

RULES AND PROCEDURES
FOR BERLIN TOWN COUNCIL

1. GENERAL:

- A. The proceedings of the Council shall be conducted in accordance with these rules and procedures. Roberts Rules of Order shall govern where not in conflict with these rules and procedures or the Town Charter.
- B. The following sections of the Town Charter are hereby incorporated into these rules:
 - Chapter 3: The Town Council
 - Chapter 7: Budgetary Process
 - Section 9-4: Code of Ethics ó Standard of Conduct
- C. In the absence of the Mayor and Deputy Mayor, the Town Council will elect a Chairperson of the Council by majority vote.
- D. The Chairperson of the Town Council will be a voting member of the Town Council.

2. REGULAR MEETINGS:

The regular Council meetings shall be held on the 1st and 3rd Tuesday of the month, unless due to a holiday or conflict, the Town Council may reschedule its meeting. The Rules and Procedures Committee will present a full calendar for the following year at the last Town Council meeting of December, which must be voted upon by the Town Council members that are present at that meeting.

- A. Each regular meeting shall start at 7:00 p.m. in the Berlin Town Council Chamber, unless notice of the meeting specifies otherwise.
- B. The Council agenda for each Regular Meeting with supporting material shall be delivered to Council members the preceding Friday of each meeting.
The deadline for regular items to be included in the agenda shall be 11:00 a.m. on the Wednesday of the week prior to the meeting.
- C. The final agenda for the regular meetings shall be prepared and distributed by the Town Manager to Council members and made available to the public and posted in the Town Hall with copies available in the Town Clerk's Office, no later than the close of business on the Friday before each regular meeting.
- D. The Mayor, in consultation with the Town Manager, sets the agenda for each Town Council Meeting.

E. The Order of the Agenda for each Regular Meeting shall be as follows:

Pledge of Allegiance
Roll Call
Presentation of Awards and Proclamations
Audience of Citizens
Consent Agenda
New Business
Town Manager's Report
Special Committee Reports
Councilor Communications
Executive Session
Adjournment

3. SPECIAL MEETING:

Subject to a minimum of twenty-four (24) hours' notice, a special meeting of the Council may be called by the Mayor or in his/her absence the Deputy Mayor. **Such written notice should be hand delivered to the Council members' residences prior to said meeting.** Upon written request of three (3) Council members, the Mayor (or in the case of the Mayor's absence or disability, the Deputy Mayor) shall call a special meeting of the Council to be convened within three (3) business days after receipt of such request.

4. EMERGENCY MEETING:

The Council may call an emergency meeting for good cause. However, the Council must file with the Town Clerk its minutes, within 72 hours of the meeting with a reason for the emergency meeting.

5. PUBLIC PARTICIPATION AT REGULAR AND SPECIAL COUNCIL MEETINGS:

Audience of Citizens at the Council's regular meeting shall be limited to 30 minutes unless the Mayor decides otherwise. Public participation may pertain to any subject of interest, welfare or concern to the Town. Each speaker shall limit his or her remarks to three (3) minutes and shall be heard only once during each Public Communication period. If a speaker exceeds the time limitation, the Mayor shall so notify the speaker and allow the speaker 30 seconds for summation. The Mayor, at his/her discretion, may grant the speaker additional time.

During Public Participation and within the time period allowed, if a citizen desires to publicly ask a Council member or the Town Manager a question relative to the actions of the Council member or the Town Manager, the Mayor will acknowledge the question. At the end of the Public Participation, such official may elect to answer the question immediately or to have the question reduced to writing and to answer the question either in writing or orally.

in a public forum. Upon advice of the Corporation Counsel, such official may decline to answer.

6. EXECUTIVE SESSIONS:

An Executive Session is a meeting of the Council at which the public is excluded for one or more of the following purposes: (1) discussion concerning the appointment, employment, performance, evaluation, health or dismissal of a Town officer or employee, provided that such individual is notified of such Executive Session and may require that discussion be held at an open meeting; (2) strategy and negotiations with respect to pending claims and litigation; (3) matters concerning security, strategy or the deployment of security personnel; (4) discussion of the selection of a site or the lease, sale, or purchase of real estate by the Town Council when publicity regarding such selection would cause a likelihood of increased price until such time as all the property has been acquired or all proceedings or transactions concerning same have been terminated or abandoned; and (5) discussion of any matter which would result in the disclosure of public records or the information contained therein described in sub-section (a) of Section 1-18a of the Connecticut General Statutes.

The Council may hold an Executive Session if 2/3 of the members present vote in the affirmative.

At an Executive Session, attendance shall be limited to members of the Council and persons invited by the Council to present testimony or opinion limited to the period for which their presence is necessary to present such testimony or opinion. The minutes of the Council Meeting shall indicate all persons who are invited to attend the Executive Session and indicate the subject matter(s).

The item of Executive Session, if required, shall be stated as to purpose and normally appear immediately prior to adjournment at all meetings unless it is deemed necessary or prudent to conduct an Executive Session at another point during the meeting.

