning Board and Board of Appeals member operate based on Charter, (Article IX Section 9.2).

Section 9. Hearings

All necessary hearings for any Boards or Committees will be held according to Charter, State Statute, town ordinances, or Personnel Policy.

Section 10. Membership

The Select Board's composition will be defined at a town vote.

Total membership on Boards and Committees shall be up to seven (7) unless determined different by Charter, State Statute, or town ordinances or the Committee or Board charge. Terms will be staggered three (3) years each. Appointments to Boards and Committees will be conducted at the first Select Board meeting in June or as openings may occur.

Those applying or reapplying for an open position shall complete an application. Those reapplying for appointment shall be held to the same application standards as possible new appointees.

All residents of the Town of New Gloucester shall be eligible to serve on a Board or Committee unless determined differently by Charter, State Statute, or town ordinances.

Students in grades 9-12 may be appointed to Boards and Committees as non-voting members, as allowed by Charter, State Statute, or town ordinances. Minors must have written parental permission/waiver to serve.

Section 11. Committee Finance Procedure

All committees who use tax payer dollars, will fill out a 'Purchase Order Form'¹ and submit it to the Town Manager for approval. Purchase Order Forms that are filled out will be placed with the Warrants. No money is to be released until the Warrant is signed in accordance with current practice; 3 signatures from the Select Board.

Section 12. Conflict with Charter & State Statute

Any conflict or inconsistency between these bylaws, and any applicable Charter, or State Statute shall be resolved in favor of the, Charter and State Statute.

Section 13. Cell Phone Use

During public meetings, all Board or Committee members and staff that are present, will either turn their cell phones off or place them on silent mode.

Any person receiving a call or text message shall be expected to excuse themselves from the meeting and to conduct their conversation or text outside of the meeting area so as to not disrupt the meeting.

Board and Committee Chairs have the right to ask members of the public receiving a call or text message to exit the meeting and conduct their business outside so as not to further disrupt the official business of the Board or Committee.

¹ The 'Purchase Order Form' stands as a new document as of 2023. It should state the amount required for purchasing, what the current account balance is, and how much has already been spent. The Manager will sign off on these requests, and if the Manager has any questions and needs a review, it will be brought before the Select Board as an agenda item for the next subsequent meeting. As part of the agenda, the Board will discuss and either "bless" its release of funds, or consider additional action. The intent is to know if a committee is staying within their budget.

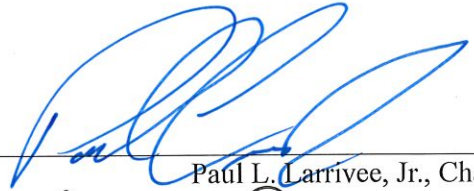
Section 14. Waivers and Amendments

These bylaws may be amended at any time in writing by majority vote of the Select Board after notice and official vote on the proposed amendment.

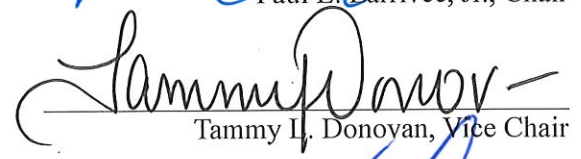
- APPENDIX A: Liaison Policy
- APPENDIX B: Board and Committee Application
- APPENDIX C: Schedule of Boards and Committees

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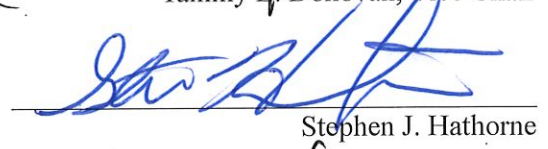
Signed and approved by the Select Board on November 6th 2023:



Paul L. Larrivee, Jr., Chair



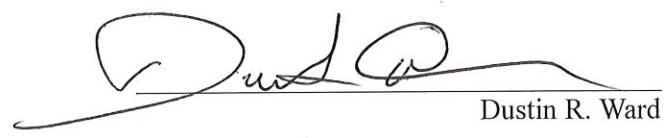
Tammy L. Donovan, Vice Chair



Stephen J. Hathorne



Colleen D. Strickler



Dustin R. Ward