

TOWN OF BLOOMFIELD

POLICY MEMORANDUM

SUBJECT: Town Council of Bloomfield Rules of Procedure NO: 110.05
DATE: 6/21//2016
AMENDED: July 11, 2012
DISTRIBUTION: Town Council APPROVED: September 12, 2016
AMENDED: April 9, 2018
AMENDED: September 29, 2020

I. PURPOSE

The purpose of this policy is to establish a formal Rules of Procedure for Town Council meetings.

II. RESPONSIBILITY

Town Council Members
Town Manager
Clerk of Council

III. PROCEDURE

All Town Council meetings shall use the following Rules of Procedure when holding a meeting:

A. ORGANIZATIONAL MEETING:

The Council shall meet on the call of the Town Manager within two weeks after election. The Council shall elect a Chair whose title designation shall be Mayor, a Vice Chair whose title designation shall be Deputy Mayor, and such other offices as it may determine necessary to serve for the ensuing period until the next local election.

B. REGULAR MEETINGS:

Regular meetings of the Council shall be held in the Town Hall beginning at 7:30 p.m. on the second and the fourth Mondays of each month unless otherwise determined by the Council. In the event that said Mondays fall on a State or Federal holiday, meetings shall be held on the following Tuesdays.

C. SPECIAL MEETINGS:

Special meetings of the Council may be called by the Mayor or by not less than three members of the Council. Notice of a special meeting shall be given not less than forty-eight hours prior to the time of such meeting, not including Saturdays, Sundays and holidays, by filing a notice of the time and place thereof in the office of the Town Clerk. Any such notice received under this section shall be posted inside the office of the Town Clerk and be posted on the meeting board located outside of the Town Clerk's office, as well as on the Town's Web Site. The requirement that such notice be given not less than forty-eight hours prior to the meeting may be waived, in case of an emergency, by the Mayor or not less than three members of the Council, who shall state in such notice the specific nature of such emergency which would preclude the giving of such forty-eight hours' notice. The notice shall specify the date, time, and place of the special meeting and business to be transacted. No other business shall be considered at such meeting. In addition, at least forty-eight hours prior to the time of such meeting, written notice shall be delivered to the usual place of abode of each member of the Council and the Town Manager so that such is received prior to such special meeting,

unless the forty-eight hour notice is waived as set forth above. This notice may be delivered by either hand-delivery or electronic delivery. If delivered by electronic delivery, telephone calls shall be made to each member of the Council and the Town Manager by the Clerk of the Council that such a special meeting has been set. The requirement of delivery of any such notice may be dispensed with as to any member of the Council who is actually present at the meeting at the time it convenes.

The Clerk of the Council shall certify upon the original copy of the notice filed with the records of the Council by whom the meeting was called and the manner in which the notice was delivered to the members of the Council and the Town Manager.

D. PUBLIC MEETINGS:

No ordinance or resolution shall be adopted, no appointment or removal of members of any permanent board, agency, or committee shall be made, nor commission appointed except in a meeting of the Council open to the public. The same process shall be followed for the creation or dissolution of any such entity itself. Recommendations for appointment or removal of permanent committee members or creation or dissolution of such committees shall come from the Committee on Committees for approval by the Council. Any mayoral appointment or removal shall be made known publicly at the next meeting of the Council presided over by the Mayor.

At least one public hearing, five days' notice of which shall be given by publication in a daily or weekly newspaper having a circulation in the Town and by posting at the Town Hall and on the Town Website, shall be held by the Council before any ordinance shall be passed.

E. QUORUM:

The presence of a majority of the members of the Council shall constitute a quorum, but no ordinance, resolution or vote, except a vote to adjourn or to fix the time and place of the next meeting of the Council shall be adopted by less than five affirmative votes.

F. THE MAYOR:

The Mayor shall preside at all meetings. The Mayor shall preserve order and decorum. The Mayor shall determine the seating arrangement of Town Council members for all regular and special meetings. The Mayor shall decide all questions or orders, without debate except at the Mayor's request. The Mayor may speak and vote on all questions. The Mayor shall be an ex-officio member of all Council sub-committees without the right to vote, except for those sub-committees to which the Mayor is appointed as a member.

In the absence of the Mayor for whatever cause arising, the Deputy Mayor shall act as Mayor and as such, shall have all the powers and duties of the office of the Mayor.

In addition, if neither the Mayor nor the Deputy Mayor are available to preside at a Council meeting, a majority of the Council members present shall elect one of themselves to preside over the meeting. This presiding councilor shall only have the power to preside over that one meeting, shall preserve order and decorum, and shall decide all questions or orders without debate, except as the presiding councilor shall request.

The Mayor shall represent the Town as the titular head of the government at meetings of such officials representing other municipalities, ceremonies, public gatherings and upon such other occasions as the Mayor's presence in such capacity may be beneficial to the Town.

The Mayor shall designate committees of the Council and appoint and/or remove members thereto, subject to being overruled by the Council.

