

**TOWN OF WATERTOWN, MASSACHUSETTS  
RULES OF THE TOWN COUNCIL**

**As Approved by the Town Council on February 25, 2020**

**Rule 1. ORGANIZATION**

- 1.1** The Town Council shall meet for the purpose of organization on the first secular day of January following the municipal election and the members shall severally, before the Town Clerk, take their respective oaths of office to perform faithfully the duties of such office, provided that any member-elect who shall not be present at such organizational meeting shall take said oath at the first regular or special meeting of the Town Council which such Councilor-elect shall attend.
- 1.2** The Town Council shall, by majority vote of all members elected, elect a Vice President and such other officers as it shall from time-to-time deem appropriate.
- 1.3** Seating of the Council at the organizational meeting or at its first regular meeting thereafter, the order of seating of the members shall be determined by drawing of lots, provided however that the President of the Council shall occupy the center seat and the Vice President of the Council shall occupy the seat to the immediate right of the President. Members shall draw for such purpose in order of seniority of service, provided however, that in the event that two or more members shall have similar seniority in service, then the member who shall be senior in both service and age shall have precedence.

**Rule 2. MEETINGS OF THE COUNCIL**

- 2.1** Regular meetings of the Town Council shall be held in the Richard E. Mastrangelo Chamber of the Watertown Administration Building or, if agreed upon by a majority of the members any other suitable location within the Town of Watertown, at 7:00 PM of the second and fourth Tuesday of each month, provided however, that the members may, by two-thirds vote, agree to hold any regular meeting on such other date as may be convenient.
- 2.2** The Town Council shall be required to meet only once during the months of July, August and December, said meeting to be held on the second Tuesday of said months, and may meet a second time upon prior approval by vote of the members.
- 2.3** In the event any holiday or primary or general election shall fall on the regular meeting date, the Town Council shall meet on the business day next following.
- 2.4** No board, commission or committee of the Town shall meet concurrently with the time of any regular or special meeting of the Town Council, provided however that this rule may be waived by the Council President, and provided further that a copy of any waiver granted under this rule shall be filed with the Town Clerk.

- 2.5** No agenda item at a regular meeting of the Town Council, except Executive Session and Public Forum, may be brought forward for consideration after 10:30 PM. A regular meeting of the Town Council shall adjourn after action is taken on the agenda item being considered at 10:30 PM. An adjourned meeting of the Council shall not and may not be reconvened.
- 2.6** Special meetings of the Town Council shall be held at the call of the President of the Town Council, or at the call of any three or more members, such call to be by written notice to each member or by email provided however, that any such notice shall contain a listing of the specific matters to be acted upon. Except in the case of emergency, of which the President of the Council shall be sole judge of the time set for such meeting and a copy of any such notice shall be delivered not less than forty-eight hours in advance of the time set for such meeting and a copy of any such notice to the members shall forthwith, be posted upon the Town bulletin board and all other sites where meeting notices are regularly posted.
- 2.7** All special meetings of the Town Council shall be held in the Richard E. Mastrangelo Chamber unless an emergency, of which the President of the Council shall be sole judge, shall require such meeting to be held elsewhere, in which case the nature of the emergency and the location of such special meeting shall be clearly stated in the notice required by these rules.
- 2.8** The Town Manager or designee shall be expected to attend all regular or special meetings of the Town Council, unless otherwise specified by a vote of the members.
- 2.9** Except as otherwise authorized or provided by General Law, all sessions of the Town Council and every committee or subcommittee thereof, shall be open to the public and the media.
- 2.10** At the discretion of the Council President, an executive session may be called. Executive sessions shall be convened as allowed under Massachusetts General Law. All matters discussed in an executive session shall remain confidential until a vote is taken by the Council to release the minutes of the meeting or report publicly said discussions.
- 2.11** The presence of five members shall constitute a quorum for the transaction of business. Except as provided by General Law, the Town Charter or these rules, the affirmative approval of not fewer than five members shall be required to adopt any ordinance or appropriation order.
- 2.12** The minutes of regular and special meetings of the Town Council shall consist of the proceedings of the Council's order of business, including motions and second, votes, and questions of order along with the decisions thereon; said minutes shall list those members of the Council or of the public speaking on a given issue and shall provide only in summary form the major points raised by speakers. The minutes shall also include:
- a) a copy of all items that were linked to the meeting agenda, including all items that were presented at the meeting;
  - b) a copy of all Committee reports presented during the meeting;

- c) a copy of any statement presented a member during a meeting which has been delivered in written form prior to the end of the meeting;
- d) a copy of the tally sheets for each roll call vote of the Council indicating the vote of each member; and
- e) a copy of any other written document submitted during the meeting by any person.

