

## Chapter A236. Town Meeting Rules

[HISTORY: Adopted by the Representative Town Meeting of the Town of Branford 10-5-1965. Amendments noted where applicable.]

### § A236-1. Moderator.

- A. Rule 1.1. The Moderator shall take the chair at the hour for which the meeting was called or to which it is adjourned, shall immediately call the RTM to order, have taken a call of the roll by the RTM Clerk and, if a quorum is present, proceed to the business of the meeting.
- B. Rule 1.2. In the absence of a quorum, the Moderator shall adjourn the meeting to a definite time.
- C. Rule 1.3. In case of any disturbance or disorderly conduct within the meeting hall, the Moderator shall have the power to have the person or persons causing the disturbance removed.
- D. Rule 1.4. In case the Moderator wishes to leave the chair for the purpose of taking part in debate or for any other cause, he may designate a member to perform the duties of the chair.
- E. Rule 1.5. In case the Moderator is absent at the hour for which the RTM has been called or to which it stands adjourned, the First Selectman, or in his absence the Town Clerk, shall call the RTM to order, and the first business shall be the election of a Moderator Pro Tempore who shall preside over the RTM and discharge all the duties of the Moderator until his return.
- F. Rule 1.6. In case of the resignation or removal from office of the Moderator and provided that he retains his membership in the RTM, the First Selectman, or in his absence the Town Clerk, shall call the RTM to order, and the first business shall be the election of a Moderator, and the Moderator thus elected shall preside over the RTM and discharge all of the duties of the Moderator during the remainder of the RTM term.
- G. Rule 1.7. In case of the death of the Moderator or his resignation from both the office and membership in the RTM or his removal from both the office and membership of the RTM for any cause, the First Selectman, or in his absence the Town Clerk, shall call the RTM to order, and the first business shall be the election of a Moderator Pro Tempore who shall be the Moderator until the first meeting after the election to fill the vacancy in the RTM membership at which meeting the First Selectman, or in his absence the Town Clerk, shall call the RTM to order, and the first business shall be the election of a Moderator, and the Moderator thus elected shall preside over the RTM and discharge all the duties of the Moderator during the remainder of the RTM term.
- H. Rule 1.8. When any member is about to speak in debate or to deliver any matter to the RTM, he shall rise and address the chair as "Mr. Moderator" and shall wait to be recognized by the chair before beginning to speak. If two or more members rise at the same time, the Moderator shall name the member entitled to the floor.
- I. Rule 1.9. The Moderator shall control debate in accordance with the wishes of the RTM as outlined in § A236-6.
- J. Rule 1.10. If any member is speaking or otherwise transgresses the rules of order of the RTM, the Moderator shall call him to order. The member will be allowed to justify his act or discussion, and if he does so to the satisfaction of the chair, he will continue, but if he does not, he will be seated.
- K. Rule 1.11. The Moderator shall at all times guarantee the right of speech to any elector of the Town or to any person, who, except for the provisions of the RTM Charter, would be entitled to vote in Town Meeting, subject to such rules and restrictions as are hereinafter provided.

- (1) A nonmember wishing to speak shall rise and address the chair as "Mr. Moderator." When recognized by the chair, he shall state his name and, if requested by the RTM Clerk, his address. Unless his right to speak is successfully challenged by a member rising to a point of order, he shall proceed to speak on the subject under discussion or debate.
- (2) A nonmember shall speak only on matters of Town business appearing on the agenda or call of the meeting and only when such matters are under discussion or debate by the RTM. A nonmember shall take no part in debate on questions of procedure, acceptance of committee reports, organization of the RTM or qualifications of RTM members.
- (3) If an RTM member shall be entitled to the floor, he shall have the privilege of having recognized any nonmember present for the purpose of speaking in his place, subject, however, to the same rights and restrictions as if the member were speaking himself.
- (4) Upon receipt of a petition signed by 50 electors asking that an item of Town business be placed on the agenda of the RTM, the moderator shall place such item on the agenda for consideration by the RTM.