The Mayor shall designate ad hoc committees of the Council and ad hoc public community committees and appoint and/or remove members thereto. An ad hoc committee is defined as one that is created for a limited time and a specific, limited stated purpose. The specific time period need not be stated in the designation of the committee but may be contingent in the accomplishment of its specific objectives.

G. CLERK OF COUNCIL:

The Clerk of the Council shall be appointed by the Council and shall keep the minutes of its proceedings which shall be a public record, and perform other duties as may be assigned by action of the Council.

H. THE TOWN MANAGER:

The Town Manager shall attend all meetings of the Council with the right to speak but not to vote, and shall perform other such duties as may be assigned by the ordinance or resolution of the Council (Charter, Sec. 502). The Council by simple majority vote may also ask the Town Manager to perform such other duties as it may assign in accordance with his or her contract with the Town.

I. COMMITTEES:

The Council may also from time to time appoint permanent, standing committees of the Council. Permanent standing committees of the Council shall be:

- I. Finance
- II. Administration & Education
- III. Public Safety
- IV. Land Use & Economic Development
- V. Committee on Committees
- VI. Community Services Committee
- VII. *Ad hoc Golf Committee (report at 2nd Town Council Meeting)

The meeting schedule of regular Council committees shall be established annually, in advance, and in accordance with State law. No special committee meeting shall be called without the prior written consent of the Mayor.

J. ORDER OF BUSINESS OF COUNCIL MEETINGS:

At all regular meetings of the Council the order of business shall be as follows:

- I. Pledge of Allegiance
- II. Roll Call
- III. Announcements and Presentations
- IV. Citizen's Statements and Petitions
- V. Report from Council Subcommittees
- VI. Council Business
- VII. Financial Report (second council meeting of the month only)
- VIII. Report from the Town Manager
- IX. Report from the Mayor
- X. Approval of Minutes
- XI. Council Comments
- XII. Executive Session (if needed)
- XIII. Adjournment

K. PRIVILEGE OF THE FLOOR:

Except when a member of the Council has or desires the floor, the Town Manager shall have the privilege of the floor for the purpose of providing information to the Council concerning the business and affairs of the Town. The Town Attorney shall likewise have the privilege of the floor on the introduction or interpretation of any existing or proposed ordinance or resolution or on any question of legal procedure.

It shall be the policy of this Council to allow members of the public to address the Council during Citizen's Statements and Petitions. Statements by members of the public may be oral or written, shall start with the speaker's name and address, and shall follow the General Procedures for Public Hearings and Public Forums (appended to these Rules of Procedure), unless permitted by the Mayor or councilor presiding. The Mayor or councilor presiding may permit additional statements by the same person during Citizen's Statements and Petitions or at such other times during the agenda of Council meetings as he or she deems appropriate, subject to being overruled by the Council.

L. EXECUTIVE SESSION:

The rules of procedure shall be:

- (a) An executive session may be convened by affirmative vote of two-thirds of such body present and voting.
- (b) Attendance at the executive session shall be limited to the Council and such other persons as may be required for advice and information as permitted by State law.
- (c) Executive sessions shall be only for those purposes permitted by State law. Any motion for executive session shall so specify the reason. Discussion in executive session shall be limited to the reason specified.

M. MOTIONS:

When a motion is made and seconded, it shall be stated by the Mayor, Deputy Mayor, or councilor presiding and subject to amendment or withdrawal, except that such withdrawal cannot be made subsequent to a voted amendment, except as provided by Robert's Rules of Order.

When a motion is under debate, no further action shall be received except (1) to adjourn, (2) to recess, (3) to table, (4) for the previous question, (5) to limit or extend debate, (6) to postpone to a time and date certain, (7) to refer to committee, (8) to amend, (9) to postpone indefinitely, which motions shall have precedence in the order indicated.

Motions to table, to postpone to a time and date certain or to postpone indefinitely once having been decided, shall not be reconsidered.

N. VOTING:

The ayes, nays or abstentions of each council member on each vote shall be recorded in the minutes. If the vote is unanimous, the vote shall be indicated as unanimous.

O. CITIZEN'S PETITIONS

Any petition by a citizen requesting Council action shall be in writing and state the citizen's name and address. If six (6) members of the Council shall so vote, such petition shall lie over to one of the next three succeeding meetings of the Council, to be placed on the Agenda and taken up during item VI of the regular order of business; but in no event shall such petition be acted upon at a meeting at which the petition is presented.

P. SPECIAL COUNCIL ASSIGNMENTS:

The Mayor shall assign all members of the Council desiring such, with the approval of the Council, as liaisons with council-appointed Town committees and Town-related Agencies through and with the cooperation of the Town Manager, so as to be particularly informed in the assigned area of concern. Assignments will be made in the areas of Town operation that are deemed appropriate by the Council. Each appointee shall report to the Council upon request or at his or her own discretion as to matters related to his or her respective area.

Q. INTRODUCTION OF ORDINANCE AND RESOLUTIONS:

All ordinances and resolutions except those relating to appointment or designation of officers of the Council or its internal procedure shall be introduced in accordance with Sections 307, 308, 309 and 310 of the Town Charter.

