

# **Bylaws of the Select Board of the Town of Readfield, Maine**

## **1. Purpose and Scope**

1.1 The purpose of these Bylaws is to establish reasonable rules of procedure for Select Board (hereinafter referred to as the "Board") meetings and to promote the fair, orderly and efficient conduct of the Board's proceedings and affairs. The Board shall recognize and conform its purpose and scope to the five-person Board and Town Manager form of government as established by the State of Maine. These Bylaws shall govern the Board's core practices and procedures except as otherwise provided for by Town Ordinance, State law, and Federal law.

1.2 These Bylaws recognize there will be from time to time other duties both official and ceremonial that may not be covered by the proceedings focus of these Bylaws but are known to be appropriate as defined in law or by established practice.

## **2. Core Responsibilities**

2.1 Responsibilities of the Select Board include but are not limited oversight of Town finances and property, protection of the health, safety and welfare of Town residents, and facilitation of appropriate relationships with the public, service providers and external agencies, and other government entities.

2.2 The Select Board administers its responsibilities by hiring, contracting with, appropriately supervising and evaluating, collaborating with, and supporting and retaining in the best interests of the public a Town Manager. This relationship is governed by the five-person Board and Town Manager form of government as established by the State of Maine.

## **3. Members**

3.1 The Members of the Board shall be five registered voting residents of the Town of Readfield and elected at its Town Meeting to three year terms with the terms staggered so that a minimum of one and maximum of two occur each year. Members take office immediately upon election.

3.2 Vacancies on the Board shall be filled by interim elections except for one occurring within the final four months of a term may at the Board's option occur at Town Meeting.

3.3 No Member may represent the Board or assume individual authority outside the regular order of Board proceedings without the Board's prior approval.

3.4 Upon initial election, Members are expected to attend a workshop for Newly Elected Local Officials, Freedom of Access Act training, and a National Incident Management course as soon as reasonably practicable.

## **4. Officers and Duties**

4.1 Officers of the Board shall consist of a Chair and a Vice Chair. These officers shall be chosen annually at the first regular meeting of each year following Town Meeting by and from among Board Members. Vacancies in the position of either the Chair or Vice Chair positions shall immediately be filled by regular meeting procedures. These officers of the Board may be removed and replaced upon majority vote for stated just cause.

4.2 The Chair shall preside at all Board meetings and shall have authority to rule on questions of evidence and procedure, to maintain order, 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 to perform its duties and conduct its affairs. The Chair and the Vice Chair shall, together with the Town Manager, set the agenda in advance of each meeting. In the absence of the Chair, the Vice Chair shall preside and shall have the same authority as the Chair. In the event of the absence at a scheduled meeting of both the Chair and the Vice Chair, the Board Members present shall elect a Chair Pro Tem from amongst those Members present to conduct the meeting.

4.3 The Chair shall act as the Board's primary contact in an official capacity with the Town Manager. This shall not constrain Board Members from having reasonable conversations and making requests for information deemed appropriate by the Member and Town Manager. This type of relationship does not extend to any other employees of the Town and the Board recognizes the Town Manager as its contact on all Town functions involving staff.

4.4 The Chair may act as a public spokesperson for the Board on matters previously decided by the board or in matters that require public announcement or sharing of information on Town matters and in the instances of declared emergencies.

4.5 The Board shall elect a three-person Board of Assessors from within its membership for one year terms at the first regular meeting of each year following Town Meeting.

4.6 The Board may designate informal positions such as but not limited to time-keeper, note-taker, committee liaisons, and ad hoc sub committees of the Board. It may further elect Board Members as its representatives to regional entities that the Town has chosen to participate in.

## **5. Meetings**

5.1 Regular meetings to conduct the business of the Board shall be held at intervals determined by the Board throughout the year with the minimum of one regular meeting per month. As previously established (3.2), an agenda is set in advance. Members may ask the Chair that items be placed on a future agenda or may move at a meeting to do so by adding to an agenda. Regular meetings shall at a minimum observe in its planning the following agenda items:

- Review and approval of minutes of the previous meeting,
- Approval of warrants for payments of all Town expenses,
- Oral and written communications from and among Select Board Members, Town Manager and staff, Town Boards, Commissions, and Committees, public comment and questions,
- Appointments under Select Board purview,
- Unfinished business,
- New business,
- And other presentations, discussions, or public hearings.

