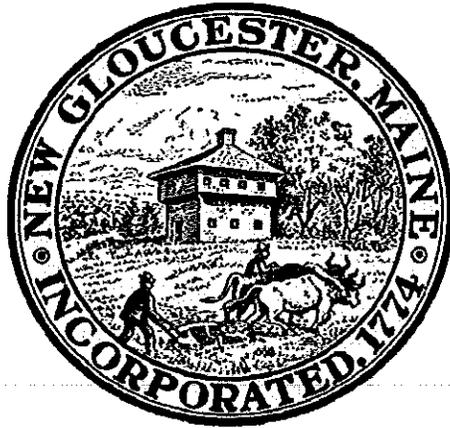


# Town of New Gloucester



## Bylaws for Boards and Committees

Adopted: August 6, 2008  
Revised: November 4, 2019

# 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 Board and Committee meetings 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 law and shall be liberally construed so as to accomplish their purpose.

### **Section 2. Duties**

Boards and Committees shall consist of a Chair and Vice-Chair, to be chosen annually at the first regular meeting in each year by and from among members unless otherwise provided by law. The Chair or Vice Chair (in the Chair's absence) 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.

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For Select Board meetings, the Chair shall, in conjunction with the Vice-Chair and/or appointed staff member, set the agenda for each meeting. Other members of the Board and Committee may request and have an item placed on the agenda by making a request to the Chair or Vice Chair prior to the scheduled posting requirement.

For other Boards and Committee meetings, the Chair shall, together with the appointed staff member or Select Board Liaison, set the agenda for each meeting. In the absence of the Chair, the Vice-Chair shall preside and shall have the same authority as the Chair.

### **Section 3. Meetings**

Regular meetings of Boards and Committees shall be held per the following intervals or as otherwise necessary or required by law. Special meetings may be called at the discretion of the Chair or upon the request of a majority of the membership, provided, however, that notice thereof shall be given to each member and to representatives of the press at least 12 hours in advance and that no business may be conducted other than as specified in said notice.

- Budget Committee – January/February
- Cable TV Committee – quarterly
- Candidates/Referendum Issues Committee – as necessary
- CIP Committee – December/January
- Community Fair Committee – monthly
- Economic Development Committee – monthly
- Environmental Resources Committee - monthly
- Land Management Planning Committee – monthly
- Library Board of Trustees – even months

Parks and Recreation Committee - monthly  
Planning Board – monthly  
Public Safety – monthly  
Select Board – first and third Monday of each month

Notice of all meetings shall be given as required by law, and all such meetings shall be open to the public except as otherwise provided by law. All agenda must be submitted to webmaster to meet posting requirements. All approved minutes must be submitted to webmaster within five (5) business days of approval.

All meetings shall be held in a public facility, preferably Town owned, and recorded for broadcast by NGTV if possible. 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.

No business may be conducted by the Board or Committee except at a duly called and noticed meeting or without a quorum consisting of a majority of the Board or Committee being present. The order of business at regular meetings shall be as follows:

- Call to Order and Attendance
- Pledge of Allegiance
- Schedule Next Meeting
- Public Comment
- Old Business
- New Business
- Adjourn

#### **Section 4. Public Comment**

Any individual who wishes to address the convened Board or Committee may do so during Public Comment. Any individual who wishes to address the Select Board may do so for a reasonable time, typically not to exceed three minutes, during Public Comment. Each person who addresses the Select Board shall step to the speaker's podium and give his/her name and address for the record. The Select Board may also invite guests to speak. To facilitate the Board's 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 speaker and answer questions at a future meeting.

Public comment is also welcomed at all other Board and Committee meetings, and guests may be invited to speak. Each person who addresses the Select Board shall step to the speaker's podium and give his/her name and address for the record. Board and Committee Chairs retain discretion to extend or limit speaker's time as appropriate to facilitate the work of the board or committee. In order to permit full and clear communication and open exchange, members may respond to speakers and answer questions.