R. PARLIAMENTARY AND CHARTER AUTHORITY:

The last published edition of Robert's Rules of Order shall be the parliamentary authority for the Council, except as otherwise provided in these rules; and except that should any of these rules be inconsistent with the provisions of the Charter, then the Charter shall prevail, except that there may be discussion after a motion to table has been offered.

S. MINUTES:

The Clerk of the Council shall keep the minutes of all Council meetings which shall contain a summary of council discussions and actions. Any statements to be made part of the minutes must be submitted to the Clerk of the Council in writing during such meeting, provided, that any Town Financial reports submitted to the Council shall be appended to the minutes of that meeting.

T. AGENDA:

The Town Manager shall cause to be prepared a preliminary agenda containing those items of business to be considered at each Council meeting. The Mayor, or in his/her absence, the Deputy Mayor, shall review this preliminary agenda with the Town Manager, and shall determine the final agenda, taking into consideration any matter suggested by a Council member or the Town Manager. Should any item requested by a Council member not be included for the agenda, the Mayor, or the Deputy Mayor, as the case may be, shall inform the Council member why the matter was not included, and upon such member's request, the matter shall be referred to the appropriate subcommittee for a determination as to whether the matter should be referred to, and placed on the Council agenda.

No item which is not listed on the regular agenda shall be considered as new business by the Council unless this provision is waived by a vote of two-thirds (2/3's) of the total membership of the Council (6) at the beginning of the Council Business portion of the meeting. Council members requesting that an item be included on the agenda shall be responsible for opening discussion on such item, and providing facts necessary for any action requested on such item.

U. TELEPHONIC AND ELECTRONIC VOTING:

Telephonic voting shall only be permitted if the absent member of the Council can be verified through a computer link-up or similar manner so the absent member of the Council can be confirmed by the members of the Council physically present at the meeting. All verbal communication by the absent Council member must be by telephonic communication in a manner that can be heard by not only the rest of the Council but also by the Clerk of the Council and any members of the audience that are present, and, if such Council meeting is televised, by the watching public. This process can only be carried out if all other members of the Council have been notified not less than forty-eight hours in advance of the Council meeting at which this telephonic voting will take place.

V. SUSPENSION OR AMENDMENT OF RULES:

Any of these rules may be suspended by the affirmative vote of not less than two-thirds of the members of the Council, provided that such action is not inconsistent with any provisions of the Charter.

Any amendment to these rules shall be submitted in writing at any meeting of the Council and may be adopted by the affirmative vote of not less than two-thirds of the members of the Council at a subsequent meeting of the Council.

GENERAL PROCEDURES FOR PUBLIC HEARINGS AND FORUMS¹

These procedures are promulgated in accordance with the Bloomfield Town Council Rules of Procedure and shall be posted on the Town Clerk's bulletin board. The following represents the procedures for public hearings and public forums (including budget hearings), provided that the Mayor² may amend these procedures when conditions require or warrant:

- I. A sign-up sheet shall be provided at least fifteen minutes prior to the hearing.
- II. Speakers will be called in order from the sign-up sheet, provided that only those persons who have not yet addressed the Council on the issues subject to hearing shall be called.
- III. The Mayor may permit a presentation by the Administration prior to calling on members of the public.
- IV. Unless the Mayor permits, or the Council waives its rules by a two-thirds vote, only Bloomfield residents or taxpayers may address the Council.
- V. All speakers will begin by stating their full name and address.
- VI. After each person on the sign-up sheet has spoken, the Mayor may call on other persons who have not yet spoken who wish to address the Council.
- VII. All speakers shall be confined to three minutes each, except that persons providing the Council with a recognized group's duly authorized position on an issue may speak for up to five minutes.
- VIII. Speakers may not yield their allotted time to others in order for others to expand their three minutes.
- IX. If a hearing is continued to another date and time, the Council will continue the hearing by:
 - i. Providing an additional sign-up sheet fifteen minutes prior to the continued hearing;
 - ii. First calling speakers from the original sign-up sheet who have not yet spoken;
 - iii. After completing the original sign-up sheet, calling speakers from the new sign-up sheet in the order in which they have signed said sheet, provided that only those persons who have not yet addressed the Council on the issues subject to hearing shall be called;
 - iv. After each person on both sign-up sheets has been given an opportunity to speak, the Mayor shall call on other persons who have not yet spoken at the original or continued hearing who wish to address the Council.
- X. At the conclusion of the hearing or continued hearing, the Council may, by majority vote, permit speakers who have already addressed the Council at the original or continued hearing to address them again for an additional three minutes. The Mayor may set a total time limitation for receiving such additional comments and shall announce such limitation prior to the above-referenced vote by the Council.
- XI. If the number of speakers and the time obligations of the Council permit, the Mayor may announce, at the commencement of the hearing, that each speaker may have an additional specified time to address the Council.

¹These procedures shall not apply to hearings or matters where procedures are subject to contrary state or federal law or regulation.

²Throughout this document, "Mayor" shall mean Mayor or, in the Mayor's absence, the presiding officer of the hearing or meeting.