

APPENDIX B
TOWN OF DARIEN
RULES OF PROCEDURE
of the
REPRESENTATIVE TOWN MEETING (RTM) *

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***Editor's note**—Printed herein are the RTM Rules. Such Rules were originally adopted in 1962, Revised 1972 and amended thereafter. The 2012 Revised RTM Rules have incorporated provisions that were previously included in the Town Charter.

APPENDIX B—TOWN OF DARIEN RULES OF PROCEDURE

Part I—Purpose Of the Rules

The purpose of these rules is to provide a procedure for the orderly and efficient conduct of the meeting in a manner that will safeguard the traditional principles of representative government. These rules are adopted pursuant to Section 56(e) of the Act Consolidating Certain Special Acts concerning the Town of Darien (hereinafter referred to as the Act).

Part II—Town Meeting Membership and Voting Rights

Part II-Sec. 1. The right to vote at town meetings of the Town of Darien, except meetings for the election of town officers, shall be limited to town meeting members elected as provided herein.

Part II-Sec. 2. At each municipal election, there shall be elected by ballot by each voting district the number of town meeting members to be elected therefrom in accordance with Part II-Sec 3. The provisions of the general statutes relating to elections shall apply to all elections of town meeting members, except as the same are inconsistent with the provisions of this act. No member shall be elected who does not receive at least twenty-five (25) votes of the electors of the district. If a tie vote in a district prevents the election of a town meeting member, the office shall stand vacated and be filled by appointment from among the candidates so tied by a vote of a majority of the town meeting members for said district, both newly elected members and those incumbents whose terms of office extend to the next municipal election.

Part II-Sec. 3. *District Representation:* The registrars of voters shall certify to the town clerk, not less than forty (40) days before a municipal election, the number of electors registered in each voting district on the sixtieth day before such election. Each district shall elect one (1) town meeting member for each one hundred (100) electors in such district, computed to the nearest one hundred (100), as established by said certification of the registrars; provided the total number of members shall be limited to one hundred (100) by apportioning members among the several voting districts so that the members from a given district shall be the same as the percentile figure, disregarding fractions, which, as of the sixtieth day before such election, the number of electors registered in that district bears to the total number of electors of all districts. However, if as the result of applying the foregoing procedure there is a deficiency in the permitted membership of one hundred (100), one (1) additional member shall be allowed to as many districts, selected in descending order of the magnitude of the fractions disregarded above, as is necessary to make up that deficiency. The number of town meeting members to be elected from each district shall be the number of replacements necessary because of expiring terms plus or minus the number of seats necessary to make the total membership from each district equal to its allotted representation.

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Part II-Sec. 4. *Terms of Office; no compensation:* Terms of office of members elected to the RTM shall be two (2) years except as provided herein. In each voting district, the maximum number of two-year terms which may be filled at any election shall be a bare majority of the total allotted representation of that district. Others elected shall have one-year terms. Preference for two-year terms shall be given in descending order of the number of votes received. Town meeting members shall serve until their successors are elected and have qualified. They shall serve without compensation.

Part II-Sec. 5. *Eligibility:* No person shall be eligible for election or appointment as a town meeting member for any voting district who is not an elector of the town and a resident of such district at the time of the filing of his nominating petition or notice of re-nomination in accordance with section 6 of the Act or at the time of his appointment in accordance with section 7 of the Act. No town meeting member shall at the same time hold any other town elective office, or appointive town office as defined in sections 4 and 6 of the Charter, except as expressly permitted in other sections of the Charter or the Code of Ordinances or as provided by state law or where any additional office is advisory as authorized by section 18 of the Charter. If for any reason a town meeting member ceases to be a resident or an elector of the town, his office shall thereupon become vacant. A town meeting member may continue for the remainder of his term to represent the district electing him although his residence has been removed to another district of the town.

Part II-Sec. 6. *Nominations and voting:*

- (a) Nomination of a candidate for a town meeting member shall be made by filing with the town clerk, between eight (8) and twelve (12) weeks prior to the election, a petition on a form provided by the town clerk, signed in ink by at least twenty-five (25) electors of the district in which the candidate resides and bearing the written acceptance of the candidate. A town meeting member may nominate himself for reelection from the same district by giving written notice to such effect to the town clerk at least ten (10) weeks before the election. Each such petition shall contain the name of only one (1) candidate.
- (b) Except as otherwise provided by the general statutes, voting for members of the town meeting shall be by voting machine or by absentee ballot. The town clerk shall certify to the secretary of the state, in accordance with legal due dates, the number of candidates which each voting district may elect, and the names of the candidates nominated in each of said districts. There shall be no party name, symbol, or identification of town meeting candidates. An elector may vote for as

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many persons to be town meeting members as his district is entitled to elect. An elector shall be entitled to cast any or all of his votes for write-in candidates.

