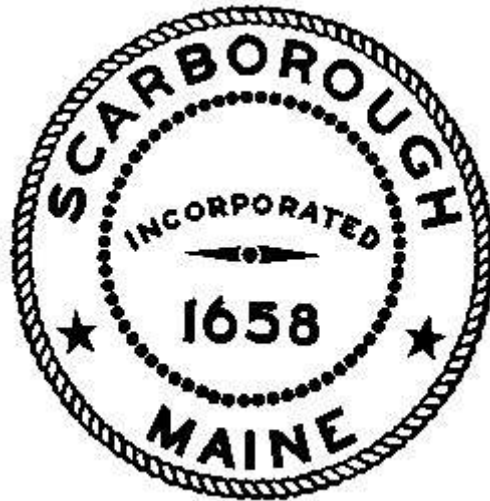


# **CHAPTER 302**

## **SCARBOROUGH TOWN COUNCIL**

### **RULES & PROCEDURES**



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# SCARBOROUGH TOWN COUNCIL RULES & PROCEDURES

## Section 100: TOWN COUNCIL RULES OF ORDER

### 100.0: Preface.

The Scarborough Town Council will maintain these Rules & Procedures as an operational guide for staff, council members and the general public. The manual will be regarded as a continuously developing and changing document to meet the needs of the changing times and circumstances. This development and change process, while ultimately the responsibility of the Council, is a task in which all affected are expected and invited to participate and contribute.

### 101.0: Definitions.

For the purposes of this manual and each of its sections, the following definitions shall apply:

#### 101.1: Rules of Order

Are general procedural rules and orders adopted by a majority of the Town Council for the members of the Council to follow. Unless otherwise modified herein, Roberts Rules of Order will prevail. [amended 10/21/09]

#### 101.2: Policy(ies)

Are a plan or course of action, guiding principle(s) or procedure(s) considered to be expedient, prudent and advantageous to the Town and/or Town Council.

#### 101.3: Procedures

Are step-by-step directions that should be performed in order to obtain the intended outcome of an Order, Resolution, Proclamation, and/or Policy.

#### 101.4: Resolutions

Also referenced as **Resolves**, are an expression of opinion, principles, facts or purposes adopted by the Council as direction to the staff and/or general public.

#### 101.5: Proclamations

Are expressions of support, recognition or sentiments on behalf of the Town of Scarborough.

#### 101.6: Orders

And/or **Ordinances** are a by-law, law or legal requirement adopted by the Council, as authorized by state statute and town charter to exercise any power or function which the Legislature has power to confer upon it.

#### 101.7: Petitions

Are formal written requests addressed to a person(s) in authority that asks for some action or benefit, or the redress of a grievance. A petition may also be a formal application in writing made to the Council requesting action concerning some matter.

#### 101.8: Majority

The majority of the elected Council shall constitute a quorum for the transaction of business. Pursuant to Section 210 of the Charter in that every ordinance, order, and resolve shall require on final passage the affirmative vote of four (4) members of the Town Council, except where a rule provides otherwise. However, in the event of less than four (4) members of the Town Council are present, then a majority of those Council members present shall constitute a quorum for the purpose of calling the meeting to adjourn to a date specific.[adopted 10/21/09]

**101.9: Quorum**

The number of elected Council members required for final passage on every ordinance, order, and resolve, except where a rule provides otherwise. [adopted 10/21/09]

**101.10: Abstain**

It is the duty of every member of the Council that is present must vote. There may be circumstances whereby a member may be required to abstain in the case of a real or perceived conflict of interest; however, it is the duty of the members of the Town Council to determine whether there is a conflict of interest [Section 130.2][adopted 10/21/09]

**101.11: Immediate Family**

Immediate family is defined to mean spouse, domestic partner (as defined by the Maine Municipal Employee Health Trust), child parents, brothers, sisters, mother-in-law, father-in-law, grandfather, grandmother, grandchildren, step-father, step-mother, step-children or other relatives living in the same household.

