TOWN OF MANCHESTER
Selectboard Rules
March 2013

Rule 1 (Meetings). Regular Selectboard meetings shall generally be held on Tuesday evenings beginning at 7:00 P.M. In the interest of allowing full citizen participation, meetings shall end promptly at 9:00 P.M. The Selectboard may meet in special or emergency meetings, pursuant to State law.

Rule 2 (Proceeding Beyond 9:00 P.M.). The Selectboard may proceed beyond the 9:00 P.M. deadline established in Rule 1 as follows: (a) notwithstanding Rule 1, a majority of board members may vote to extend the meeting until a time certain but no later than 10:00 P.M; (b) notwithstanding Rule 1, a supermajority (defined as four of five members present or three of four members present) may vote to extend the meeting until a time certain but no later than 11:00 P.M; and (c) notwithstanding Rule 1, the Selectboard may proceed beyond 11:00 P.M. with unanimous consent.

Rule 3 (Scheduling of Meetings and Approval of Agenda). Regular, special and emergency meetings shall be called by the chair or the chair's designee. The chair shall be responsible for approving the content and order of the agenda. Citizens requesting an item be added to an agenda shall contact the town manager prior to the posting of the agenda. The town manager or the town manager's designee shall be responsible for posting the agenda. Alternatively, the majority of Selectboard members may submit a letter to the town manager calling for a meeting with a specific date, time and agenda. The town manager shall warn the agenda forthwith.

Rule 4 (Warning of Agenda). The agenda for Selectboard meetings shall be warned in a timely manner, pursuant to State law, in three (3) public locations: (1) on the bulletin board outside the Town Clerk's Office, (2) on the bulletin board in the Town Manager's Office, and (3) on the bulletin board at Kilburn's Convenience Store (located at Depot Street). The agenda shall be distributed electronically by the town manager to interested media.

Rule 5 (Quorum). A majority of the Selectboard shall constitute a quorum for the conduct of the business. If a quorum is not present, the only action or business that may be considered by the Selectboard is a motion to recess or adjourn.

Rule 6 (Legislative Year). The legislative year shall begin on the Wednesday following the annual Town Meeting and shall last until the next annual Town Meeting.

Rule 7 (Organization). The Selectboard shall elect, by a vote of the majority, a chair, vice-chair and clerk at the first meeting of each legislative year; provided, the Selectboard may elect new chair, vice-chair or clerk at any point in the legislative year.

Rule 8 (Adoption of Rules). The Selectboard shall consider changes to these Rules at the first meeting of each legislative year. Amended Rules shall be adopted by a majority vote.

Rule 9 (Amending Rules During Legislative Year). Notwithstanding Rule 8, not less than a two-thirds majority of Selectboard members may vote to amend the Rules during the legislative year other than the first meeting.

Rule 10 (Chairing of Meetings). Meetings shall be chaired by the chair, elected under Rule 7. In the absence of the chair, the meeting shall be chaired by the vice-chair, elected under Rule 7. In the absence of the chair and vice-chair, the meeting shall be chaired by the member with the longest consecutive tenure.

Rule 11 (Public Participation). Generally, Selectboard members shall be afforded the opportunity to speak first on agenda items. Each public participant (excluding Selectboard members and the town manager) shall be allowed to speak twice on any agenda item and shall be limited to a total of five minutes on any agenda item. This Rule may be suspended by the chair. Public participants shall address all comments to the chair.

Rule 12 (Rules – General). Robert's Rules of Order shall generally govern matters not specifically addressed under these Rules.

Rule 13 (Executive Session). Pursuant to State law, the Selectboard may enter into executive session, upon a majority vote, for any of the following reasons:

1. Regarding contracts, civil actions, mediation, arbitration and labor agreements, whereby premature general public knowledge would clearly place the Town at a substantial disadvantage.
2. Negotiation or securing of real estate purchase options.
3. The appointment or employment or evaluation of a public officer or employee.
4. A disciplinary or dismissal action against a public officer or employee.
5. Clear and imminent peril to the public safety.
6. Discussion or consideration of records or documents that are not public documents.