Part III—Regular and Special Meetings

Part III-Sec. 1. Regular town meetings shall be held and shall be designated as follows:

Annual Town Meeting: Second Monday of November;

State of the Town Meeting: Fourth Monday after the annual town meeting;

Regular Town Meeting: Fourth Monday of January;

Regular Town Meeting: Third Monday of March;

Annual Budget Meeting: Second Monday of May;

Regular Town Meeting: Fourth Monday of September;

If any of these Mondays is a legal holiday, said meeting shall be held on the next succeeding business day.

Part III-Sec. 2. In the event of inclement weather, power failure or similar circumstances, or the failure to obtain a quorum at the time of a scheduled meeting of the RTM, the moderator may, at his discretion, reschedule the meeting to the next following Monday, giving such notice of rescheduling to the town clerk and RTM in a manner he shall consider reasonable.

Part III-Sec. 3. Special town meetings may be convened by the moderator on his own initiative, and shall be convened by him within ten (10) days after he receives a written request from the first selectman, or after he received a petition, signed by no fewer than fifty (50) electors of the town. Such petition shall conform to the requirements for petitions set forth in section 7-9 of the General Statutes of Connecticut [G.S. § 7-9]. In addition, such request or petition shall state clearly the item or items of business to be considered at such special town meeting. In the absence or disability of the moderator, such special town meeting shall be convened by the town clerk within ten (10) days of his receiving such a request or petition or a duplicate copy thereof.

Part III-Sec. 4. At the state of the town meeting, the first selectman and the chairmen of the board of finance, the board of education and the planning and zoning commission, and such other town officials as the rules committee of the RTM may designate, shall be invited to present their views on existing and prospective matters within their respective spheres that are likely to be of concern to the RTM in the coming year.

Part III-Sec. 5. If, under the General Statutes of Connecticut, a collective bargaining agreement between the town and its employees shall be binding on

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the legislative body of the town unless the legislative body of the town rejects such agreement within a stated period of time and if a regular meeting does not fall within the stated period of time, then the moderator shall call a special town meeting to consider that contract.

Part IV—The Warning, The Agenda And The Resolutions Of The Meeting.

Part IV-Sec 1. The warning of a meeting is the notice to the members of the RTM and to other electors that a meeting will be held at a stated place, time, and date for the purpose of transacting stated business. The warning is prepared by the town clerk.

The agenda of a meeting is the summary of items to be acted upon at the meeting. The agenda is prepared by the rules committee. The items to be acted upon are expressed as resolutions. These resolutions are the motions to be acted upon and are prepared by the sponsoring body.

Part IV-Sec. 2. Resolutions to be included in the agenda may be submitted by the board of selectmen, any other elected town board, the moderator, or written application of fifty (50) electors. These items must be submitted to the town clerk in a timely fashion.

Part IV-Sec. 3. The warning and agenda of each regular meeting shall be given at least ten (10) days prior to the date of such meeting. The warning of a special meeting shall be given at least five (5) days prior to the date of such meeting.

Part IV-Sec. 4. Warnings shall be given by the town clerk, shall be in writing, and shall state the date, place, time and agenda for the meeting. The warning and agenda shall be published in a local newspaper according to the time specified in subsection c [part IV-sec. 3.]. The warning, agenda, and resolutions shall be mailed to each RTM member.

Part IV-Sec. 5. No business may be transacted at any meeting except upon those agenda items included in the warning.

Part V—Conduct Of the Meeting

Part V-Sec. 1. All meetings shall be public. The area of the meeting place to be occupied by members shall be separated from the area to be occupied by other electors. A member seeking recognition by the moderator shall (unless recognized by name by the moderator), before otherwise speaking, state his name and district.

Part V-Sec. 2. One-half (½) of the membership shall constitute a quorum for doing business, but a smaller number may organize temporarily with powers of discussion and referral to committee but without any further power.