**102.0: Organization.**

The Scarborough Town Council Rules Procedures shall be organized by general sectioning, such that those sections will be titled: [amended 10/21/09]

- a) **Section 100:** Town Council Rules of Order
- b) **Section 200:** Town Council Meeting(s) Policies and Procedures
- c) **Section 300:** Other Town Council Policies

**103.0: Regular Meetings.**

The regular meetings of the Town Council shall be held in the room known as the Town Council Chamber of the Town Hall at 7:00 P.M., Eastern Standard Time, on the first and third Wednesdays of each calendar month, with the exception of the months of July and August when only one meeting will be held on the third Wednesday of each of the two months.

**103.1:** When said days fall on a holiday or on Election Day, the regular meeting shall be held on the following Monday, at the same time and place.

**103.2:** The date of any regular meeting may be changed by an order or resolve passed at the previous meeting upon the vote of five members of the Council, provided, however, that said change in date will still provide for two regular meetings in one month, with the exception of the months of July and August when only one meeting will be held on the third Wednesday of each of the two months.

**103.3:** No new business shall be taken up after 10:00 p.m.  
[amended 04/19/00; amended 03/21/01; corrected 06/06/01].

**104.0: Special Meetings.**

Special meetings may be held on the call of the Council Chair or by written signature or voice confirmation of four Councilors, if unavailable by signature.

**104.1:** Notice of the meeting will be given in person or left at the place of residence of each Councilor. If practical, such notice shall be given not less than 24 hours before the meeting. Such notice will state the time and place of such meeting and business to be transacted, along with the names of the Councilors calling for the meeting.

**104.2:** No business shall be transacted at this meeting except as stated in the notice. Notice will also be posted near the main entrance to the Municipal Building, visible from outside the building.

**104.3:** Members of the media will be notified in person, by telephone or facsimile transmission. [adopted 02/28/1998]

**105.0: Televising Council Meetings/Workshops and/or Related Meetings. [adopted 09/04/02]**

All Council meetings, both regular and special, whenever possible shall be televised live and recorded for rebroadcast at a later date.

**105.1:** Committee meetings dealing with legislative or financial matters shall also be televised; all other committee meetings (e.g. Appointments and Negotiations Committee) shall be at the discretion of the committee chair.

**105.2:** Council workshops may be televised or taped at the call of the Council Chair.

**105.3:** All meetings/workshops that are taped shall be broadcast at a later date. [adopted 09/04/2002]

**106.0: Quorum: Adjourned Meetings.**

A majority of the members of the Town Council shall constitute a quorum for the purpose of calling the meeting to adjourn to a date specific. [amended 10/21/09]

**106.1:** At least twenty-four hours notice of the time and place of holding such adjourned meeting shall be given to all members who are not present at the meeting from which adjournment is taken.

**107.0: Agendas.**

The Council shall take up items, which appear on its agenda in the following order, unless a majority of those Councilors present and voting vote to take an item out of order.

1. Call to Order by the Chair.
2. Pledge of Allegiance.
3. Roll Call by the recording secretary.
4. General Public Comments.
5. Acceptance of minutes.
6. Adjustments to the Agenda. [adopted 10/21/09]
7. Items to be signed; i.e., treasurer's warrants.
8. Public Hearings.
9. Proclamations, Resolutions and Resolves.
10. Old Business: Ordinances, orders or resolves not reached on the agenda of the previous meeting, including items tabled and second readings.
11. New Business: Ordinances and orders.
12. Non-Action Items. (amended 04/19/00)
13. Standing and Special Committee Reports and Liaison reports. [amended 10/21/09]
14. Town Manager's Report. [adopted 10/21/09]
15. Council member comments.
16. Adjournment.
17. Executive sessions, which may be scheduled or held anywhere on the agenda.

**108.0: Enactment: Form.**

The Town Council shall act only by ordinance, order, resolve or proclamation. However, if a resolve or proclamation is recognizing an accomplishment, then the Town Manager and Council Chair, at their discretion, shall be authorized to sign the document on behalf of the Town Council.

**108.1:** All ordinances, orders, and resolves, except orders and resolves making an appropriation of money, shall be confined to one subject, which shall be clearly expressed in the title. The appropriation order or resolve shall be confined to the subject of appropriations only.

**108.2:** All ordinances, order, resolves and proclamations when presented on the Agenda shall note the action’s sponsor and committee/board recommendation, if the action item has been reviewed by a municipal committee.

**108.2.a:** All committee/board recommendations shall be in the form of “Unanimous – Ought to Pass”, Unanimous – Ought Not To Pass”, “Ought To Pass”, “Ought Not to Pass”.

