

**TOWN OF LONDONDERRY, VERMONT
SELECTBOARD RULES OF PROCEDURE
May 24, 2021**

A. PURPOSE

The Selectboard of the Town of Londonderry, Vermont, is required by law to conduct its meetings in accordance with the Vermont Open Meeting Law - 1 V.S.A. §§ 310-314. Meetings of the Londonderry Selectboard must be open to the public at all times, except as provided in 1 V.S.A. § 313.

B. APPLICATION

This policy setting forth rules of procedure shall apply to the Selectboard of the Town of Londonderry, Vermont, which is referred to below as "the Board." These rules shall apply to all regular, special, and emergency meetings of the Board.

C. ORGANIZATION

1. The Board shall annually elect a chair and a vice-chair. The chair of the Board or, in the chair's absence, the vice-chair shall preside over all meetings. If both the chair and the vice-chair are absent, a member selected by the Board shall act as chair for that meeting.
2. The chair shall preserve order in the meeting and shall regulate its proceedings by applying these rules and making determinations about all questions of order or procedure.
3. A majority of the members of the Board shall constitute a quorum. If a quorum of the members of the Board is not present at a meeting, no meeting shall take place.
4. No single member of the Board shall have authority to represent or act on behalf of the Board unless, by majority vote, the Board has delegated such authority for a specific matter at a duly-noticed meeting and such delegation is recorded in the meeting minutes.
5. Motions made by members of the Board do require a second. The chair of the Board may make motions and may vote on all questions before the Board. A motion will only pass if it receives the votes of a majority of the total membership of the Board.
6. There is no limit to the number of times a member of the Board may speak to a question. A member may speak or make a motion only after being recognized by the chair. Motions to close or limit debate will not be entertained.
7. Any member of the Board may request a roll call vote. Pursuant to 1 V.S.A. § 312(a)(2), when one or more members attend a meeting electronically, a roll call vote is required for votes that are not unanimous.
8. Meetings may be recessed to a time and place certain.
9. These rules may be amended by majority vote of the Board, and must be readopted annually.

D. AGENDAS

1. Each regular and special meeting of the Board shall have an agenda, with time allotted for each item of business to be considered by the Board.

- a. Members of the public, Town staff and officials who wish to add an item to the Board meeting agenda shall contact the Town Administrator no less than 5 days prior to the meeting to request inclusion on the agenda. Submittal of a completed Selectboard Agenda Item Request Form is strongly recommended.
 - b. Supporting information for consideration of the proposed agenda item must be submitted to the Town Administrator no less than 3 days before the meeting.
 - c. The chair shall determine the final content of the agenda.
2. At least 48 hours prior to a regular meeting, and at least 24 hours prior to a special meeting, a meeting agenda shall be posted at the following locations:
- a. The Londonderry Town Office (Twitchell Building) - 100 Old School Street
 - b. The Londonderry Post Office - 5660 VT Route 100
 - c. The South Londonderry Post Office - 67 Main Street
 - d. The Town of Londonderry Website – www.londonderryvt.org

The agenda must also be made available to any person who requests such agenda prior to the meeting.

3. All business shall be conducted in the same order as it appears on the noticed agenda, except that any addition to or deletion from the noticed agenda must be made as the first act of business at the meeting once it has been called to order. No additions to or deletions from the agenda shall be considered once the first act of business at the meeting has commenced. Any other adjustment to the noticed agenda, for example, changing the order of business, postponing or tabling actions, may be made by majority vote of the Board.
4. Any vote taken on an agenda item that has been added to a noticed agenda at the meeting, shall be placed on the agenda of the next regular or special meeting for ratification vote by the Board. Any such vote taken on an added agenda item shall remain in effect unless overturned by a ratification vote or other subsequent vote by the Board.

E. MEETINGS

1. Regular meetings of the Board shall take place on the first and third Monday of the month at 6:00 PM at the Londonderry Town Office (Twitchell Building) located at 100 Old School Street in South Londonderry. The Board may on occasion also hold regular meetings at other locations as it deems appropriate.
2. Special meetings of the Board shall be publicly announced at least 24 hours in advance by giving notice to all members of the Board unless previously waived; to an editor, publisher or news director, or radio station serving the area; and to any person who has requested notice of such meetings. In addition, notices shall be posted in the municipal clerk's office and at the following designated places in the municipality:
 - a. The Londonderry Post Office - 5660 VT Route 100

- b. The South Londonderry Post Office - 67 Main Street
- 3. Emergency meetings of the Board may be held without public announcement, without posting of notices, and without 24-hour notice to members, provided some public notice thereof is given as soon as possible before any such meeting. Emergency meetings may be held only when necessary to respond to an unforeseen occurrence or condition requiring immediate attention by the public Board.
- 4. A member of the Board may attend a regular, special, or emergency meeting of the Board by electronic or other means without being physically present at a designated meeting location, so long as the member identifies him or herself when the meeting is convened, and is able to hear and be heard throughout the meeting. Whenever one or more members attend electronically, voting that is not unanimous must be done by roll call. If a quorum or more of the Board attend a meeting (regular, special, or emergency) without being physically present at a designated meeting location, the agenda for the meeting shall designate at least one physical location where a member of the public can attend and participate in the meeting. At least one member of the Board, or at least one staff or designee of the Board, shall be physically present at each designated meeting location.