[Added 2-12-2014<sup>[1]</sup>]

[1] *Editor's Note: This subsection was repealed 9-12-2012, but was reinstated as originally adopted 6-9-2010.*

- (5) Nothing in these rules shall be construed as affecting the rights of nonmembers as set forth in Section 5e, Electors' rights, of the RTM Charter.

- L. Rule 1.12. The Moderator shall be an ex officio member of all RTM committees but shall not vote in such committees, except to break a tie vote.
- M. Rule 1.13. The Moderator shall determine the appropriate committee to which any matter shall be referred subject to the provisions of § **A236-4**.

## § A236-2. RTM Clerk.

- A. Rule 2.1. The RTM Clerk shall keep an accurate record of attendance at all meetings, of all members, both regular and ex officio. Such record shall be a part of the minutes of the meeting.
- B. Rule 2.2. When any member has failed to attend three consecutive regular meetings, as defined under § **A236-8D**, Rule 8.4, the RTM Clerk shall so certify in writing to the Moderator, who shall immediately declare a vacancy in said member's seat, as provided by the Charter, and shall call for an election to fill said vacancy.
- C. Rule 2.3. The RTM Clerk shall keep accurate minutes of the proceedings of the RTM, using such stenographic assistance or such recording devices as the RTM may provide.
- D. Rule 2.4. The RTM Clerk shall prepare the minutes of each meeting and shall deliver said minutes to the Town Clerk not later than two weeks after said meeting. The Town Clerk shall distribute said minutes to the RTM members with the call for the next regularly scheduled meeting.
- E. Rule 2.5. The RTM Clerk shall receive and open all mail or other communications addressed to the RTM. If action prior to the next meeting is indicated upon any communication received, the RTM Clerk shall refer the matter to the Moderator immediately.
- F. Rule 2.6. The RTM Clerk shall furnish the Town Clerk with a copy or brief statement of each ordinance adopted, amended or repealed by the RTM not later than 12:00 noon of the third day following action of the RTM thereon.

## § A236-3. Order of business.

- A. Rule 3.1. The regular order of business shall be as follows:
  - (1) Roll call.
  - (2) Approval of the minutes of previous meeting.
  - (3) Reception of communications.
  - (4) Reports of committees.

- (5) Citizens' petitions.
  - (6) Business on the agenda.
  - (7) Other business.
- B. Rule 3.1.1. Approval of the minutes of the previous meeting or meetings shall be required only at regularly scheduled meetings.

## § A236-4. Committees.

### A. Rule 4.1. Standing committees.

- (1) There shall be the following standing committees, which shall have the functions and the cognizance of the departmental expense and capital projects budgetary areas of Town business, respectively, as listed.  
 [Amended 6-11-1986; 4-14-1993; 4-4-2010; 6-9-2010; 2-8-2012; 12-12-2012]

- (a) Administrative Services: to study and recommend action on any matters related to:  
 [Amended 1-13-2016]

<b>Item</b>	<b>Area</b>
1	Assessor
2	Board of Assessment Appeals
3	Elderly Services
4	East Shore District Health Department
5	Elections
6	Executive
7	Human Resources and Labor Relations
8	Human Services
9	Information Technology
10	Legal Services
11	Legislative
12	Probate Court
13	Tax Collector
14	Town Clerk

- (b) Education: to study and recommend action on any matters related to:

<b>Item</b>	<b>Area</b>
1	Adult Education
2	Board of Education
3	School Age Child Care
4	James Blackstone Memorial Library
5	Willoughby Wallace Memorial Library

- (c) Public Services: to study and recommend action on any matters related to:  
 [Amended 1-13-2016]

<b>Item</b>	<b>Area</b>
1	Animal Control
2	Docks and Recreation
3	Engineering
4	Fire Services
5	Municipal Buildings
6	Police Services
7	Police Service Special Detail
8	Public Works
9	Solid Waste Management and Recycling

- (d) Rules and Ordinances: to maintain a constant review of the rules and to recommend changes therein to the RTM for action. Study of certain general

ordinances shall be the responsibility of this Committee; also, to study and recommend action on matters related to:

Item	Area
1	Building Inspection and Enforcement
2	Conservation and Environment
3	Economic Development
4	Inland Wetlands and Natural Resources
5	Planning and Zoning
6	Shellfish Commission
7	Water Pollution Control Authority
8	Zoning Board of Appeals

(e) Ways and Means: to study and recommend action on any matters related to:  
[Amended 1-13-2016]

Item	Area
1	Board of Finance
2	Branford Cable Television
3	Capital Projects that require Bonding
4	Contingency
5	Employee Group Insurance
6	Fiscal Services
7	Interest Debt Service
8	Municipal Insurance
9	Parker Memorial Park
10	Parks and Open Space
11	Pensions and Contributions
12	Principal Debt Service
13	Public Celebration
14	Recreation Department
15	Sewer Assessment
16	Water Assessment

(2) Each standing committee shall consist of the following membership:  
[Amended 11-3-1971]

Committee	Number of Members
Administrative Services [Amended 1-8-1986]	7
Public Services	7
Education	7
Ways and Means	5
Rules and Ordinances [Amended 1-8-1986]	7

- (3) Each RTM member shall be appointed to at least one but not more than two standing committees.
- (4) No more than a majority of one member from any one political party shall be appointed to any standing committee.
- (5) The Moderator shall appoint the members and designate the Chairman of each standing committee, unless otherwise instructed by a two-thirds vote of the RTM members present at a meeting.
- (6) The majority leader and the minority leader shall be ex officio members, without voting power, of all standing committees. The majority and minority leaders may, however, be voting members of the standing committee or committees to which appointed pursuant to Subsection **A(2)**; however, said leaders cannot serve as chairman of any committee.  
[Amended 1-8-1986; 1-10-2018]
- (7) The moderator, clerk, majority and minority leaders, in consultation with the Finance Director, shall meet on an annual basis, after the Town budget, to review standing

committees areas of business and, by majority vote, adjust or reallocate the areas of assignment, if necessary.  
[Added 2-8-2012]

- B. Rule 4.2. Special committees. The Moderator may appoint such special committees as in his opinion may be necessary and may designate the Chairman thereof, subject to the same restrictions as are applied to the appointment of standing committees in Subsection **A**, Rule 4.1.
- (1) Overlay or duplication of standing committee function. Special committees appointed by the Moderator shall not in general overlap or duplicate the functions of a standing committee. If it is necessary to constitute a special committee, which does so overlap or duplicate a standing committee's function, the Moderator shall appoint the Chairman and one minority member of the affected standing committee to be voting members of the special committee. The Rules and Ordinances Committee shall decide when such overlap or duplication of functions occurs and shall so notify the Moderator.
- C. Rule 4.3. Committee responsibilities (general).
- (1) It shall be the function and responsibility of all standing or special committees to provide accurate and up-to-date information to the RTM in their assigned areas, to maintain contact with the appropriate elected and appointed officials of the Town, to consider and recommend action to the RTM on proposed and pending legislation affecting their assigned areas and to perform such other functions as may be assigned to them by the Moderator or RTM from time to time.
  - (2) It shall be the duty and responsibility of each standing or special committee to submit a report in accordance with Subsections **D** and **E**, to the RTM on each item referred to it for consideration, for the purpose of advising the RTM as to recommended action on such matters.
  - (3) Nothing in these rules shall be interpreted as to limit in any way the introduction of recommended legislation, motions or discussions by any RTM member or elector of the Town, in accordance with the Charter, on any subject of proper interest to the RTM.
- D. Rule 4.4. Referral of matters to standing committees or special committees.
- (1) No matter shall be acted on by RTM without due consideration being given to any available report on said matter by the appropriate committee. If time allows, the matter will be referred to the appropriate committee for report at the next regular or special meeting.
  - (2) Upon referral of a matter to a committee by the RTM at a meeting, the committee shall report on such matter at the next regular meeting or at a special meeting called for that specific matter. Failure of the committee to report shall place the matter before the RTM for action.
  - (3) Any new matter may be referred to the appropriate committee by the Moderator at any time, and any matter so referred may, after it has been duly considered by the appropriate committee at a meeting specifically called for that purpose, be acted upon by the RTM at the next regularly scheduled meeting, or at a special meeting called for that specific purpose, provided that notice of such action on such matter shall have been included in the call of the meeting.
  - (4) Any matter of proper interest to the RTM may be returned to the appropriate committee by a majority vote of those present, except that, after a matter has been returned to committee, it shall require a majority vote to return it to the committee again.
  - (5) Any ordinance or amendment thereto to be presented to the RTM for adoption shall, prior to consideration by the RTM, be mailed to all RTM members in the form in which it is to be presented to the RTM, at least five days before the meeting at which said ordinance or amendment thereto is to be considered. No ordinance or amendment thereto shall be considered by the RTM until reviewed by Town Counsel.  
[Added 1-10-1973]
- E. Rule 4.5. Committee reports.
- (1) Content. A committee report shall contain the following information: members present, members voting affirmatively, recommendations for action by the RTM and other information deemed pertinent. A minority report or reports may be presented.
  - (2) Presentation. A written copy of the committee report shall be given the RTM Clerk before or during the meeting at which it is presented for, including it in the RTM records.

