

**MINUTES OF THE WEYMOUTH RULES COMMITTEE
THE MEETING OF MARCH 10, 2008
HELD AT THE WEYMOUTH TOWN HALL CHAMBERS**

Attendance:

Voting Members: Ed Harrington, Chairman; Kevin Whitaker, Vice-Chairman; Arthur Mathews, Brian McDonald, Michael Smart

Guests:

Diane Hachey, Assistant to the Council

Recording Secretary:

Doreen Teodorson/Recording Secretary

Mr. Harrington called the meeting to order at 7:10 p.m. The Chairman introduced Ms. Hachey to present her proposed changes to the Weymouth Town Council Rules. The Rules are reviewed every two years.

Diane Hachey stated that her proposed changes are both to grammar and content. For purposes of this committee meeting she will only cite those proposals which are content in nature: Rule 24, third line, first paragraph, after 'Clerk of the Council' add 'or his or her designee'. Rule 25 on the fourth line, after (48) add 'weekday'. Rule 28, alter wording on #5 to 'Citizen Concerns/Council Response/Public Hearings'. In the "Agenda section", paragraph 2, line 5, change the wording of 'Town Clerk's Office' to 'Town Council Office'. Rule 30, change wording to 'Unsigned communications via hardcopy correspondence or email shall not be introduced in the Council'. Rule 34, add a final line 'No committee meeting shall be scheduled on the eve of a preliminary or primary election' Rule 42 consider new wording to replace, 'but not to decide upon any parliamentary rules'.

A MOTION was made by Councilor Whitaker and seconded by Councilor Mathews to receive a Draft Copy of the associated typographical alterations to the Rules before the next full council meeting and vote on the changes at that time and was UNANIMOUSLY VOTED.

A MOTION was made by Councilor Smart and seconded by Councilor Mathews to leave Rule 24 UNCHANGED, to not be in conflict with the charter and was UNANIMOUSLY VOTED.

A MOTION was made by Councilor Mathews and Councilor Smart to revise Rule 28, No. 5 to read 'Citizen Concerns/Council Response' and add a No. 6 as 'Public Hearings' and renumber the remaining items 7 through 12 and was UNANIMOUSLY VOTED.

A discussion was held regarding Rule 30 and anonymous communications. Councilor Harrington was concerned this may be construed as a way to limit the amount of communication. Councilor Smart stated he felt it was more a way of taking responsibility when concerns are voiced to verify the source. Solicitor Lane agreed and stated the newspapers utilize good

validation procedures to identify their sources. Councilor Whitaker suggested a phone call or a signed letter bears more weight as a verifiable source. Ms. Hachey stated that the Town Council Office receives emails that are blanket in nature. Councilor Harrington asked what the intent of the original rule might have been. Solicitor Lane stated the status of email was in its infancy at the time, and believes the rule has no more intent than what it states.

A MOTION was made by Councilor Mathews and seconded by Councilor McDonald to revise Rule 30 to read as follows: 'All unsigned communications, which are received in the Town Council Office or Town Council email, shall not be introduced to Council' and was UNANIMOUSLY VOTED.

Councilor Smart stated he agrees with the proposed changes to Rule 34, but to be correct it should be worded 'preliminary or final election' not 'preliminary or primary'.

A MOTION was made by Councilor Mathews and seconded by Councilor Smart to amend Rule 34 by adding the last line as follows: 'No committee meeting shall be scheduled on the eve of a preliminary or final election.' and was UNANIMOUSLY VOTED.

A MOTION was made by Councilor McDonald and seconded by Councilor Mathews to change the wording under the heading of Agenda, line 2, of 'Town Clerk's office' to 'Town Council Office', and was UNANIMOUSLY VOTED.

A discussion was held on Rule 42, the consideration of new wording to replace, 'but not to decide upon any parliamentary rules'. Solicitor Lane stated he does not profess to be a professor of the Roberts Rules of Orders, but he is glad to help when needed. Councilor Whitaker stated he prefers to leave Rule 42 as it stands.

Councilor Whitaker proposed three suggestions for the Committee's consideration as follows:

Referral of Measures: All measures coming before the Council may be referred by the President to any standing committee of the Council. The President or President's designee shall report on all new referrals made by the President. Any measure not referred to a Committee may be referred by a vote of the Council. Nothing in this rule shall be construed to prevent the Council from removing any measure from a Committee or taking any other action on it, including but not limited to, making a referral to a different Committee(s).

Public Hearings - Role of Councilors: Public Hearings before the Council are the public's time to be heard by the Town Council. Councilors should ask questions to clarify their understanding of the speakers' message, but should not express a particular opinion during an open public hearing. Responses to questions raised during a Council public hearing, if any, should occur only after the public hearing has closed and the matter is otherwise properly before the Council.

Resident & Community Comment - Role of Councilors: The intent of this rule is to preserve the speakers allotted time for their presentation. This portion of the Council's agenda is an opportunity for residents or community members to present their issues of interest. Following a presentation, issues raised by a speaker may be informally referred to a standing or special

Committee by the President. Following the Council meeting, issues raised may also be submitted by any Councilor in accordance with these Town Council rules. Items which have had a reasonable opportunity to be heard and are repetitive in topic shall not be allowed on the agenda without the leave of the President.

A MOTION was made for favorable action to create a new rule to allow referral of measures by Councilor Whitaker and was seconded by Councilor Harrington. After further discussion, it was decided that there were three against and two in favor of the measure so Councilor Harrington withdrew his second on the MOTION. Councilor Whitaker withdrew his motion.

A MOTION was made by Councilor Whitaker and seconded by Councilor Smart regarding Public Hearings - Role of Councilors: "Public Hearings before the Council are the public's time to be heard by the Town Council. Councilors should ask questions to clarify their understanding of the speaker's message, but should not express a particular opinion during an open public hearing. Responses to questions raised during a council public hearing, if any, should occur only after the public hearing has closed and the matter is otherwise properly before the Council. This MOTION was UNANIMOUSLY VOTED.

A MOTION was made by Councilor Whitaker and was seconded by Councilor Smart regarding Councilor Whitaker's proposal of an item name change on the agenda section to now read Resident & Community Comment . The intent of this rule is to preserve the speakers allotted time for their presentation. This portion of the Council's agenda is an opportunity for residents or community members to present their issues of interest. Following a presentation, issues raised by a speaker may be informally referred to a standing or special Committee by the President. Following the Council meeting, issues raised may also be submitted by any Councilor in accordance with these Town Council rules. Items which have had a reasonable opportunity to be heard and are repetitive in topic shall not be allowed on the agenda without the leave of the President. This MOTION was UNANIMOUSLY VOTED.

The Chairman stated they will have the draft of these changes made available prior to the March 17th Budget meeting at 6:30 and the Ordinance Meeting at 7:20.

A MOTION was made by Councilor Smart to adjourn at 8:20 p.m. and was seconded by Councilor Mathews and was UNANIMOUSLY VOTED.

Respectfully Submitted,
Doreen Teodorson/Recording Secretary

Councilor Ed Harrington, Chairman