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Part V-Sec. 3. Meetings shall be called to order by the town clerk, or, in his absence, by the first selectman, if present, otherwise by the moderator. Following the roll call, the meeting shall be presided over by the moderator. If the moderator is absent on the roll call, the clerk shall, subsequent to the roll call, inquire of the rules committee whether it has designated an acting moderator in accordance with Part VI-Sec. 1(a), of these rules of procedure. If the committee has designated an acting moderator, he shall assume the chair. If the committee has not made such designation, the clerk shall entertain a motion for the designation of an acting moderator (from among the members) of the meeting; in the latter case, if during the course of the meeting the moderator enters the meeting, he shall assume the chair. The town clerk shall act as the clerk of all meetings. If the town clerk is absent when the meeting is to be called to order or at any time thereafter, the meeting shall designate an acting clerk.

Part V-Sec. 4. A stenographic record of each meeting, including a record of members present and absent, shall be kept by the town clerk and kept on file in his office for public inspection according to law. Accurate minutes of each meeting shall be prepared by the clerk and a copy thereof shall be mailed by him to each member with the warning of the next meeting.

Part V-Sec. 5. The order of business at each meeting shall be as follows:

- Call to order;
- Roll call;
- Reading and acceptance of the agenda;
- Reading and approval of minutes of prior meeting;
- Items of business;
- Other matters;
- Adjournment.

Reading of the agenda and reading of minutes of prior meeting[s] may be dispensed with on suitable oral resolution from the floor. Other matters may be only discussed or referred to the committee, or both.

Part V-Sec. 6. No business concerning items on the agenda shall be transacted by any meeting except upon written resolution moved and seconded by members. Electors who are not members may, when recognized by the moderator, discuss at any meeting any matters within the jurisdiction of the RTM for such length of time and under such circumstances as the moderator shall determine; provided that any such discussion shall be subject to the same rules of order as any other discussion at the meeting.

Part V-Sec. 7. Sense of the meeting votes are non-binding and may be used as a courtesy vote to express recognition of a person or a group or as an

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expression of opinion regarding an issue not necessarily within the jurisdiction of the RTM. Two-thirds ($\frac{2}{3}$) of those present and voting must approve consideration before such an item may be addressed.

Part V-Sec. 8. Voting on all matters for which a permanent record is required shall be by tallying a rising vote with the district chairman and the vice chairman initialing the district tally sheets to affirm that the votes have been properly recorded; except if a motion to have a roll call vote is made and supported by twenty-five (25) percent of the RTM members present, such a vote shall be taken by the clerk; except that all contested elections held in the RTM shall be by secret ballot. The clerk shall report the results of all rising, roll call, and ballot votes including the numbers of members absent and those abstaining. Absent members shall not be entitled to vote. The moderator at his/her discretion may call for a voice vote or a show of hands on other matters.

Part V-Sec. 9. The rules contained in Robert's Rules Of Order, Newly Revised, Tenth Edition (2000), shall govern the meeting in all cases to which they are applicable and in which they are not inconsistent with these rules of procedure.

Part VI—Rules Committee and Standing Committees

Part VI-Sec. 1 (a) There shall be a rules committee composed of the moderator and two (2) members elected from each RTM district. The functions and responsibilities of the rules committee shall include: All matters involving the internal administration of the RTM, including interpretation and application of these rules of procedure; preparation of the RTM agenda for each meeting; assignment of members to standing committees; appointment of special committees and advisory commissions; resolution of questions or disputes concerning the function and responsibility of any standing committee, special committee or advisory commission; and the designation of an acting moderator.

(b) The rules committee shall fix the number of members of each standing committee and shall designate the members of standing committees; provided that there shall be at least one (1) member of each standing committee from each district, and that one (1) member may not be on more than two (2) standing committees. Vacancies on standing committees shall be filled in the same manner.

(c) At the annual town meeting, the members of each district shall elect to the rules committee from among themselves two (2) members. Except for a vacancy caused by a change in the post of moderator, vacancies on the rules committee shall be filled by the members of the district in which the vacancy occurs.

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(d) The moderator shall be the chairman of the rules committee, which shall elect from among its members its vice chairman and clerk. The rules committee shall act only upon the affirmative vote of a majority of the committee.

(e) Within two (2) weeks following the regular meeting of the RTM in September, the rules committee shall convene as a nominating committee chaired by the moderator to seek out and to propose the names of all interested current members of the RTM [either by continued incumbency or re-election] for nomination as moderator at the next annual meeting. If the current moderator or any member of the rules committee is interested actively or passively in being considered for such nomination, he should make his interest or willingness known at the outset of the nominating meeting and excuse himself from further deliberations of the committee. The committee may also designate RTM members to offer and second the nomination(s) at the next annual meeting. Nothing in this section shall preclude or discourage other members of the RTM from nominating other candidates for moderator at the annual meeting.