At the request of the committee, a copy of the report will be sent to each member along with the call and agenda for the meeting at which the report is to be presented.

F. Rule 4.6. Parliamentary selection.  
[Added 4-14-2010]

- (1) The Rules and Ordinances Chairperson will be the default Parliamentarian for the RTM. The Parliamentarian will be responsible for obtaining, in conjunction with the Town Counsel, a satisfactory answer to any point of information raised by a member of a question of law under § **A236-5A**, Rule 5.1.
- (2) Should the Rules and Ordinances Chairperson not wish to also be the Parliamentarian, the Moderator shall appoint a different member of the Rules and Ordinances Committee of the RTM to serve as the Parliamentarian for the term. The appointment of Parliamentarian by the Moderator only applies for the term of the sitting RTM. After the next full election of the RTM, the Parliamentarian role reverts back to the Rules and Ordinances Chairperson.
- (3) If the RTM does not agree with the Parliamentarian appointment of the Moderator, a 2/3 vote of the full RTM is required to override the selection.

## § A236-5. Points of information.

[Amended 4-14-2010]

- A. Rule 5.1. When any member shall state a clear and substantial question of law as to an item of business before the meeting and shall request opinion of the Town Counsel thereon, the request shall have precedence as a point of information and shall be immediately referred to the Town Counsel, if he is present. If the Town Counsel is not present or shall decline to give an immediate opinion or if, after his opinion is given, any member shall appeal therefrom, the question may, by majority vote of those present, be referred to the Rules and Ordinances Committee for further study and conference with the Town Counsel and report at the next meeting. The motion for such referral shall take precedence over all other business except motions to recess or to adjourn or to fix the time to adjourn.

## § A236-6. Motions.

A. Rule 6.1. Order of precedence.

- (1) When a question is under debate, no motion shall be received, except:
  - (a) To fix the time to which to adjourn.
  - (b) To adjourn (N/D-N/R).
  - (c) To recess (N/D-N/R).
  - (d) To raise a question of privilege, point of order or point of information.
  - (e) To lay on the table (N/D-N/R).
  - (f) For the previous question (two-thirds vote required) (N/D-N/R).
  - (g) To limit debate or to extend limits of debate (two-thirds vote required) (N/D).
  - (h) To postpone to a certain time.
  - (i) To commit or refer. (See § **A236-5A**, Rule 5.1.)
  - (j) To amend.
  - (k) To postpone indefinitely.
- (2) These several motions shall have precedence in order in which they stand arranged above in this rule. Motions for the previous question and to limit debate or to extend limits for debate shall require acceptance by 2/3 of those RTM members present.

- B. Rule 6.2. Reconsideration of motions. There shall be no reconsideration of the vote on any of the following motions: to adjourn, to recess, for the previous question, to suspend the rules, to lay on the table or take from the table or to reconsider.

- C. Rule 6.3. Undebatable motion. There shall be no debate on any of the following motions: to adjourn, to recess, to limit or extend limits of debate, to lay on the table, for the previous question, to question a point of order or to suspend the rules.
- D. Rule 6.4. Reducing motions to writing. Any motion shall be reduced to writing if the Moderator so directs, or if 1/5 of the RTM members present express such desire before the question is put. At least two copies of all main motions concerning ordinances or appropriations shall be provided by the offerer, and such amendments thereto as time and conditions permit shall be submitted in like manner.