The Selectboard may invite town staff, legal counsel and other persons who are the subject of the discussion or who have information that is needed into an executive session.

Rule 14 (Committees – General). The Selectboard may form committees in order to provide for the expeditious handling of matters and to provide for the public convenience. Committees shall consist of not more than two Selectboard members, appointed by the chair. Committees shall not make binding decisions, but shall be responsible for making recommendations to the entire Selectboard at warned public meetings. Committees shall post public notice of meetings, pursuant to Rule 4.

Rule 15 (Permanent Committees). The following permanent committee shall be formed:

Committee on Board and Commission Appointments, which shall be responsible for interviewing candidates for all Town Boards and Commissions and making recommendations to the entire Selectboard for its consideration and possible action. Nothing in this Rule shall prohibit the entire Selectboard from interviewing one or more candidates.

Rule 16 (Special Committees). The Selectboard, through a majority vote, may create special committees for the purpose of carrying out specific tasks or functions.

Rule 17 (Approval of Spending and Payroll Warrants). The Selectboard at its first meeting of each legislative year, through a majority vote, shall select among its members one member, as well as an alternate in the case of an absence or conflict of interest, to review and approve weekly spending and payroll warrants.

Rule 18 (Stipend). The stipend appropriated by Town Meeting shall be paid quarterly, with the first payment July 1. The stipend shall be evenly divided among all members. Payments shall not be prorated. The stipend is payment for time dedicated to Selectboard matters and all expenses incurred, except travel as provided for in Rule 19, incurred by Selectboard members.

Rule 19 (Mileage Reimbursement). Members shall be entitled to mileage reimbursement, at the IRS rate, for any necessary travel required by the Selectboard. Members shall not be entitled to mileage for travel to regular, special or emergency Selectboard meetings. All travel reimbursements shall be approved by the chair of the Selectboard in advance and in writing. All Selectboard travel expense payments shall be approved by the Selectboard through a majority vote.

Rule 20 (Newspaper of Record). The newspaper of record shall be *The Manchester Journal.*

Rule 21 (Conflict of Interest). This Rule shall apply to all Selectboard members and the Town Manager or any other Town employee advising the Selectboard on any issue.

> **Definition:** "Conflict of interest" means a direct personal or pecuniary (financial) interest of a public officer, his or her spouse, household member, business associate, employer or employee, in the outcome of a cause, proceeding, application or any other matter pending before the Selectboard. A Conflict of Interest does not arise in the case of votes or decisions on matters in which the public officer has a personal or pecuniary interest in the outcome no greater than that of other persons generally affected by the decision, such as adopting a bylaw or setting a tax rate.
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> **Disqualification:** Selectboard members and employees, as defined by the first paragraph of this Rule, shall be disqualified for participating in the following situations:

Selectboard members and employees, as defined herein, shall not participate in any official action if he or she has a conflict of interest, as defined in the paragraph entitled "Definition," in a matter under consideration.

Selectboard members and employees, as defined herein, shall not personally or through any member of his or her household, business associate, employer or employee represent, appear for, or negotiate in a private capacity on behalf of any person or organization in any cause, proceeding, application or other matter pending before the Selectboard.

Process: Any member of the Selectboard or employee, as defined herein, may recuse him or herself from any matter by stating that the member or employee has a conflict of interest and provide a brief explanation of the conflict. The member shall not participate in the decision-making process, discuss the matter with other members or the public and Town employees or vote on the matter.

Any member may raise, as a point of parliamentary inquiry, a possible conflict of interest that another member may have. After discussing the point of parliamentary inquiry, the chair of the Selectboard shall make a ruling as to whether or not the member has a conflict of interest. A member may doubt the ruling of the chair. If the motion doubting the ruling of the chair is seconded, a vote shall be taken and the majority vote of the Board shall rule.

Approved (moved by LATTUGA, seconded by SOULS. Motion carried 5-0).

Selectboard Chair

March 12, 2013
Date