**2.13** No subcommittee or committee of the Town Council may schedule or hold any meeting before 5:00 pm during the week or at any time on weekend days. The only exception being when the Town Council President has deemed the matter being discussed time sensitive and/or determines that the meeting time would not be a detriment to public discourse.

### **Rule 3. PRESIDING OFFICER**

**3.1** The President of the Town Council, if present, shall preside at all meetings. In the absence of the President, the Vice President shall preside, and, in the absence of both the President and the Vice President, a temporary chair shall preside who shall be the senior member in length of service, provided however, that in the event that two or more members shall have similar seniority in service, then the member who shall be senior in both service and age shall have precedence and serve during the absence of both the President and the Vice President.

**3.2** It is the duty of the presiding officer to preserve the decorum and order of a council meeting. He or she may speak to questions of order in preference to other members. He or she shall decide all questions of order, subject to an appeal of the entire Town Council, which appeal shall be seconded; and no other business shall be in order until the question on the appeal from the ruling of the chair shall be decided by the members by a call of the roll and the ruling of the chair shall stand unless a majority of members shall vote to the contrary. The chair shall be permitted to vote on any question of appeal.

**3.3** The presiding officer shall declare all votes or other action of the members and, if the result shall be in doubt, may call for a roll call vote. Such declarations by the presiding officer shall stand unless reversed by a call of the roll.

### **Rule 4. VOTING**

**4.1** All final votes of the Town Council on matters involving appropriations, expenditures, transfers of monies and/or bonding, shall be taken by a call of the roll and the result of such call of the roll shall be entered upon the records. Additionally, the roll shall be called upon any other pending matter at the request of any member. In the calling of the roll, the order in which the names of the members are called shall be rotated following each such call of the roll.

**4.2** When a question is put by the presiding officer, every member shall be entitled to vote yes, no, or present.

- 4.3 Prior to any vote, the Clerk of the Council shall record and may be asked to read aloud the exact language of the measure or motion to be voted on.
- 4.4 Members shall not participate in the consideration of, nor vote on, any question, nor serve on any committee or sub-committee, in which his or her private interest shall be immediately concerned distinct from that of the Town or the public.
- 4.5 Prior to the announcement of the result of a call of the roll by the presiding officer, any member may ask to have his or her name called again for the purpose of confirming his or her vote or being recorded differently.
- 4.6 Any use of Charter Privilege shall follow Charter Section 2-8(b) of the Watertown Home Rule Charter.
- 4.7 A member who invoked the Charter Privilege may present a motion to withdraw the Charter Privilege. The motion will be treated according to Rules of the Council. If the members vote in favor of the motion, the presiding officer shall place the original measure before the Council.

#### **Rule 5. DEBATE**

- 5.1 Every member, when about to speak, shall respectfully address the presiding officer and await recognition. Once recognized, such member shall avoid personalities and confine himself or herself to the question under debate.
- 5.2 No member shall speak more than twice to the same question without leave of the presiding officer, nor more than once until all other members desiring to do so shall have spoken. No member shall have or hold the floor for more than ten consecutive minutes of debate, unless such time shall be extended by the affirmative vote of two-thirds of the members.
- 5.3 Once stated or read by the presiding officer, a matter shall be deemed to be in the possession of the Town Council and shall be disposed of by vote or other appropriate action, provided however, that the mover may withdraw the motion or other matter at any time prior to amendment or other action by the members.

#### **Rule 6. PRECEDENCE OF MOTIONS**

- 6.1 During consideration of any matter properly before the members, the presiding officer shall receive no motion except those listed herein, which motions shall have precedence in the order listed:
- To adjourn
  - To recess
  - To lay on the table
  - To take from the table
  - To move the previous question

- To limit or extend the limits of debate
- To postpone to a date and/or time certain
- To refer
- To amend
- To postpone indefinitely

**6.2** Following a vote of the Town Council it shall be in order for any member who shall have voted with the prevailing side to move reconsideration thereof at the same meeting at which said vote was taken, or to file with the Clerk of the Council not later than 12:00 Noon on the next business day following such meeting, a written motion for reconsideration. Following receipt of such a written motion for reconsideration, the Clerk of the Council shall place said motion on the calendar for the next regular or special meeting of the Town Council, and cause the same to be included in the call thereof, and the Clerk of the Council shall also notify each member in writing of the filing of any such written motion for reconsideration. If any matter shall have been decided by a tie vote, the prevailing side shall be considered to be that side in whose favor the question was decided. Not more than one motion for reconsideration shall be entertained for any one vote, and no vote upon any motion to adjourn, to lay upon the table, to take from the table or to move the previous question shall be subject to reconsideration.

## **Rule 7. CLERK OF THE COUNCIL**

**7.1** The Clerk of the Council shall attend and keep records for all regular and special meetings of the Town Council, shall record the names of member present, and shall have the care and custody of all records, documents, maps, plans, papers and other records and materials pertaining to the business of the Town Council. Councilors seeking to review audio or video recordings of Council meetings that are in the possession of the Council Clerk, can borrow such recording for up to 72 hours by completing a sign out form.

