**Rules Committee**

**Town Hall Council Chambers**

**April 1, 2024, 6:45 p.m.**

Present: Vice President Pasquale Burga, Chairperson

Michael Molisse, Vice-Chairperson

Kenneth DiFazio

Arthur Mathews

Absent: Kenneth DiFazio

Christopher Heffernan

Also Present: Diane Hachey

Recording Secretary: Kim McCutcheon

**24 003 Town Council Rules & Regulations 2024-2026**

Chair Burga called the Rules Committee meeting to order at 6:50 p.m.

Chair Burga stated the purpose of the Weymouth Town Council Rules is to establish and maintain responsible rules of procedure for the Weymouth Town Council and promote fair and orderly conduct of Council proceedings. The Rules Committee is appointed by the Town Council President as defined in Section 7, Rule 57. The Rules will be reviewed and adopted within 120 days after the first Town Council meeting in every even year. The first Town Council meeting this year took place on January 2nd, 2024. On Monday February 5th, 2024 the Weymouth Town Council voted to refer the Rules & Regulations for 2022 – 2024 to the Rules committee as required by the Rules. Council President Mike Molisse asked all Councilors to submit any suggestions for Council consideration to the Town Council office. Town Council Assistant Diane Hachey has submitted suggestions and would present them to the committee.

Diane Hachey stated she had 4 suggestions for consideration. The first recommendation was Rule Number 26 Section B under Public Hearings. At the end of the seconded paragraph Ms. Hachey suggestions added the phrase “…to a date certain.”

Chair Burga read the suggested amended rule, “Any hearing not completed within the specified time may be continued to another meeting to a date certain.”

Councilor Mathews made a motion to refer to the full Town Council with favorable action. Motion seconded by Vice Chair Molisse and UNANIMOUSLY VOTED.

Ms. Hachey stated the second recommendation was Rule Number 26 Section C under Public Hearings to change the amount of time for each speaker to express his or her views on a matter being heard by the Council from five to three minutes. It has been suggested that speakers should be able to state their case within the confines of three minutes. For context purposes, the Town of Braintree allows three minutes of testimony for public hearings. Ms. Hachey had the support of Solicitor McLeod based on his experience with the ZBA Board. Ms. Hachey also noted that people can also send their talking points ahead of the meeting and they would be included in the packets, but in terms of coming before Council, people should be concise and limit their remarks to three minutes.

Chair Burga stated that the time limit would also need to be amended on Rule 28 Section F where it states that people can submit their documentation by 10AM Thursday but it also states the speaker shall limit the time for remarks to five minutes. Chair Burga entertained comments from members of the committee.

Councilor Mathews stated he was fine leaving the time as five minutes due to how long it may take the speaker to get up to the microphone for various reasons. While there are people who disregard the rules and try to extend over the five-minute rule, he is comfortable leaving it as five minutes.

Chair Burga stated she did some research regarding the rule in Braintree and the rule in Braintree is also five minutes which is listed under Rule 30 in the Braintree Public Town Council Rules. Chair Burga continued that she understands that public comment cane sometimes be redundant and a lot could be addressed by stating that the person agreed with the previous speaker, but she would not want to shut anyone out from new and unique comments. With that being said, the five-minute rule should be adhered to and that would reduce extra commentary, so for that reason she does not support the suggested rule change and suggested that the speakers be reminded of the five-minute limit before public comment began.

Ms. Hachey asked the committee if they would like to vote no on the suggested change. Chair Mathews stated there is no need to vote because the committee is not adopting the change and only taking it under advisement. Any suggested changes the are going to accept a motion will be made to amend it. Chair Burga stated at the end of the meeting they will make a motion to amend the changes agreed upon.

Ms. Hachey stated the third recommendation was Rule 31 Standing Committees to add the “Southfield Union Point Committee to consist of five members.” The reason being the Southfield/Union Point committee was a more recently formed committee and the committee and the mission of the committee needed to be added to the rules and regulations.

Councilor Mathews agreed and made a motion to add the Southfield/Union Point Committee to Rule 31. Motion was seconded by Vice Chair Molisse. UNANIMOUSLY VOTED.