**109.0: Ordinances: Style.**

All by-laws passed by the Town Council shall be termed “ordinances” and the enacting style shall be:

*“Be it ordained by the Town Council of the Town of Scarborough,  
Maine, in Town Council assembled.”*

**110.0: Order and Resolve: Style.**

In all votes of command, the forms of expression shall be “ordered”; and of opinions, principles, facts, or purposes, the form shall be “resolved.”

**111.0: Reading on Two Separate Days: Waiver [amended 08/01/77]**

No ordinance or order authorizing the expenditure of \$1,000.00 or more shall be passed until it has been read on two separate days, except when the requirement of reading on two separate days has been dispensed with by a vote of five of the members of the Town Council.

**111.1:** A reading is not an official first or second reading for the purpose of this section unless a Councillor specifically designates the reading as such in the motion for approval. The motion shall be in the following form:

*“Move approval of the first (second) reading of \_\_\_\_\_.”*

**111.2:** When the general budget appropriation resolve shall have been enacted, except for expenditures and transfers from the Contingent Account and year-end adjustment of balances, no order, ordinance, or resolve shall be passed adding any new project or expenditure unless by vote of five of the members of the Council.

**112.0: Second Reading: Waiver [amended 02/18/70].**

Any other order or resolve may be passed after a first reading (which may be by title only if no member of the Council objects), unless on motion, a majority of those members present vote in favor of a second reading on a separate day.

**113.0: First Reading: Waiver.**

Every ordinance, order or resolve shall have a first reading unless the reading is dispensed with by the unanimous vote of those present, in which case reading shall be by title only.

**114.0: Yeas and Nays Taken: When.**

The yeas and nays shall be taken upon the passage of all ordinances and orders authorizing the expenditure of money in the amount of \$1,000.00 or more and entered upon the record of the proceedings of the Town Council by the clerk. The yeas and nays shall be taken on the passage of an order or resolve when called for by any member of the Town Council.

**115.0: Ordinances: Effective When. [amended 08/01/77]**

After receiving final passage by the Town Council, an ordinance shall take effect at 12:00 A.M. on the day following enactment or at a later date specified within the ordinance, except that emergency ordinances shall take effective as specified in Section 118.

**116.0: Order, Resolve: Effective When.**

All orders or resolves shall take effect after passage.

**117.0: Emergency Ordinances.**

The Town Council may, by vote of five of its members, pass emergency ordinances to take effect at the time indicated therein, but such emergency ordinance shall contain a section in which the emergency is set forth and defined, provided however, that the declaration of such emergency by the Town Council shall be conclusive.

**118.0: Item for Meetings: Filed When.**

No ordinance, order, or resolve shall be in order for action at any meeting of the Town Council unless such ordinance, order, or resolve shall be filed in the office of the Town Clerk on or before 2:00 p.m. in the afternoon on the Wednesday prior to the regular meeting held on the following Wednesday and before 2:00 p.m. in the afternoon of the business day next to the day of any other special meeting. [amended 12/01/04]

**118.1:** In the event that the Town Clerk's Office is not open on Wednesday, then the deadline for filing will fall at 2:00 p.m. on Tuesday the day before the original filing deadline. Members of the public wishing to place an item on the agenda shall do so with the support of a Councillor. Agenda items shall not be removed from the agenda after the agenda has been published. [adopted 04/19/00; amended 12/01/04]

**119.0: Chair to be Presiding Officer.**

The Chair shall take the chair at the time appointed for the meeting, call the members to order, cause the roll to be called, and, a quorum being present, cause the minutes of the preceding meeting to be read and proceed to business.

**120.0: Role of Vice Chair.**

The Town Council shall elect a Councillor to serve as Vice Chair by a majority vote. The Vice Chair will serve in the absence or disability of the Chair and perform any duties as designated by the Chair. The term of Vice Chair will be concurrent with the Chair. [amended 04/04/01].

**121.0: Preserve Order: Decide All Questions of Order.**

The Chair shall preserve decorum and order, may speak to points of order in preference to other members, and shall decide all questions of order and subject to an appeal to the Council by motion regularly seconded, and no other business shall be in order until the question on appeal is decided.