**7.2** Matters to be placed on the agenda for the Town Council, including but not limited to reports and communications from the Town Manager and other town officials, boards, departments and commissions, and any ordinance, order, resolution, proclamation or other matter of business to be presented to the members for action at a regular meeting of the Town Council shall be submitted to the Clerk of the Council not later than 5:00 PM on the Thursday preceding the regular meeting at which such matter is to be considered by the Town Council. With concurrence of the Council President, an item may be added to the Council agenda up to 12:00 Noon Friday. Items for placement on the agenda of upcoming Council meetings shall in the absence of the Clerk of the Council, be deposited with the office of the Town Manager. Said office shall record the date and time of receipt of such items and shall forward them to the Clerk of the Council during his/her next scheduled working hours. Every effort shall be made to have all matters that are submitted for placement on the agenda accompanied by materials sufficient to inform Council members of the nature and purpose of the agenda item.

**7.3** If the timing of an event does not allow a proclamation to be submitted in accordance with Rule 7.2, any member may, after notifying the Council President, may issue such

proclamation. The member shall also notify the Clerk of the Town Council as soon as possible. Any proclamation issued in this manner shall be subject to ratification by the Town Council at its next meeting, at which time the proclamation shall be recorded in the minutes of the meeting.

- 7.4** Items submitted by members shall be placed on the agenda, unless the Council President removes an item and informs the sponsoring member why such action was taken. In the instance that an item is removed from the agenda by the Council President, said item shall be placed on the agenda of the subsequent meeting, at the request of the sponsoring member.
- 7.5** The agenda for each regular meeting of the Town Council, together with copies of matters to be considered shall be delivered by the Clerk of the Council to the members not later than 5:00 PM on the Friday preceding such regular meeting.
- 7.6** The Clerk of the Council is authorized and directed by these rules to order and publish notice of hearings on petitions presented which require such public hearing by the Town Council.
- 7.7** The Clerk of the Council shall prepare the draft minutes of each regular Town Council meeting and shall provide a copy to each member no later than 5:00 PM on the Monday following the meeting, or by 5:00 PM on the third business day following a special meeting. If necessary, exceptions to this timetable may be made by the Council President.
1. The draft minutes shall include a copy of the Clerk of the Council's summary of the meeting, including motions and seconds, votes, and major points raised by Council members and members of the public.
  2. The Clerk of the Council shall note in the official minutes of all regular and special meetings of the Town Council the names of all elected officials and invited guests seated within the Council Chambers.
  3. Members shall attempt to provide all agenda submissions in electronic form. The Council Clerk shall convert any hand-written Committee report or statement to electronic form for inclusion in the official records of the Town Council.
  4. Members may propose corrections of factual errors/or additional comments. Corrections of factual errors shall identify the specific information in the draft minutes that is in error and, if approved by the Council, shall result in a change in the body of the minutes. Additional comments shall elaborate upon remarks and comments made by the member at the Council meeting if approved by the Council, shall be appended to the final minutes. Additional comments shall be limited to one typed page. Corrections or additions shall be delivered to the Clerk of the Council no later than 5:00 PM of the Thursday preceding the next regular Council meeting. In the case of a special meeting, such submission deadline shall be at noon on the fifth business day following the day of delivery of the draft minutes. The Clerk of the Council shall provide a copy of the original draft minutes together with a copy of every correction or addition submitted by a member linked to the

agenda. In voting on the acceptance of the minutes at the following Town Council meeting, the Town Council shall take a single vote on the draft minutes including corrections and additions, unless any single member requests separate votes.

5. In the event that a member submits a written request for a correction or addition on the publication of the agenda prior to a regular Town Council meeting, the minutes shall be automatically laid on the Table at the Town Council meeting, and not taken up until the subsequent Council meeting so as to allow members the opportunity to consider fully such corrections or additions prior to the vote for the acceptance of the minutes.
  6. If a motion is made to table the draft minutes for the purpose of amending or modifying the minutes, and this motion is approved by the Town Council, the councilor who made this motion shall provide to the council clerk such amendments/modifications in writing within 5 business days of the action to table the minutes. All amendments/modifications will be provided to the Clerk of the Council and included in materials forwarded to councilors for the next meeting of the Town Council.
  7. Other than typing errors, any correction or addition to the draft minutes must be approved by a majority vote of the Town Council.
  8. Upon acceptance of the draft minutes by a vote of the Town Council, the Clerk of the Council shall revise the draft minutes to incorporate corrections and append additions accepted by the Town Council, and shall file the final minutes with the Town Clerk within one week of the Town Council's vote of acceptance.
  9. Typing errors, whether in the draft or final minutes, should be reported to the Clerk of the Council who will be responsible for correcting the errors. The correction of typing errors in the draft or final minutes will not require a Council vote.
- 7.8 The Council Clerk shall distribute all Council-related documents electronically. Paper copies of any council-related document can be provided upon request.