Public Comment of 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.

### **Section 5. Hearings**

Public hearings of the Board or Committee shall be called as required by law or on such other occasions; as a majority of the board or committee members may deem appropriate. Notice of all such hearings shall be given as required by law and shall include the date, time and place of the hearing and a general description of the subject matter.

The Chair shall convene all hearings by describing the purpose of the hearing and the general procedures to be followed. Formal rules of evidence shall not apply. The Board or Committee may receive any oral or documentary evidence presented, but the Chair shall exclude irrelevant, immaterial or unduly repetitious evidence. Every party shall have the right to present its case, without interruption, in the order determined by the Chair, provided, however, that the Chair may impose such reasonable time limits as may be necessary to ensure that all parties have an adequate opportunity to be heard. In any adjudicatory proceeding, including proceedings on licenses, permits or other approvals, every party shall also have the right to submit rebuttal evidence and to conduct cross-examination of any other party through the Chair, subject to the Chair's authority impose reasonable limitations as may be necessary to prevent an abuse of process.

### **Section 6. Participation and Voting**

Any formal action of the Board or Committee shall require the affirmative vote of a majority of its membership unless otherwise provided by law.

Members of Boards and Committees are subject to the provisions of the Town of New Gloucester Code of Ethics Policy. No member may participate or vote in any matter in which the member has a conflict of interest or other disqualification as defined by law. Members are responsible for disclosing any conflict of interest and must recuse themselves from any pertinent discussion of 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.

All members who are present and not disqualified as provided herein or under the Code of Ethics Policy shall vote and participate in in every matter to be voted upon unless excused by the Chair for good cause shown.

No member may participate or vote in any adjudicatory proceeding (Board of Appeals, Planning Board), including proceedings on licenses, permits or other approvals, unless the member was present during all hearings thereon.

### **Section 7. Decisions**

All decisions of the Board or Committee shall be made within the time limits, if any,

established by law. All final decisions shall be in writing, shall become a part of the Board's permanent record, and shall, where required by law, include a statement of findings and conclusions and the reasons or basis therefor. All such decisions, together with any tape recording, sound or video recording, or transcript of testimony and deliberations and any documents and exhibits offered to the Board or Committee, shall constitute the record of the proceedings and shall be a public record, except as otherwise provided by law.

Notice of any decision, if required, shall be given as prescribed by law.

The Planning Board and Board of Appeals may reconsider any decision that is brought before them through the prescribed method as laid out in the Town of New Gloucester Zoning Ordinance.

The Board or Committee may reconsider any decision at the same meeting or at a subsequent meeting within 30 days of its original decision, provided, however, that both a vote to reconsider and any action taken pursuant thereto shall occur and be completed within said 30 days. Notice of any reconsideration shall be given to any party thereto a reasonable time in advance of the reconsideration. The Board may conduct additional hearings and receive additional evidence and testimony as provided herein.

#### **Section 8. Conflict with Laws**

Any conflict or inconsistency between these bylaws and any applicable law shall be resolved in favor of the law.

#### **Section 9. Cell Phone Use**

During public meetings, 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.

#### **Section 10. Waivers; Amendments**

These bylaws, or any provision thereof, may be waived on any occasion by majority vote of the Board or Committee unless otherwise provided by law. 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.

This policy supersedes and replaces the Town of New Gloucester Cell Phone Use Policy.

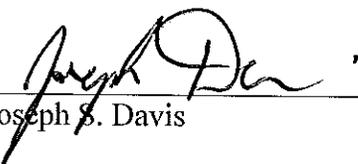
This policy supersedes and replaces the Town of New Gloucester Cell Phone Use Policy.

Signed and approved by the Board of Selectmen on NOVEMBER 4, 2019.

  
Linda D. Chase, Chair

  
Karen L. Gilles, Vice-Chair

  
George W. Colby

  
Joseph S. Davis

  
Tammy L. Donovan