

Town of Wayne

P.O. Box 400; 14 Kents Hill Road
Wayne, ME 04284
Phone: (207) 685-4983 Fax: (207) 685-3836
<http://www.waynemaine.org>

Town-wide Remote and Hybrid Meeting Policy

Section 1. Purpose.

This Policy is adopted pursuant to 1 M.R.S. § 403-B, as may be amended, in order to provide a written policy to govern the use of remote means for public meetings by the Town of Wayne.

The conduct of remote and hybrid meetings by all Town Boards and Committees and remote participation in these meetings shall be governed by this Policy.

Section 2. Definitions.

Board means any Town board, committee, or commission of the Town, without regard to whether it is a standing or an *ad hoc* board, committee, or commission, including any subcommittee of the board, committee, or commission. Ex.) Board of Appeals, Budget Committee, Conservation Commission, Planning Board and Selectboard, etc.

Selectboard means the duly elected municipal officers of the Town.

Hybrid meeting means a public proceeding, as defined in 1 M.R.S. § 402(2), as may be amended, conducted with some meeting attendees in person/face-to-face at a designated physical location while connecting with other meeting attendees by remote means.

Public meeting means a “public proceeding,” as that term is defined in 1 M.R.S. § 402(2), as may be amended. Anytime a duly warned meeting of any Board with a quorum of its membership is considered a public proceeding.

Remote means “remote methods” as defined in 1 M.R.S. § 403-B(1), as may be amended, and includes any form of audio and visual conference technology, or audio conference technology, including teleconference, videoconference, and voice over internet protocol, that facilitates interaction between the public and Board members. Remote means does not include text-only means such as e-mail, text messages, or chat functions.

Remote meeting means a public proceeding, as defined in 1 M.R.S. § 402(2), conducted solely by remote means.

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Section 3. Use of Remote Means for Public Meetings.

A. Types of Meetings and Participation Allowed.

(1) **Remote Meetings of Town Boards:** Town Boards shall conduct all meetings in person unless the Board Chairperson (or in his/her/their absence, the Town Manager), or in consultation with the Town Manager, makes a determination that an emergency, ongoing pandemic or urgent issue exists that requires the Board to conduct a remote meeting, including, but not limited to, inclement weather and/or disasters or catastrophes caused by either natural or other causes. The determination of such an emergency or urgent issue shall be made as soon as practicable, and notice of a meeting being conducted solely by remote means shall be disseminated consistent with 1 M.R.S. § 406, as may be amended, and this Policy.

(2) **Hybrid Meetings with No Remote Participation by Individual Board members:**

The Board is not required by law to offer this type of meeting format, but **may** endeavor to conduct a hybrid meeting, even when there is no remote participation by individual Board members, as often as practicable when the Board or Committee meets.

B. Notice. Notice of a remote meeting or hybrid meeting must be provided in accordance with 1 M.R.S. § 406 and applicable Town ordinances, policies and practices and shall inform members of the public how to contemporaneously:

- (1) Remotely view the video and audio of the meeting through internet streaming or other means;
- (2) Provide remote oral testimony in a manner that allows Board members and other meeting participants to hear the testimony, whether through an internet link, a telephone conference, or other means;
- (3) Obtain copies of packet materials; and
- (4) If a hybrid meeting, list the specific location of the public meeting site at which members of the public may attend in person and where at least some of the Board members will be present in person.

C. Remote Meeting and Hybrid Meeting Requirements. Any remote meeting or hybrid meeting must comply with the following:

- (1) The remote means used by the Board must allow all members of the public participating in the meeting to hear, or see and hear, all Board members and any other speaker;

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- (2) Each member of public must identify themselves to participate in the meeting for record-keeping purposes.
- (3) Each member of the Board who is participating in the meeting must be able to hear and speak to all other Board members and must be heard by the members of the public attending and observing the meeting during the meeting;
- (4) Except as provided in subsection (7) or Section 3(d) or (e), a quorum of Board members shall be visible and audible to other Board members and the public during the meeting; provided that so long as a quorum of Board members is visible, no other meeting participants shall be required to be visible during the meeting;
- (5) Any Board members participating in a meeting by remote means shall be considered present at the meeting for the purpose of determining compliance with the quorum and voting requirements of the Board;
- (6) At the start of the meeting, the Board Chairperson shall announce the names of any Board members participating by remote means and state the reason therefor, which reason must be consistent with Section 3(a)(1) of this Policy;
- (7) For audio-only teleconferencing, each speaker should repeat his/her/their name before making remarks;
- (8) All Board members shall refrain from electronic communications regarding subjects considered at the meeting during the meeting, except that Board members may receive electronic copies of materials otherwise made available at the meeting;
- (9) There should be a means for the Board Chairperson or the remote means facilitator to be able to unmute and identify each speaker, to organize and summarize chat/Q&A messages from the public, and/or to read public comment into the record at the appropriate time during the meeting;
- (10) All votes during the meeting shall be conducted by roll call (with each Board members present stating "yes" or "no" as each name is called) so that it is clear how each Board members voted;
- (11) All hybrid meetings shall be conducted at Ladd Recreation Center unless an alternative location is authorized by the Town Manager or his/her/their designee; and
- (12) All remote and hybrid meetings shall be recorded by audio or video recording technology, and the Board shall make the recording of the meeting electronically available to the public access as soon as practicable after the meeting.

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D. Disruptions and adjournment. If during the conduct of a remote or hybrid meeting, the meeting is interrupted through disruptions by attendees “Zoom bombing” or glitches in the technology, the meeting shall be automatically recessed for up to 15 minutes to restore communication when audio-visual communication cannot be maintained with a quorum of Board members. If the interruption cannot be resolved within 15 minutes, and the Board has not provided reasonable notice to the public as to how the meeting will be continued at an alternative date and time, then the meeting shall be automatically adjourned.

If the meeting being conducted is a hybrid meeting with no remote participation by individual Board members and a remote connection to the public location identified in the Board’s notice pursuant to Section 3(B)(4) of this Policy is interrupted or lost, the meeting shall continue at the public location without the need for a recess or adjournment.

E. Executive sessions. To preserve the executive session privilege of any portion of a meeting closed to the public, the Board Chairperson or his/her/their designee should confirm with each attendee that no unauthorized person is present or has access to any executive session being conducted via remote means. There shall be no audio or visual recording of an executive session.

F. Remote means account. Town accounts must be used for purposes of all remote meetings and hybrid meetings conducted by the Board and must be coordinated through the Town Manager or his/her/their designee. The use of private accounts to host a remote meeting is prohibited.

Section 4. Compliance with Policy.

This Policy is intended to be self-enforcing and is an expression of the standards of conduct for Board members and members of boards/committees expected by the Town. It therefore becomes most effective when Board members and board members are thoroughly familiar with it and embrace its provisions.

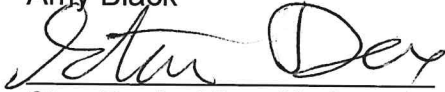
The Board has the right to authority to address any violations in the manner it deems appropriate under the specific circumstances.

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**TOWN-WIDE REMOTE AND HYBRID MEETING POLICY
ADOPTED BY THE SELECTBOARD ON July 11, 2023
BY:**

Amy Black



Stan Davis, Vice-Chair



Lloyd Irland



Marianne Butak

Trent Emery, Chair

Attest:

Aaron Chrostowsky, Town Manager

Last Updated: 7/2023