**122.0: Declare Votes: Cause Return of Votes.**

The Chair shall declare all votes, but if any member doubts a vote, the Chair shall cause a return of the members voting in the affirmative and in the negative without debate.

**123.0: Debate: Rules of.**

When a question is under debate, the Chair shall receive no motion but to adjourn, or for the previous question, or to lay on the table, or to postpone to a day certain or to refer to a committee or some administrative official, or to amend, or to postpone indefinitely; which several motions shall have precedence in the order in which they stand arranged. The Town Manager shall have the right to take part in the discussion, but may not vote.



**124.0: Motion to Adjourn: Lay on Table.**

The Chair shall consider a motion to adjourn as always in order except on immediate repetition; and that motion and the motion to lay on the table, or to take from the table, shall be decided without debate.

**125.0: Reconsideration.**

When a vote is passed, it shall be in order that only those Council members who voted in the majority can sponsor an item for reconsideration, or in the negative on a tie vote, to move a reconsideration thereof at the same, or the next stated meeting, but not afterwards; and when a motion of reconsideration is decided, that vote shall not be reconsidered.

**125.1:** No motion to reconsider a vote passed at a previous meeting shall be in order for consideration at the next meeting unless an item to that effect is contained on the agenda for such next meeting, or unless five of the members consent to such reconsideration. Only a Council member who voted in the majority can make the motion to reconsider. [amended 10/21/09]

**125.2:** A petition once presented to and finally acted upon by the Town Council shall not again be received by the Town Clerk for presentation to the Council in the same or substantially the same form for a period of one year next succeeding the Council's final actions on the original petition.

**125.3:** A member of the Town Council, voting with the majority on the original petition, shall be privileged to reintroduce such a petition.

**126.0: Motion for Previous Question.**

Upon the motion for the previous question being made and seconded, the Chair shall put the question in the following form:

*“Shall the main question be put?”*

**126.1:** And all debates upon the main question shall be suspended until the motion for the previous question shall be decided. After the adoption of said motion for the previous question by a majority vote, the sense of the Council shall be forthwith taken upon all pending amendments, and then upon the main question.

**127.0: Not to be Debated or Amended.**

No debate shall be allowed on a motion for the previous question. Neither is it susceptible of amendment.

**127.1:** All questions of order arising incidentally thereon must be decided without discussion whether appeal be had from the chair or not.

**128.0: Manner of Speaking.**

When a member is about to speak, said member shall respectfully address the Chair, confine comments to the question under debate, and avoid personalities.

**129.0: Not to Interrupt.**

No member speaking shall be interrupted by another, but by a call to order or to correct a mistake.

**130.0: Breach of Rules and Orders.**

Please refer to Section 200 – Town Council Procedures – Page 8.

**131.0: Member Excused from Voting: When.**

All members present when a question is put shall give their vote, unless the Council, for special reasons, shall excuse any member.

**131.1:** Application to be so excused must be made before the Council is divided, or before the calling of the yeas and nays, and decided without debate.

**132.0: Motion to be Reduced to Writing: When.**

Every motion shall be reduced to writing, if the Chair shall so direct.

**133.0: Division of Question.**

Any member may require the division of a question when the sense will admit it. When a single motion contains a number of parts, each of which is capable of standing alone, the parts can be separated and voted on as if they were distinct questions. Division of the question takes precedence over the main motion and must be dealt with before moving on the main motion. [amended 10/21/09]

**134.0: Motion for Referral.**

A motion for referral to a committee or administrative official, until it is decided, shall preclude all amendments to the main question.

**135.0: Priority of Business.**

All questions relating to priority of business to be acted upon shall be decided without debate.

**136.0: Suspension of Rules: Amendment or Repeal.**

The rules shall not be dispensed with or suspended unless five of the members of the Council consent thereto.

**136.1:** No rule or order shall be amended or repealed without notice, in writing, being given at the preceding meeting.

**Section 200: TOWN COUNCIL PROCEDURES**

**200.0: Breach of Rules and Orders [amended 10/21/09].**

The proper operation of democratic government requires that Town Councilors be fair, impartial and responsive to the needs of the people and each other in the performance of the respective functions and duties; that decisions and policy be made in proper channels of the Town's governmental structure; that public office not be used for personal gain; and that such Councilors maintain a standard of conduct that will inspire public confidence in the integrity of the Town's government. In recognition of these goals, a Code of Ethics is hereby established for all Town Councilors which is not intended to deny Council members their constitutional rights nor violate their civil rights.

