

APPROVED

**WEYMOUTH TOWN COUNCIL
Rules Committee
April 8, 2020, Wednesday
Via Zoom #786 301 178**

Present: Pascale Burga, Chairman
Ken DiFazio, Vice Chairman
Jane Hackett, Councilor
Michael Molisse, Councilor
Arthur Mathews, Councilor

Also Present: Kathy Deree, Town Clerk
Diane Hachey, Assistant to the Council

Recording Secretary: Mary Barker

Chair Burga called the meeting to order at 7:00 PM. Due to the nature of the meeting, a roll call vote was taken by the Town Clerk, with all members present.

20 014- Town Council Rules and Regulations 2020-2022

Councilor Burga reported that the purpose of the Weymouth Town Council Rules is to establish and maintain reasonable rules of procedure for the Weymouth Town Council and to promote fair and orderly conduct for council proceedings. The Rules committee is appointed by the Town Council President as defined in section 7 of the Rules and in Rule 57, the rules will be reviewed and adopted within 120 days of the first council meeting of the year, in every even year. This year the first council meeting was January 6th. The measure was referred on February 3, 2020. President Mathews requested any councilors to submit their suggestions for committee consideration at that time. Diane Hachey submitted suggestions on behalf of the council office and presented them to the committee:

1. Addition to Rule 35- pg. 16- add a new section (E) *While committee meetings are open to the public, an individual may not address the committee without prior permission from the chair. Opportunities to express one's opinion can be done at a public hearing, if the measure so requires, or a request to address the council under Resident and Community Comment (refer to rule 28, section F).*

Vice Chair DiFazio asked if this is more restrictive than what is already in place, in a committee meeting or a council meeting? Ms. Hachey responded that it allows the

committee/council greater ability to hear from the public, citing prior meetings where members of the public wished to address a meeting without prior permission.

Councilor Mathews agreed with the recommendation. It clarifies the process for the public.

Councilor Molisse supported the additional language.

A motion was made by Councilor Mathews to add new Section E to Rule 35 and was seconded by Councilor Molisse. A roll call vote was taken: Councilor Hackett- Yes, Councilor Mathews-Yes, Councilor Molisse- Yes, Vice Chair DiFazio- Yes, Chair Burga- Yes. UNANIMOUSLY VOTED.

2. Rule 43, pg. 17 – add a new section title (B) and rename sections (B) and (C) to Sections (C) and (D): (B) *The Town Solicitor shall, either in person or by deputy, attend Budget/Management Committee meetings upon request of the Budget/Management Chair.*

Ms. Hachey noted on several occasions in prior Budget meetings, the solicitor should have been present to weigh in on issues.

Chair Burga asked for clarification on the term “or by deputy.” Ms. Hachey responded that if the solicitor was unable to make a meeting where his presence was requested, he could send a deputy to represent him.

Vice Chair DiFazio asked if this should apply to any committee chair who requests his presence at their meeting? Ms. Hachey responded that if that is what the committee wants; however, the solicitor already is required to attend Ordinance Committee meetings and this is just in addition to that. Vice Chair DiFazio responded that any committee chair that would like to have the solicitor present in a meeting should be able to request it.

Councilor Molisse reported he is in favor of this change. There were times in Budget/Management where action was considered that should have had the solicitor’s input, or be able to give the committee some direction. It is of particular importance to the Budget/Management meetings, but he is not opposed to extending it to other committees.

Councilor Hackett asked for clarification- is it “shall attend all,” or “shall attend at the request of the chair?” Vice Chair DiFazio responded it is, “shall, at the request of the chair.” Councilor Hackett responded she would support; it gives the chair the discretion to ask the solicitor to attend any meeting at the committee level, as appropriate. She would not support requiring the solicitor to have to attend all committee meetings; only upon the request of the chair.

Chair Burga agreed, and so did Councilor Mathews.

A motion was made by Vice Chair DiFazio to amend the language submitted to read: Rule 43, pg. 17 – add a new section title (B) and rename sections (B) and (C) to Sections (C) and (D): (B) *The Town Solicitor shall, either in person or by deputy, attend any committee meeting where requested by the Committee Chair. The motion was seconded by Councilor Molisse.* A roll call vote was taken: Councilor Hackett- Yes, Councilor Mathews-Yes, Councilor Molisse- Yes, Vice Chair DiFazio- Yes, Chair Burga- Yes. UNANIMOUSLY VOTED.

3. Rule 35- pg. 16, section D- replace “preliminary” or “final” election with the word “any.” This would capture any special elections, such as the recent Debt Exclusion Override.

A motion was made by Councilor Mathews to replace the words “preliminary” or “final” election with the word “all” in Rule 35, Section (D), and was seconded by Councilor Molisse. A roll call vote was taken: Councilor Hackett- Yes, Councilor Mathews-Yes, Councilor Molisse- Yes, Vice Chair DiFazio- Yes, Chair Burga- Yes. UNANIMOUSLY VOTED.

4. Rule 29- pg. 13- Presentation of Papers. There should be an asterisk following the third sentence, so that the asterisk before the footnote has a point of reference.

This was determined to be a housekeeping item and no vote was taken.

5. Rule 31-pg. 15-Standing Committees- under Economic Development Committee, currently reads that the committee:
“may consider and report to the town council on all matters relating to Community Development and Economic Development, including, but not limited to federal Community Development Block Grant program and the annual CDBG budget, other community and economic development related grants and programs.” Research back to 2010 indicates all measures from the mayor’s office relating to expenditures under CDBG funding and HOME grants have been referred and deliberated by the Budget/Management Committee. Clarification is needed as the rule contradicts action in practice.

Chair Burga noted that in the last Rules review, this was changed from the purview of the Budget/Management Committee to the Economic Development Committee. Vice Chair DiFazio suggested that unless the Charter dictates otherwise, why not allow it to be referred to either committee. Councilor Hackett noted that CDBG funding has a significant financial impact to the town, although as a pass-through agency.

A motion was made by Councilor Mathews to take the language from Rule 31, Standing Committees, under Economic Development and move it to the Budget/Management Committee, and was seconded by Councilor Molisse. A roll call vote was taken: Councilor Hackett- Yes, Councilor Mathews-Yes, Councilor Molisse- Yes, Vice Chair DiFazio- Yes, Chair Burga- Yes. UNANIMOUSLY VOTED.

A motion was made by Councilor Mathews to adopt the Weymouth Town Council Rules for 2020-2022, as amended, and was seconded by Councilor Molisse. A roll call vote was taken: Councilor Hackett- Yes, Councilor Mathews-Yes, Councilor Molisse- Yes, Vice Chair DiFazio- Yes, Chair Burga- Yes. UNANIMOUSLY VOTED.

ADJOURNMENT

At 7:22 PM, there being no further business, a motion was made by Councilor Mathews to adjourn and was seconded by Councilor Molisse. A roll call vote was taken: Councilor Hackett- Yes, Councilor Mathews-Yes, Councilor Molisse- Yes, Vice Chair DiFazio- Yes, Chair Burga- Yes. UNANIMOUSLY VOTED.

Respectfully Submitted by Mary Barker as Recording Secretary.

Approved by Pascale Burga, Rules Committee Chair.
Voted unanimously on 18 May 2020