Part VI-Sec. 2. There shall be the following standing committees of the meeting:

- (a) Education.
- (b) Finance and budget.
- (c) Parks and recreation.
- (d) Planning, zoning and housing.
- (e) Public health and safety
- (f) Public works.
- (g) Town government structure and administration.

Part VI-Sec. 3. (a) It is the function and responsibility of each standing committee to provide accurate and up-to-date information to the meeting in the areas assigned to such committee; to maintain contact with the appropriate town boards, commissions and officials; to consider and recommend action to the meeting on proposed and pending resolutions, legislation or other matters affecting its assigned area; and to perform such other functions as may be assigned to such committee by the moderator, the rules committee or the meeting from time to time.

(b) The assigned areas of function and responsibility of each standing committee shall be as follows:

- (i) *Education*: Establishment, maintenance and operation of town public education facilities and programs, including all related matters of administration, personnel and finance.

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- (ii) *Finance and budget:* Town finances, including the use and expenditure of town funds and authorizations of same, the establishment of tax assessments and rates, the operations of tax laws, with special emphasis on examination and review of all town budgets and proposals and on long-range capital and other fiscal planning, including all related matters of accounting, administration and personnel; RTM liaison with the board of finance.
- (iii) *Parks and recreation:* Establishment, maintenance and operation of town park and recreational facilities and programs, including all related matters of administration, personnel and finance.
- (iv) *Planning, zoning and housing:* Operations of town planning, zoning, building inspection and public housing programs, including the adoption and enforcement of laws, rules and regulations affecting same and all related matters of administration, personnel and finance.
- (v) *Public health and safety:*
 - (1) Operations of the town public safety program, including the adoption and enforcement of laws, rules and regulations affecting same and all related matters of administration, personnel and finance.
 - (2) Operations of the town health and social services programs including, among others, programs relating to the special needs of such groups as youth and the elderly, including the adoption and enforcement of laws, rules and regulations affecting same and all related matters of administration, personnel and finance.
- (vi) *Public works:* Establishment, maintenance and operation of town-owned or -operated public works facilities, such as all buildings owned or operated by the town (other than school buildings, park, recreational or police facilities), water, sewerage and incineration facilities, bridges, roads, sidewalks, etc., and all related matters of administration, personnel and finance.
- (vii) *Town government structure and administration:* The structure of town government, including the study of its form, composition and functioning and the review of (and where appropriate the preparation of) existing or proposed laws, rules, regulations, ordinances and procedures under which it operates, the making of recommendations relating to the proper structure of town government and appropriate measures looking toward the most practical, economical and efficient operation of town government and the service which town government provides or should provide; and working relationships of the various town boards, commissions, departments, and offices with each other; the working conditions for all personnel employed by the town; liaisons on these matters with

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other standing committees involved; and the operation of functions of the town not specifically assigned to any other committee of the RTM or any advisory commission appointed pursuant to these rules of procedure.

Part VI-Sec. 4. Members of the rules committee and standing committees shall serve for one (1) year (computed as commencing with the annual town meeting) and until their successors are designated.

Part VI-Sec. 5. Each standing committee shall elect the following officers from among its members: chairman, one or more vice-chairmen and/or clerks.

Each standing committee may, subject to the approval of the rules committee, adopt its own rules of procedure not inconsistent with these rules of procedure.

Each standing committee shall hold election of its officers annually within two (2) weeks following designation of standing committee membership by the rules committee and shall promptly notify the town clerk and the moderator as to the officers so elected.

Each officer of a standing committee shall hold office at the will of his committee and may be removed as such officer with or without cause by his committee.

The chairman of any standing committee may be removed from such office for failure to discharge properly his duties by the rules committee.

The finance and budget committee shall designate one (1) or more of its members to provide liaison between it and each of the standing committees as to financial and budgetary matters concerning activities within the assigned areas of function and responsibility of the particular standing committee.

The moderator may attend any meeting of any standing committee, special committee or advisory commission.

Each standing committee shall act only upon the affirmative vote of a majority of a quorum of the committee.

Part VI-Sec. 6. All items coming before the RTM shall be referred by the moderator to the appropriate committee for review and report or may be referred to such committee by appropriate resolution of any meeting.