**200.1: Standards of Conduct.** The purpose of this Code is to establish ethical standards of conduct for all Town Councilors by setting forth those acts or actions deemed to be in conflict or incompatible, or to create the appearance of conflict or incompatibility, with the best interest of the Town of Scarborough.

**200.2: Conflicts of Interest.** No Councilor shall participate directly by means of deliberation, approval or disapproval, or recommendation, in the purchase of goods and services for the Town, and the award of any contracts with the Town, except that he/she may be allowed to submit bids for same in accordance with the Town ordinances; and under the laws of the State of Maine, where to his/her knowledge there is a financial interest, or special interest other than that possessed by the public generally, in such purchase or award, held by:

**200.2.a:** himself/herself or a member of his/her immediate family;

**200.2.b:** a business in which he/she or a member of his/her immediate family serves as an officer, director, trustee, partner or employee in a supervisory or management position; or

**200.2.c:** any other person or business with whom he/she or a member of his/her immediate family are in business, or are negotiating or have an arrangement concerning future employment.

**200.3: Disclosure of Confidential Information.** No Town Councilor shall, without proper legal authorization, disclose confidential information concerning the property, government or affairs of the Town, nor shall he/her use such information to advance the financial or private interest of himself/herself or others. For purposes of this subsection, the term "confidential information" shall mean any information, oral or written, which comes to the attention of, or is available to, such Town Councilor only because of his/her position with the Town, and is not a matter of public record. Information received and discussed during an executive session of the Scarborough Town Councilor any Town agency shall be considered within the constraints of this section, and shall not be disclosed to any third part unless permitted by affirmative vote of such body.

**200.4: Gifts and Favors.** No Town Councilor shall accept any gift in excess of \$50, whether in the form of service, loan, thing or promise, from any person and/or business which to his/her knowledge is interested directly or indirectly in any manner whatsoever in business dealings with the Town; nor shall any Town Councilor: (1) accept any gift, favor or thing that tends to influence him/her in the discharge of his/her official duties; or (2) grant in the discharge of his/her official duties any improper favor, service or thing.

**200.5: Use of Town Property.** Nothing herein shall prohibit the use of Town buildings and equipment at rates and/or on terms as may be established.

**200.6: Disclosure of Interest in Agenda Items.** Any Town Councilor who believes he/she or a member of his/her immediate family, has a financial or special interest, other than an interest held by the public generally in any proposed order, ordinance or resolve on the agenda of the Scarborough Town Council, shall disclose the nature and extent of such interest, and have it recorded by the Clerk on the Town records of such item.

**200.6a:** Once such disclosure has been made, such Town Councilor shall refrain and shall be relieved, in the discretion of the other members of the Council, from voting or otherwise participating in the deliberations and decision making process on such item.

**200.6.b:** Nothing herein shall be construed to prohibit any Town Councilor from representing his/her own personal interest in any such item.

**200.7: Disclosure Statement by Town Councilors.** Every Town Councilor shall file with the Town Clerk within thirty (30) days after the effective date of this Section, and during the month of April during each calendar year thereafter, a written statement under oath containing the following information, to the best of his/her knowledge and belief:

**200.7.a:** The name of each person or business doing business with the Town in an amount in excess of one thousand dollars (\$1,000.00) during the preceding calendar year from which such Councilor, or a member of his/her immediate family, has received money or other thing of value in an amount in excess of one thousand dollars (\$1,000.00) during the preceding calendar year, including campaign contributions.

**200.7.b:** For purposes of this Code, a list prepared by the Finance Officer of those persons or businesses doing business with the Town in amount in excess of one thousand dollars (\$1,000.00) for the preceding calendar year shall be determinative for purposes of reporting under this section.

**200.7.c:** Income from, and financial investments in, policies of insurance, and deposits and accounts from commercial or savings banks, savings and loan associations, or credit unions shall not be considered to be a financial interest within the meaning of this section.