5.2 The Board may also conduct workshop meetings on specific topics at its option. Binding votes may not be taken at workshop meetings. A retreat for goal setting, review, and other matters may also be conducted as a workshop. All workshop meetings are open to the public.

5.3 The Board may necessarily from time to time conduct Executive Sessions in conjunction with other meetings or on a stand-alone basis only to the extent allowed by Maine law. Motions to go into Executive Session shall be made publically with a recorded vote stating the purpose, citing relevant governing law allowing the session, stating who will be in attendance, and if, upon exit, the Board will take any action by way of an immediate public vote.

5.4 Special meetings may be called at the discretion of the Chair or upon the request of a majority of the Board, provided however that notice thereof shall be given to each Member and to representatives of the press at least four days in advance of the scheduled meeting, except in case of extraordinary circumstances when notice shall be given by the fastest and earliest means possible. No business may be conducted other than as specified in the said notice of the meeting.

5.5 Public hearings conducted by the Board shall be called as required by law or on such other occasions as a majority of the Board may deem appropriate. Notice of all such hearings be given as required by law. Hearings may be conducted as an item of business within a regular Board meeting or as a stand-alone hearing regarding larger matters. The Chair shall convene all hearings by describing the purpose of the hearing and general procedures to be followed. The Board may receive any oral or documentary information but may exclude that it deems irrelevant, immaterial, or unduly repetitious. If the hearing is on an adjudicatory matter, each party of interest shall have right to present its case in an order determined by the Chair and subject to reasonable time limits to ensure all parties and the public have an adequate opportunity to be heard.

5.6 Notice of all Board meetings shall be given as required by law and all such meetings shall be open to the public except as otherwise provided for by law. No business may be conducted by the Board except at a duly called and noticed meeting with a quorum consisting of a majority of its Members being present.

5.7 Each Board may determine its own schedule of ordinance initiation, ordinance review, policy management, capital investment planning, budget work, comprehensive plan reflection, joint meetings with committees, and other business deemed appropriate.

5.8 The Town Manager or the Town Manager's designee shall act as secretary at Board meetings. The secretary shall prepare agendas, take minutes, maintain records, prepare and send correspondence, and perform other duties as are normally carried out by a secretary. Minutes of Select Board meetings will include a brief summary of each agenda item and a record of all votes taken. Records of the Board shall be deemed public and available as required by law.

5.9 The Board will establish and post ground rules for meetings to establish expectations of respectful conduct, norms, and courtesy for all participants at meetings.

## **6. Voting**

6.1 Any action of the Board shall require the affirmative vote of a majority of its membership present and voting unless otherwise provided by law.

6.2 No Board Member may participate or vote on any matter in which the Member has a conflict of interest or other disqualification as defined by law. Any question of whether a Board Member has such a conflict of interest or other disqualification shall be decided by majority vote of the remaining Members.

6.3 All Members who are present and not disqualified as provided herein shall vote in every matter to be voted upon unless excused by the Chair for valid reason.

6.4 The Board may reconsider any vote decision that creates a ruling at the same meeting or at a subsequent meeting within 30 days of its original decision, provided that both a vote to reconsider and any action taken pursuant thereto shall occur and be completed within said 30 days. This does not preclude the Board from taking up any matter again based on new information or other changes.

## **7. Waivers and Amendments**

7.1 These Bylaws are considered to be a Town Policy. Any provision of these Bylaws may be waived on any occasion by majority vote of the Board unless otherwise provided by law. These Bylaws may be amended at any time in writing by majority vote of the Board.

Approved adopted on May 17, 2021 by:

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Bruce Bourgoine

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Christine Sammons

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Kathryn Mills Woodsum

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Dennis Price

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Ralph Eno

*These Bylaws replace upon approval all previous versions of the Select Board Bylaws and all policies known as the Roles and Responsibilities of the Readfield Select Board.*