Any matter pending before a standing committee may, by vote of a majority of the members present at any meeting, be brought to the floor for discussion or for placing in the warning of the next meeting.

Any committee may, on its own motion, consider and report to the RTM upon any matter not referred to it but which is within the function and responsi-

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bility of such committee. Any questions or disputes concerning the function and responsibility of any standing committee shall be decided by the rules committee.

Part VI-Sec. 7. Each standing committee, special committee and advisory commission shall send a notice of each meeting to the moderator and shall keep accurate minutes of its meetings and a legible copy of same shall be sent promptly to the moderator.

Part VII—Special Committees and Advisory Commissions

Part VII-Sec. 1. Special committees of the members may be established for limited times and for special purposes. Such special committees may be established by the moderator, by the meeting or by the rules committee. The members of any special committee and its chairman shall be designated by the moderator except that the rules committee shall designate the members and the chairman of any special committee appointed by it or by resolution of the meeting.

Part VII-Sec. 2. Notice of establishment of a special committee need not be included in the warning of a meeting and a resolution for same may be presented to and acted upon by any meeting during the meeting as the moderator may, in his discretion, permit.

Part VII-Sec. 3. Advisory commissions of electors of the town may be appointed as may be deemed necessary from time to time to study and advise on any matters. Electors so appointed need not be (but may be) members of the RTM. Such advisory commissions may be established by the meeting or by the rules committee, or, upon prior authorization of either the meeting or the rules committee, by any standing committee or special committee.

The members of advisory commissions shall be designated by the rules committee, which shall also have authority to designate the chairman of any such commission. If an advisory commission is to be established by the meeting, or if authority for establishment of such a commission is to be sought from the meeting, notice of same shall be included in the warning of a meeting.

Part VII-Sec. 4. To the extent applicable and unless otherwise decided by the rules committee, special committees and advisory commissions shall otherwise be governed by the rules relating to standing committees.

Part VIII—District Chairmen, Vacancies and Resignations

Part VIII-Sec. 1. At the annual town meeting, the members of each district shall elect from among themselves a district chairman and an alternate district chairman. In the event of a vacancy in either or both these posts, the incumbent district chairman or alternate district chairman, or the moderator,

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shall call a caucus of the members of the district for the purpose of filling the vacancy. In the event that both the district chairman and the alternate district chairman are absent from a meeting of the RTM, the moderator shall appoint a temporary district chairman from the members of that district to perform the duties of the district chairman for that meeting only.

Part VIII-Sec. 2. It is the function and responsibility of the district chairman to ensure a full slate of candidates for their respective districts for each municipal election, to take charge of filling vacancies in their respective districts, and to perform such other duties as may be assigned to them by the moderator.

Part VIII-Sec. 3. Resignation of an RTM member should be given in writing to the town clerk, and the town clerk shall promptly notify the district chairman involved and the moderator.

Part VIII-Sec. 4. Any vacancy in the office of a town meeting member for any district, from whatever cause arising, shall be filled by appointment by the other town meeting members for said district until the next annual municipal election at which, under state law, the vacancy may be filled. Upon filing with the town clerk a certificate of such appointment signed by a majority of such district members, the appointee shall be deemed to have qualified.

Within ten (10) days after notification of a vacancy by the town clerk, the district chairman shall notify the remaining members of his district of the vacancy and shall call a caucus of the such remaining members, said caucus to be convened prior to the next regular meeting of the RTM; provided that, if such next regular meeting shall be held less than ten (10) days after notice to the remaining members, the caucus shall be convened not later than the next following meeting of the RTM. The district chairman shall seek nominations from such remaining members for filling such vacancy and shall advise such remaining members prior to the convening of said caucus of any nominations received and any proposed members of which he has knowledge. Members not attending the caucus may vote by written absentee ballot presented at the caucus. In the absence of the district chairman at a caucus, the members present may elect a temporary chairman.

Part IX—Amendment

Part IX-Sec. 1. These rules of procedure may be amended in any manner not inconsistent with law at any meeting upon the affirmative vote of a majority of the members present, provided that notice of the proposed amendment has been included in the warning of the meeting.

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Part IX-Sec. 2. The provisions of the rules of procedure set forth in this Part IX may be suspended in whole or in part only with the affirmative vote of all members present at the meeting.

Effective Date April 2, 2012

By direction of the Representative Town Meeting held March 19, 2012