Ms. Hachey stated the fourth recommendation, also under Rule 31 Standing Committees, is the mission statement for the Southfield/Union Point Committee, “The Southfield Union Point Committee shall meet and report on all matters related to the ongoing redevelopment of the former South Weymouth Naval Air Station.”

Councilor Mathews made a motion to add the mission statement language to Rule 31. The motion was seconded by Vice Chair Molisse. UNANIMOUSLY VOTED.

Ms. Hachey stated the final recommendation Rule 54 Publications to add the language “Proponents of zoning and/or ordinance suggested proposed revisions are responsible for the expenses incurred in advertising their public hearing(s) in the local newspaper. Reference to Chapter 40A of the Massachusetts General Laws. This applies to land owners and citizens. This excludes Planning Board and Zoning Board petitions, Regional Planning Agency petitions and Mayor and Town Council proposed zoning or ordinance revisions, which the Town would bear the advertising expenses.” Public hearing expenses incurred as a result of petition for a zoning or ordinance change from a landowner or group of citizens should not be borne by the Town. Ms. Hachey stated the expenses are the direct result of landowners or citizen petitions and they should bear the expense. The rule change would exclude Planning petitions, ZBA petitions, Town Council petitions and Regional Planning agency petitions which the Town would pay the advertising expense. It is important to note that the Building Department requires business owners to pay for all advertising expenses and they do not incur that fee in obtaining permits. The ZBA requires the same of its proponent’s filing cases. Ms. Hachey stated that Robert Luongo is a big advocate for this and that the Town Clerk runs out of funding for advertising each year due to how expensive it is.

Chair Burga asked for clarification that a group of citizens could form a petition, to which Ms. Hachey responded affirmatively. Chair Burga then asked for the cost associated with the advertising expense. Ms. Hachey explained that it depends on the size of the advertisement, but guessed it was between $250 and $300. Councilor Mathews stated a zoning change needs to be advertised twice, so that could be as high as $600.

Councilor Mathews asked Ms. Hachey if she wanted the suggested rule added to Rule 54 to which Ms. Hachey responded affirmatively. Councilor Mathews read the section into record, “The Town Clerk shall determine the newspaper in the Town in which shall be published any loan order or any ordinance and said publication shall be made in a newspaper or general circulation in the Town.” Councilor Mathews stated the current rule does not say anything about zoning so additional language is needed for that sent to also reference any zoning change. Councilor Mathews is not opposed to the change as this topic has come up previously regarding the onus of who is paying for the advertisements and it may be helpful to alleviate the costs to the Town Clerk’s office.

Vice Chair Molisse asked Town Clerk Kathy Deree for a rough cost of advertising and Ms. Deree responded that a zoning change costs roughly $550. Councilor Mathews asked Ms. Hachey to repeat the reasoning for the suggested rule change for Ms. Deree in case she would like additional verbiage added. Ms. Hachey read the suggested rule change and the reasoning for the suggested rule change. Councilor Mathews asked that the Mayor be added to the list of excluded because he could possibly be the proponent of a zoning change.

Ms. Deree asked if the suggested rule change would cover citizens who submit petitions. Councilor Mathews confirmed it would cover citizens petitions as well as developers who presents a zoning change so the cost of advertising isn’t borne by the Town Clerk’s office each time.

Councilor Mathews made a motion to add the amended language to Rule 54. The motion was seconded by Vice Chair Molisse. UNANIMOUSLY VOTED.

Chair Burga stated the committee would not refer the rules to the full Town Council until the next meeting. Councilor Mathews asked Ms. Hachey to provide a draft copy of the changes to the committee, the committee would hold another quick meeting to review and vote it out to the full Council.

At 7:10 p.m., there being no further business, Chair Burga entertained a motion to adjourn. Vice Chair Molisse made a motion to adjourn which was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

Respectfully submitted by Kim McCutcheon as Recording Secretary

Approved by Pascale Burga as Chair of the Rules Committee

Voted unanimously on 6 May 2024