## § A236-7. Discussion, debate and voting.

- A. Rule 7.1. Discussion. No discussion or debate shall be allowed after a question is put and while it remains undecided.
- B. Rule 7.2. Personal interest. No member, who is interested in the decision of any question in such a manner that he will not vote, may stay in the meeting hall when such question is discussed or decided.
- C. Rule 7.3. Roll call vote. A roll call vote shall be taken by the RTM Clerk on any question and entered on the records of the RTM at the desire of 10% of the members present, expressed at any time before the question is put.
- D. Rule 7.4. Unless vote by roll call is required on a question, voting shall be by voice, except that the Moderator may at his discretion call for a show of hands.
- E. Rule 7.5. Question of count. If a question is raised by any member as to excess of votes over the number of members present, a count of the RTM shall be made. If it appears that such excess of vote exists, the Moderator shall order the vote taken again by roll call.

## § A236-8. General rules.

- A. Rule 8.1. Charter requirements. All the requirements with respect to the proceedings of the RTM are to be strictly followed, and no rules shall ever be adopted by the RTM which shall be in conflict with any Charter requirements respecting such proceedings.
- B. Rule 8.2. Parliamentary practice. Roberts Rules of Order, revised, shall govern the RTM in all cases to which they are applicable and in which they are not inconsistent with these rules as they now stand or are amended, or with the Charter of the RTM of Branford. The Parliamentarian shall be the authority, second only to the moderator, as to the interpretation of the rules and their application to the matter at hand.
- C. Rule 8.3. Seating of members. The regular RTM members shall sit together in a section apart. A regular RTM member wishing to leave before adjournment shall notify the Moderator before leaving the meeting.
- D. Rule 8.4. Meetings. Regular meetings of the RTM shall be held on the second Wednesday of each month except May, July and August of each year and October 1965, at 8:00 p.m. in the senior high school, on East Main Street, Branford, Connecticut, or any other place as may be chosen by action of a majority of the members of RTM, except that if for some reason it is impossible that the meeting be held at the regular time or regular place, or both, the Moderator shall designate the time or place, or both, for that meeting only, subject to the provisions of the Charter concerning the calling of meetings.  
[Amended 10-12-1965]
- E. Rule 8.5. Amending, altering or suspending the rules.
  - (1) These rules shall not be altered or amended except by vote of at least a majority of the members present at a meeting and unless such alteration or amendment be on the call and agenda of the meeting.
  - (2) Suspension of any of the rules herein shall require the vote of a majority of the members present and shall be for a specified purpose; after the accomplishment of such purpose, the rule or rules suspended shall be in force as before the suspension.

## § A236-9. Communication to the RTM.

[Added 11-10-2010]

- A. Rule 9-1. Communication received by the RTM Clerk at least 48 hours prior to the next scheduled regular RTM meeting shall be considered. Communication received less than 48 hours prior to the regular RTM meeting may be considered at the discretion of the Moderator and RTM Clerk.
- B. Rule 9-2. All written communication consisting of 300 words or fewer, deemed appropriate by the Moderator and RTM Clerk, shall be read in full. Communication greater than 300 words, similarly deemed appropriate may be summarized by the Moderator.
- C. Rule 9-3. Should the Moderator and RTM Clerk not concur on the appropriateness of communications, the Parliamentarian shall break the tie. If the RTM Clerk and the Parliamentarian consider a communication appropriate, the RTM Clerk may read the communication in full or summarize it as described in Rule 9-2.  
[Amended 6-13-2012]
- D. Rule 9-4. Reading communication shall take place during the reception of communication. Any discussion on the communication items shall take place under other business on the call.
- E. Rule 9-5. Any written document, including reports, opinions, maps and letters, to be relied upon in the full RTM vote, must be distributed in written or electronic form to all RTM members at least 48 hours before the RTM vote.  
[Added 1-9-2013]