In cases where, due to an emergency declaration, it is in the public interest to hold meetings entirely remotely to ensure the health and safety of participants, the Board may do so provided that all public notice and participation requirements are followed.

5. Executive Session

- a. The Board may enter into executive session, in which the public is excluded, only in conformance with the provisions of 1 V.S.A. § 313. Executive session may only be held to consider one or more of the following:
 - 1) After making a specific finding that premature general public knowledge would clearly place the public body or a person involved at a substantial disadvantage:
 - a. Contracts;
 - b. Labor relations agreements with employees;
 - c. Arbitration or mediation;
 - d. Grievances, other than tax grievances;
 - e. Pending or probable civil litigation or a prosecution, to which the public body is or may be a party;
 - f. Confidential attorney-client communications made for the purpose of providing professional legal services to the body;
 - 2) The negotiating or securing of real estate purchase or lease options;
 - 3) The appointment or employment or evaluation of a public officer or employee, provided that the public body shall make a final decision to hire or appoint a public officer or employee in an open meeting and shall explain the reasons for its final decision during the open meeting;

- 4) A disciplinary or dismissal action against a public officer or employee; but nothing in this subsection shall be construed to impair the right of such officer or employee to a public hearing if formal charges are brought;
 - 5) A clear and imminent peril to the public safety;
 - 6) Records exempt from the access to public records provisions of section 316 of this title; provided, however, that discussion of the exempt record shall not itself permit an extension of the executive session to the general subject to which the record pertains;
 - 7) Security or emergency response measures, the disclosure of which could jeopardize public safety.
- b. In order to enter executive session, a majority of the Board members present shall make an affirmative vote to do so, the motion for which shall indicate the nature of the business of the executive session, and no other matter may be considered in the executive session. Such vote shall be taken in the course of an open meeting and the result of the vote recorded in the minutes.
- 1) No formal or binding action shall be taken in executive session except for actions relating to the securing of real estate options.
 - 2) Minutes of an executive session need not be taken, but if they are, the minutes shall, notwithstanding subsection 1 V.S.A. § 312(b), be exempt from public copying and inspection under the Public Records Act.
- c. Attendance in executive session shall be limited to members of the Board, and, in the discretion of the Board, its staff, clerical assistants and legal counsel, and persons who are subjects of the discussion or whose information is needed.
- d. Prior to entering executive session the Board shall not make any public declaration or statement of the presumption or assumption of any announcement or decision that may result from an executive session.

F. PUBLIC PARTICIPATION

1. All meetings of the Board are meetings in the public, not of the public. Members of the public shall be afforded reasonable opportunity to express opinions about matters considered by the Board, so long as order is maintained according to these rules.
2. At the end of discussion of each agenda item, but before any action is taken by the Board at each meeting, there may be three (3) minutes afforded for open public comment. By majority vote, the Board may increase the time for open public comment and its place on the agenda. The chair may allow for public comment prior to the end of discussion on an agenda item at his or her discretion.
3. Comment by the public or members of the Board must be addressed to the chair or to the Board as a whole, and not to any individual member of the Board or public.
4. Members of the public must be acknowledged by the chair before speaking.

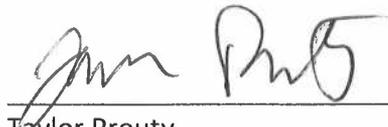
5. If a member of the public has already spoken on a topic, he or she may not be recognized again until others have first been given the opportunity to comment.
6. Order and decorum shall be observed by all persons present at the meeting. Neither members of the Board, nor the members of the public, shall delay or interrupt the proceedings or the peace of the meeting or interrupt or disturb any member while speaking. Members of the Board and members of the public are prohibited from making personal, impertinent, threatening, or profane remarks.
7. Members of the Board and members of the public shall obey the orders of the chair or other presiding member. The chair should adhere to the following process to restore order and decorum of a meeting, but may bypass any or all steps when he or she determines in his or her sole discretion that deviation from the process is warranted:
 - a. Call the meeting to order and remind the members of the applicable rules of procedure.
 - b. Declare a recess or table the issue.
 - c. Adjourn the meeting until a time and date certain.
 - d. Order the constable to remove disorderly person(s) from the meeting.

Adopted by the Town of Londonderry Selectboard at its meeting held on the 24th day of May 2021.

Town of Londonderry, Selectboard



Thomas Cavanagh



Taylor Prouty



Melissa Brown



James Fleming



Vincent Annunziata

These Rules of Procedure supersede those adopted by the Board on 8/17/2020.