7. SPECIAL RULES FOR PUBLIC TOWN MEETINGS AND ORDINANCES:

A. Town Meeting:

All Town Meetings shall be called to order by the Mayor, or in his/her absence by the Deputy Mayor. A moderator shall be elected and all business conducted in the manner now or hereafter provided by the Connecticut General Statutes, unless the Charter differs from the Statutes. It shall be the duty of the Town Clerk to serve as Clerk of all Town Meetings, but in his/her absence; an Acting Clerk may be designated by the Town Meeting.

B. Public Hearing on Ordinances:

1. Presided over by the Mayor, or in the Mayor's absence, by the Deputy Mayor.
2. The Town Manager or his/her designee will introduce the topic of the Ordinance.
3. Questions from the public or Council to clarify the presentation.

4. Each person wishing to speak shall be requested to give his/her name and address and, if relevant, the name of the organization he/she represents to the Town Clerk and shall limit his/her comments to 3 minutes.
5. Everyone must be given a chance to speak once, before anyone can speak on the topic a second time.

Any ordinance, which shall have had its public hearing, may be taken up by the Council at its next session, shall be read, and thereupon shall be open for debate and amendment. In the event that the Council meeting takes place on the same night as the hearing, the vote on the ordinance may take place at the next scheduled meeting. If the Council agrees upon amendments to the Ordinances, the Corporation Counsel shall rule on whether it will be necessary to have a second public hearing. On the close of debate, the Chair shall entertain a motion to place such ordinance on final passage. If such motion is not adopted, the Ordinance shall still be open for debate and amendment until such time as a motion for final passage or rejection is adopted.

8. MINUTES:

Council minutes may be mechanically recorded in full, and if recorded, the records of said meetings shall be retained for a period of four (4) years in the Town Clerk's Office. The Council shall keep for public inspection a journal, which shall be the official record of the minutes of each Council meeting and public hearing. The minutes shall be authenticated for each meeting by the signature of the Mayor upon acceptance by the Council.

If substantial debate occurs on a topic, the Clerk shall incorporate a summary of both sides of the issue for the minutes.

Written comments: If specifically requested by a Council member or citizen, that person's comments shall be attached to the copy of the official minutes but shall not be incorporated into the official minutes.

9. ATTENDANCE AT MEETINGS:

The Town Manager and Corporation Counsel shall attend all meetings of the Council unless a request from that person to be excused is approved by the Mayor. The Town Clerk shall attend all meetings of the Council unless a request from that person to be excused is approved by the Town Manager. The Manager and Corporation Counsel shall attend Council meetings with full right of participation in its discussion but without a right to vote.

Department Heads with items on the agenda shall attend all regular meetings of the Council unless excused by the Town Manager. Department Heads and Commission Chairs or their designee will be allowed to speak during each agenda item relevant to them.

10. STANDING COMMITTEES OF THE COUNCIL:

The Standing Committees of the Town Council will be Budget, Ordinance, Audit, Rules and Procedures. The Council may, by a 2/3 vote of the entire Council, add or abolish Standing Committees.

11. USE OF CORPORATION COUNSEL:

The Corporation Counsel is an employee of the Town Council. As such, he/she is available to the Council for advice. With the potential of seven members of the Council, as well as Departments, Boards and Commissions seeking advice, it is important to provide a system for the use of the Corporation Counsel's services. All requests for Corporation Counsel opinions will be made through the Mayor, in writing, and if necessary, presented to the Council for consideration. Replies from the Corporation Counsel will be channeled through the same routing. Copies of all requests and replies will be given to all members of the Town Council and Town Manager. The Council may entertain requests for blanket authorization to seek legal opinions from those Boards, Commissions or Department Heads whose functional areas extensively involve legal or statutory applications.

12. DECORUM AND ORDER:

The Mayor shall preserve decorum and all questions of order will be addressed to the Parliamentarian, subject to appeal to the entire Council.

- a) During Council meetings, Council members shall preserve order and decorum and shall neither by conversation or otherwise delay or interrupt the proceedings nor refuse to obey the orders of the Mayor or the rules of the Council. Every Council member desiring to speak shall address the Mayor, and upon recognition by the Mayor, shall be confined to the question under debate and shall avoid all personalities and improper language. A Council member, once recognized, shall not be interrupted while speaking unless called to order by the Mayor or unless a point of order is raised by another member or unless the speaker yields to questions from another member.
- b) All members of the Council shall accord the utmost courtesy to each member, to the Town employees, and to the public and refrain from rude or derogatory remarks, reflections as to integrity, abusive comments, and statements as to motives and personalities.
- c) Members of the administrative staff and employees of Town as well as the public shall observe the same rules of procedure and decorum applicable to members of the Town Council. The Town Manager shall be responsible for the orderly conduct and decorum of all Town employees under his/her direction and control.

13. AMENDMENTS:

Any amendment to these rules shall be submitted in writing and placed on the agenda at a meeting of the Council and may be adopted by the affirmative vote of not less than five members at a subsequent meeting of the Council. No amendment may be made to these rules which will conflict with the provisions of the Town Charter or the Connecticut General Statutes.

(Adopted June 30, 1998)

(Revision October 6, 1999)

(Revision December 21, 1999)

(Revision December 18, 2001)

(Revision June 3, 2003 ó Security Policy)

(Revision April, 5, 2005 ó Rescind Security Policy)

(Revision December 17, 2013)