**200.8: Political Activities.** No Town Councilor shall participate in any political activity which would be in conflict or incompatible with the performance of his/ her official functions and duties for the Town. In conjunction therewith:

**200.8.a:** No Town Councilor may use his/her official authority or position for the purposes of influencing or interfering with or affecting the results of any election, nor shall he/she solicit funds or contributions or accept or receive funds or contributions from Town employees for political purposes. No Town Councilor may distribute pamphlets or handbills while he/she is performing their official functions and duties with the Town. Nothing herein shall be construed to prohibit any Town Councilor from participating in the political process in their capacity as private citizens.

**200.9: Penalties.** In addition to any other penalties or remedies as may be provided by law, violation of this Code shall constitute cause for censure, after notice and hearing conducted in private by the Town Council or if otherwise requested in writing by the Councilor to conduct the hearing in public session. A majority of the Scarborough Town Council shall conduct such proceedings.

**200.10: Separability.** If any section, subsection, sentence, clause or phrase of this Code is for any reason held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this Code.

**201.0: Appointments To Town Committees/Boards.**

Appointments to town committee/boards must go through a two-meeting process. Name(s) of individual(s) will be posted at one Council meeting and approved at the next Council meeting. Current members will serve until a replacement is named by the Appointments and Negotiations Committee and certified by the Council. The term for new appointees will be for one year unless otherwise determined by the Town Council. [amended 09/04/02; amended 04/01/15; amended 05/17/17]

**202.0: Procedures For Addressing The Council.**

Any person wishing to address the Town Council will be given an opportunity to do so in accordance with the following procedures:

**202.1: Procedure.**

A Public Comment Period shall be conducted prior to the start of any Council business at each regular Town Council meeting, at which time citizens shall be given the opportunity to be heard on matters concerning Town business in general. Additional public comment shall be allowed during public hearings and on agenda items. Such public forums and/or public comment periods may be waived if no member of the public wishes to speak. Persons wishing to speak will preface their comments by giving their name and address. [amended 10/21/09]

**202.2: Time Limit.**

All such public forums, public comment periods and public hearings shall be conducted under the following guidelines:

**202.2.a: General Public Comment:** Persons addressing the Town Council during the public comment period at the beginning of the meeting shall limit their comments to (3) three minutes. Individuals may be permitted to speak more than once at the discretion of the Chair of the Council. The first (30) thirty minutes of the Council meeting will be allocated for general public comment. If it appears that the public comment period will exceed 30 minutes, public comment may be suspended by the Chair, so the Town Council may conduct its business, in any case to occur prior to adjournment. [amended 10/21/09]

**202.2.b.: Public Hearing Comment:** Persons addressing the Town Council during a public hearing shall limit their comments to the particular agenda item and shall limit their comments to (3) three minutes. Individuals may be permitted to speak more than once at the discretion of the Chair of the Council. [amended 04/18/01][amended 10/21/09].

**202.2.c: Public Comment on Agenda Items:** Following the reading of each agenda item, the Chair shall ask if any member of the public wishes to speak on that item. Persons who have previously addressed the Town Council during the public comment portion and wishes to speak on an agenda item may do so only if there is new and pertinent information to be added and limit their comments to (3) three minutes. [amended 10/21/09]

**202.2.d: Council Member Comments:** Each Council Meeting Agenda schedules an opportunity for Council Member to share personal comments that may be of community interest, at the close of each meeting. Town Council members shall limit their comments to (10) ten minutes. Individual Councilors may be permitted to speak more than once at the discretion of the Chair of the Council.

**202.3: Decorum.**

Persons present at Council meetings, including Elected Officials, are requested not to applaud or otherwise express approval or disapproval of any statements made or action taken at such meeting.

**202.3.a:** Persons addressing the Council shall direct their remarks exclusively to the Council Chair unless the Chair allows otherwise. Persons will strive to be accurate in their statements and avoid making personal, rude or provocative remarks. All statements should respect the dignity and seriousness of the proceeding. Persons conduct themselves in a manner expected of all meeting participants. [amended 04/18/01; amended 04/01/15]

**202.3.b.:** It shall be at the discretion of the Council Chair to ask any persons making in-appropriate statements, and/or conducting themselves in a disrespectful manner to cease such action or risk being asked to be seated or removed. [adopted 10/21/09]

**203.0: Council Standing Committees [amended 01/07/98][amend 10/21/09][amended 09/07/16].**

At the commencement of the municipal year, or soon thereafter as possible, there shall be chosen the following Standing Committees, each Standing Committee to consist of such members of the Council as the Town Council may designate:

**203.0.a: 3 Members to the Finance Committee:**

The Finance Committee shall review appropriation requests and revenue estimates for all offices, agencies and departments of the Town. The Finance Committee shall meet regularly with its designated counterpart from the Town Department of Education to discuss the appropriation requests and revenue estimates from that department in accordance with Article IV and V of the Town Charter. The Finance Committee shall prepare recommended line item appropriation amendments, with the exception of the Town Department of Education Budget, to the proposed budget to the Town Council prior to the public hearing and final reading. The Finance Committee shall recommend, only, a total appropriation for the Town Department of Education. Pursuant to Article V of the Town Charter, the Town Council retains the ultimate responsibility of reviewing and approving the total budget with or without amendments.

In consultation with the Town Manager and staff, the Finance Committee may prepare and recommend for approval by the Town Council, policies and/or procedures relating to the financial affairs of the Town.

**203.0.b: 3 Members to the Appointments and Negotiations Committee:**

The Appointments and Negotiations Committee shall meet from time to time and review applications for vacancies on the various Town committees/boards and make their recommendations in accordance with Section 201.0 of the Rules and Policies Manual. The Committee will provide analysis and recommendations about the Town's collective bargaining strategy and compensation planning. [amended 05/17/17]

**203.0.c.: 3 Members to the Ordinance Committee:**

The members of the Ordinance Committee shall review proposed ordinances or amendments and make recommendations thereon to the Council for final action.

Minor amendments are amendments that do not alter the substance to ordinances generated from other standing committees may be recommended administratively to the Council without review by the Ordinance Committee. From time to time the Town Council may appoint a committee that may not require its recommendations to be reviewed by the Ordinance Committee.

**203.0.d: 3 Members to the Rules and Policies Committee:**

The Rules and Policies Committee shall review proposed Policies Chapter 101 – Town Council Adopted Policies and Chapter 302 – Rules & Procedures from time to time to ensure that it is in compliance with State Law and the local Charter. All recommendations will be brought forward for approval by the Town Council.

**203.0.e.: Members to the Communications Committee:**

The members of the Communications Committee will provide direction, policy oversight and business decision support for all communication efforts of the Town Council. The Committee will from time to time review and offer feedback on the Town's current mechanisms for promoting Town Council and community engagement. The Committee may identify new strategies and resources that will foster and promote a positive and productive dialogue with community members; help facilitate improvements to existing and new communications

mediums; and they will provide the Council with an annual report summarizing the committee's activities from the previous year and recommendation for the year to come. [adopted 05/17/17]

**203.1:**The Council Chair shall select committee members after seeking input from Councilors on committee preference. Committee appointments are subject to confirmation by a majority of the Council. The Council Chair Shall serves as an ex-officio member of all Council Standing Committees and may vote only in the absence of any regular meeting member.

**203.2:** The Councilor first named shall serve as Committee Chair. In the case of a member's resignation or inability to serve, the Council Chair shall designate a new committee member. Committee members shall be chosen at the first regular meeting of the Town Council following the meeting in which the Council Chair is elected.

**203.3:** Members of the Town Council may attend and participate at the Council Committee meetings, but shall only vote at meetings for the committee of which they are a member. Citizens will be allowed to give input at the discretion of the Committee Chair.

**203.2.a:** A quorum of a Town Council Committee shall consist of two members of that Committee.

#### **204.0: Other Committees/Boards**

**204.1: Special Committees/Boards** – Committees/Boards that are created by the Town Council and for which serve a specific purpose for an indefinite period of time and those Committee/Boards that are required by State Statute. [e.g. Conservation Commission; Planning Board; Shellfish Conservation Commission].

**204.2: Ad-hoc Committees/Boards** – Those Committees/Boards that are appointed by the Town Council for a specific purpose and/or for a specified duration [e.g. Payne Road Study Committee, Energy Study Committee].

