

TOWN COUNCIL MEETING MINUTES

Rules Committee

Town Hall Council Chambers

March 17, 2014, Monday

Present: Rebecca Haugh, Chair
Ken DiFazio, Vice Chair
Patrick O'Connor, Councilor
Michael Smart, Councilor
Arthur Mathews, Councilor

Also Present: Susan M. Kay, Mayor
George Lane, Town Solicitor
Kathy Deree, Town Clerk

Recording Secretary: Mary Barker

Chair Haugh called the meeting to order at 6:30 PM.

14 003-Review of Town Council Rules and Regulations for 2014-2016

Chair Haugh reported that the matter was referred by the Town Council on February 28, 2014. All councilors were solicited for ideas and suggestions:

1. Rule Twenty-Six: Hearings

e. Five (5) minutes shall be allowed each speaker to express his/her views on the matter being heard by the council.

This should be amended or strictly enforced.

Councilor Smart noted that this rule should be enforced at the discretion of the Council President. It's pretty clear; speakers are given five minutes, and if a speaker goes over, it is the President's job to inform and wrap up. Vice Chair DiFazio asked if a certain Councilor wanted to allow a speaker additional time-if that would be a problem. Councilor Mathews reported that as a past President, he was inclined to let it go. If a speaker is in the middle of making a point, he would not like to interrupt. He supports leaving the rule as written.

2. Rule Twenty-Eight: Order of Business and Agenda

d). Agenda

Include "Resident and Community Comment" in the following:

All items for the agenda including "Communications and Reports from the Mayor, Town Officers, Town Boards", and "Resident & Community Comment" shall be submitted to the Town Council Office no later than 10:00AM on the Thursday preceding the regular Council meeting. Items received after 10:00 am are at the discretion of the Town Council President if included on agenda.

Town Clerk Kathy Deree noted that under the current rule, items are submitted to the Town Clerk's office, time stamped and then sent to the Council office. By consensus, the committee recommended leaving this rule as written.

4. Rule Twenty-Nine: Presentation of Papers

All papers addressed to the Council shall be presented by the President or by a member; and unless the Council shall otherwise determine they shall not be read but entered in the Council's records.

Request to add a second part as follows:

All presentations (PowerPoints, hand-outs, etc.) intended for presentation to the Town Council or one of its committees, must be provided both in hard and electronic format, to the Town Council Office prior to the scheduled meeting in accordance with the following guidelines:

Town Council Meeting – By 10:00am on the Thursday preceding the council meeting.

Committee Meeting – At least 24 hours prior to the committee meeting.

*****This addition allows for technical testing prior to the Town Council meeting and shows transparency to the public due to availability of documents.***

Councilor DiFazio noted that not every person who wants to be heard has the capability to provide information electronically. There was a discussion about the presentations, particularly powerpoints that were not provided before aired at a Council meeting. Councilor Mathews supported the change in this rule; he would like to have time to review information that is going to be presented. Vice Chair DiFazio suggested balancing it against the rate of progress. The norm is that the Council views a presentation for the first time at a meeting and then don't get to review it for 3-4 days. Chair Haugh agreed that it could slow down the process, noting that it is important to have the option, but it will slow things down. Councilor Smart noted that it would force presenters to get their information in line ahead of time- he noted the recent Southfield and Legion Field presentations as examples. It is important to have but it will slow things. Councilor Mathews noted he has seen the rules abused, and looks at this as a way to ask educated questions relevant to the subject at hand. He would agree to consider without consequence, but revisit down the road if it is abused. Chair Haugh noted they could agree to a compromise at the President's or any council member's discretion.

5. Rule Thirty-One: Standing Committees

Remove the asterisk after Budget/Management.

A Motion was made by Vice Chair DiFazio to amend rule thirty-one: Standing Committees as recommended and was seconded by Councilor Mathews.
UNANIMOUSLY VOTED.

