

Minutes  
Town of Montville  
Rules and Procedures Standing Committee  
Special Meeting, August 5, 2009, 2:00 p.m.  
Montville Town Hall, Room 102

The meeting was called to order at 2:00 p.m. by J. Geary

Present were councilors Howard R. Beetham, John Geary and Rosetta Jones.

There was no public present.

By consensus it was determined the meeting would be informal, J. Geary would be Chair and Recording Secretary.

The purpose of the meeting was to review various proposals for revising the Council's Rules and Procedures which were last revised in 1997, and submit a draft for the August Council meeting.

The Committee is appreciative of the recent assistance provided by Town Clerk Lisa Terry and Town Attorney Bruce Chudwick in relation to this revision project.

Overall, the Committee is in general agreement of the latest revisions but wants explanations and justifications on a number of issues. Attached is a summary of comment of the Committee.

Submitted  
Councilor John Geary.

Encl.

## Summary of Comment from the Rules and Procedure Standing Committee meeting of August 5, 2009

1. The latest proposal as revised by Counsel changes the title to “Rules of Procedure” for which the Committee requests justification. (And, in the event of the Council’s adopting the new title, would this require other boards and commissions to also adopt the new terminology for their Rules?)

Overall the Committee is in general agreement with the revisions but wants some explanations and justifications.

2. **Rule 3 (D)** (regarding the Council’s Minutes Clerk) states “The Minutes Clerk shall attend all Council meetings and serve at the pleasure of the Council.” This provision was not specifically discussed at the Committee meeting. I suggest amending to “shall attend all Regular Council meetings...  
And adding:  
“The Chair shall determine whether the Minutes Clerk is required at Special Meetings.” as some may involve only Executive Sessions, not really requiring a Minutes Clerk being present at the meeting.
3. **Rule 6 (A)** Please note regarding *Robert’s Rules of Order, “as amended”*, that it is essential to be aware of what edition/revision of Robert’s Rules we are using; it should only be the most current edition. At present, the 10<sup>th</sup> Edition published in 2000 is current.
4. **Rule 6 (F)** regarding the Chair voting last in a call of the roll, this may cause some challenge. Atty. Chudwick and Nancy Sylvester, a Professional Registered Parliamentarian, Certified Professional Parliamentarian, and Certified Teacher of Parliamentary Procedure, claim it is “a usual practice” for the Chair to vote last.
5. **Rule 6 (J) Parliamentary Procedure.** This rule quotes verbatim C310 of the Charter except the first sentence. The Committee asks Counsel to clarify the purpose of including this section in our Rules.
6. **Rule 9 (C) The Agenda.** The Committee objects to the cut-off deadline for submitting agenda items being changed from 1:00 p.m. to 4:00 p.m. on Wednesday. (Late submissions can be put on an addendum). The Committee recommends consistency in the availability of the agenda package being placed in the mail slots for pickup, and also requests a telephone call confirming availability.
7. **Rule 11 Standing Committees**  
As best we can determine the Town Standing Committees are not required by the Charter, and thus referrals are not necessarily mandated. Thus, the term

“review, as required,” apparently means subject to the determination of the Council as to whether a referral is made, and some instruction or direction on referrals made.

**8. Rule 13 Appointment to Agencies**

Questions arose as to the Charter requirement of C410 that certain appointments require the person to be an “elector”, and whether the Town Council has violated this provision, and if so, what action should be taken. It may well be we have incorrect information or some misunderstanding.

**9. Rule 16 Code of Conduct**

The Committee asks why this new provision was recently inserted into the Council’s Rules in view of the Charter provisions C308 – Code of Ethics and Investigations, and C903 – Conflict of Interest.

Submitted by  
Councilor John Geary