**204.3: Review of Committees/Boards** – The Town council shall conduct an annual review of all committees/boards and other than standing committees of the Council, to ensure that there is still a valid need for such committees/boards. The workshop shall be held within the first quarter of the year. [Adopted 09-18-2013]

### **SECTION 300.0: OTHER TOWN COUNCIL PROCEDURES**

#### **301.0: Individual Opinion Disclaimers.**

If a Councillor uses town letterhead to express an opinion that is not the official position of the Town Council, then the letter shall include a disclaimer stating the opinions presented are those of the individual Councilor.

#### **302.0: Council Correspondence Policy [adopted 08/18/99].**

Councilors will be reasonable in making personal statements insofar that they will not project a personal opinion as the official position of the Town Council.

#### **303.0: Town Council Reimbursement for Professional Development.**

##### **303.1: Conference/Workshop Expenditures [adopted 04/19/00].**

The Town of Scarborough recognizes the constructive value of professional conferences, seminars, meeting, and training individual Town Councilors may actively participate in that support their elected role. The Finance Committee shall recommend ~~be responsible in setting~~ annual funding for

Council professional development. The Town Manager shall administer the use of those funds in accordance with the standard operating procedures that are consistent with Scarborough municipal employee rules and policies.

**303.2 - Repeal of Prior Town Council Travel Policy.** This section repeals the Town Council Travel Policy adopted by the Town Council on February 18, 1998 and as amended on April 19, 2000 and replaces it with Chapter 302 – the Scarborough Town Council Rules and Procedures Manual Section 303.0 Reimbursement for Professional Development, adopted by the Town Council on September 7, 2016.



## APPENDIX A: POLICY MATRIX

Type	Intended Audience	Process to Enact	Votes to Pass	Council Rules	Charter	Statutory
<b>Council Rules &amp; Order</b>	Council Members	2 Council Mtg.	Simple Majority	Section 100: Sub.102	Section. 212	No
Defined As: General procedural rules and orders adopted by the Council Members for the members of the Council to follow.						
<b>Resolutions/Resolves</b>	Staff and/or General Public	1 Council Mtg.	Simple Majority	Section 100: Sub. 102.4	No	No
Defined As: An expression of opinion, principles, facts or purposes adopted by the Council as direction to the staff and/or general public.						
<b>Orders</b>				Section 109-117	No	No
General or if authorizing expenditure under \$500	Staff and/or General Public	1 Council Mtg.	Simple Majority	Section 111, 115	No	No.
\$500 or more	Staff	2 Council Mtg.	Simple Majority <sup>1</sup>	Section 111, 115	No	No
<b>Ordinances</b>	General Public – enforcement by staff	1 Council Mtg., Public Hearing & 2 <sup>nd</sup> Meeting <sup>2</sup>	Simple Majority <sup>3</sup>	Section 109-117.	Section. 213	Title 30A, Part 2
Defined As: By-law, law or legal requirement adopted by the Council, as authorized by state statute and town charter to exercise any power or function which the Legislature has power to confer upon it.						
<b>Petitions</b>						No
General or if requesting a reversal of a Council decision.	Council Members, Staff and/or General Public	See Town Charter	Council vote not required.		Article IX: Section 903	No
If not requesting a reversal of a Council decision.	Council Members, Staff and/or General Public			Section 100: Sub. 102.7		No.
Defined As: Formal written requests addressed to a person(s) in authority that asks for some action or benefit, or the redress of a grievance. A petition may also be a formal application in writing made to the Council requesting action concerning some matter.						
<b>Proclamations</b>	Staff and/or Gen. Public	Staff – if authority delegated		Section 100: Sub. 102.5	No	No
Defined As: Recognition, expression of support or sentiment on behalf of the Town of Scarborough.						
<b>Policies</b>	Council	1 Council Mtg.	Simple Majority	Section 100: Sub. 102.2	No	No
Defined As: A plan or course of action, guiding principle, or procedure considered being expedient, prudent or advantageous.						

<sup>1</sup> There are exceptions to a simple majority vote, such as to suspend the rules and wave the second reading or to add a new project or expenditure once the budget has been adopted. These exceptions require a minimum affirmative vote of five members of the Council.

<sup>2</sup> A second reading can be held on the same night as the public hearing.

<sup>3</sup> There are exceptions to a simple majority vote such as the approval of a Contract Zoning Request (which requires a minimum affirmative vote of two thirds of the Council Members but not less than four) or the enactment of an Emergency Ordinance (which requires a minimum affirmative vote of five members of the Council to adopt it).