6. Rule Thirty-One: Standing Committees

Add the following two committees:

MENTAL HEALTH & SUBSTANCE ABUSE to consist of five (5) members

LONG RANGE PLANNING to consist of five (5) members

For uniformity it was suggested that all committees have descriptions. New descriptions for the two new committees, as proposed by the President are needed as well

7. Rule Thirty-One: Standing Committees

Additionally, we currently have summaries for 5 of the current 10 committees. We should have brief, one-two sentence descriptions for the remaining five (Public Parks & Recreation, Rules,

Senior Citizens, Education, Environment) as well as the two new committees. Descriptions should be in the order that the committees are listed:

-The Budget/Management Committee shall review certain Mayoral appointments as set forth in Section 2-10 of the Town Charter. Additionally, all measures which are either financial in nature, or have a financial impact to the town (appropriations, re-appropriations and/or transfer requests amongst town accounts, contract negotiations etc.) are reviewed by this committee. The major undertakings of the Budget/Management Committee are review and oversight of the outside audit and review/scrutiny of the town's fiscal year operating budget, as submitted by the Mayor or any other matters referred to it by the Town Council or President.

-The Rules Committee shall review the rules pursuant to Rule 55, in addition to review on an as -need basis as referred to it by the Town Council or President.

-The Public Parks and Recreation Committee may consider and report on all issues/measures relative to town parks and fields and town owned recreation space, including but not limited to design, construction and feasibility studies; or any matters referred to it by the Town Council or President.

-The Seniors Committee may consider all issues which impact the seniors in the community, as referred to it by the Town Council or President.

-The Education Committee may consider all issues regarding the operation of the public school system, including but not limited to curriculum development, net school spending, school budgets and requested funding, as referred to it by the Town Council or President.

-The Environmental Committee may consider all issues which may impact the environment, as referred to it by the Town Council or President.

-The Mental Health & Substance Abuse Committee may consider all issues which impact the welfare of the community in regards to mental health and substance abuse of the Town of Weymouth, as referred to it by the Town Council or President.

-The Long Range Planning Committee may consider all issues which impact the long term effects of the Town of Weymouth, as referred to it by the Town Council or President.

A motion was made by Vice Chairman DiFazio to add the proposed description to the standing committees and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

8. Rule Thirty-Two: Attendance of Councilors at Committee Meetings

Add the following statement at the end of the paragraph:

Councilors not assigned to committees are permitted to sit in the audience during said committee meetings and this act shall not constitute a conflict of interest or violation of open meeting law in anyway.

Vice Chair DiFazio recommended ending the sentence at committee meetings, period...regulations and statutes govern whether there is a conflict of interest...strike the language after. Vice Chair DiFazio made a motion to add the change and was seconded by Councilor Smart.

Councilor Smart reported that the Council sought and received an opinion from solicitor Lane and the Attorney General that would not allow comments from non -committee members in addressing a conflict with the Open Meeting law.

Gus Perez addressed a point of interest to the committee regarding this rule- Councilor Smart responded that there is a difference between a public meeting versus a public hearing. He has no objection to adding language that non-committee members may not be permitted to ask questions. Vice Chair DiFazio suggested leaving the language as is and withdrew his motion.

During this discussion Councilor O'Connor arrived (7:20 PM).

9. Rule Forty-Nine: Communications from Mayor

***Change the word "mailed" to "delivered".*

A list of the communications from the Mayor with their subject matter to be submitted to the Council shall be delivered at least two (2) days before the Council meeting to every Town Councilor.

A motion was made by Vice Chair DiFazio to change the word "mailed" to "delivered" and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

GENERAL CHANGES

Cover Sheet: Change dates from "2012-2014" to "2014-2016"

Change "Voted favorably by Town Council March 12, 2012" to "date to be determined".

Page 2-3 (Table of Contents): Change to correct page numbers after all changes have been changed/added.

A motion was made by Vice Chairman DiFazio to adopt all changes and forward to the full Town Council with a recommendation for favorable action and was seconded by Councilor Smart. Councilor O'Connor thanked the committee for their due diligence and including the rule changes allowing the addition of two standing committees. UNANIMOUSLY VOTED.

Adjournment

At 7:28PM, there being no further business, a motion was made by Vice Chairman DiFazio to adjourn the meeting and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

Respectfully submitted by Mary Barker as recording secretary

Approved by Rebecca Haugh as Chair of the Rules Committee

Voted unanimously on 28 April 2014