## **Rule 8. ORDER OF BUSINESS**

- 8.1** The Order of Business for regular meetings of the Town Council, which order shall not be departed from except by the affirmative vote of a majority of the members present, shall be as follows:

- Call of the Roll
- Pledge of Allegiance
- Public Forum
- Examination of records of previous meetings
- President's Report
- Presentations of petitions, proclamations, and similar papers and matters
- Motions for reconsideration
- Unfinished business from prior meetings

Public Hearings  
Informational Presentations  
Motions, Ordinances, Order, and Resolutions  
Reports of Committees  
New Business  
Communications from the Town Manager  
Consideration of nomination for appointments  
Requests for Information/Review of List of Pending Matters  
Announcements  
Public Forum  
Recess or adjournment

- 8.2** The posted notice of the Agenda for the Town Council shall state this order of business.
- 8.3** All matters and items of business appearing on the agenda of the Town Council shall be taken up in the order in which they appear on said agenda, shall be subject to full and open debate, and shall be disposed of by vote or other action of the Town Council prior to consideration of any other item of business.
- 8.4** To comply with the Open Meeting Law, no item shall be brought up for a discussion or vote under New Business, unless it was not reasonably anticipated more than 48 hours before the meeting and is of a time-sensitive nature such that it would be detrimental to wait until it could be placed as a motion on the agenda of the next Council meeting.
- 8.5** To comply with the Open Meeting Law, each Committee report on the agenda shall specify the action items, if any, that the Town Council will be asked to vote on during the meeting.
- 8.6** No matter or item of business shall be referred to committee except for one or more of the following purposes:
- a) for study and report to a subsequent meeting,
  - b) for the purpose of drafting an ordinance, order, or resolution,
  - c) for the purpose of gathering information from persons with knowledge or of interest in matters of importance to the Council, or
  - d) for any other purpose by an affirmative vote of the members.
- 8.7** Action by the Town Council regarding appointments by the Town Manager or other persons, which appointments shall require confirmation by the Town Council, shall be received and then tabled forthwith until the regular meeting next succeeding the meeting at which such nomination was received, and the matter of the appointment shall be referred to the appropriate committee or subcommittee for hearing, review and recommendation. If within thirty days of the Town Council meeting where the appointment was presented, the committee or subcommittee takes no action to schedule a meeting for interviews; or if subsequent meetings are required and the committee or subcommittee takes no action to

schedule subsequent meetings, then the Council Clerk shall automatically place a motion for a confirmation vote on the agenda of the next scheduled Town Council meeting.

- 8.8** Each committee and subcommittee shall provide a report to the Town Council on any meetings it held, within thirty days. The report will be subsequently be included, on the next regularly-scheduled Town Council meeting agenda in compliance with all applicable council rules.
- 8.9** A member who makes a request for information shall, no later than the next business day, provide a written summary of his/her request to the Town Manager and a copy to the Clerk of the Council for inclusion in the minutes of the meeting when the request was made. A member who considers the response to his or her request for information to be inadequate or incomplete may repeat or supplement the request at one subsequent meeting. If, after the second request, the member feels that the response is inadequate or incomplete and wishes to request further information on the same or substantially the same matter, he or she must make a motion seeking a vote of the majority of the Council for his or her request.
- 8.10** No ordinance, order, resolution, or proclamation shall be received or acted upon unless submitted by a member of the Town Council or the Town Manager.
- 8.11** A petition or other matter which shall have been rejected by the members shall not be presented to the Town Council for consideration in the same form or in a petition or other matter embodying substantially the same subject matter until the expiration of six months following said rejection, unless reintroduced shall have received prior approval in writing by not less than two-thirds of the entire Town Council.

## **Rule 9. ENACTING STYLE**

- 9.1** All laws enacted by the Town Council shall be entitled ordinances and the enacting style shall be: "Be It Ordained by the Town Council of the City known as the Town of Watertown". All actions by which the Town Council expresses its will shall be entitled orders and the enacting style shall be: "Be it Ordered by the Town Council of the City known as the Town of Watertown". In all actions by which the Town Council expresses its opinions, principles, or purposes shall be entitled resolutions and the enacting style shall be: "Be it Resolved by the Town Council of the City known as the Town of Watertown". In all actions by which the Town Council congratulates or thanks an individual(s) or organization(s), or marks a holiday, occasion, or event shall be entitled proclamations and the enacting style shall be: "Be it Proclaimed by the Town Council of the City known as the Town of Watertown".
- 9.2** All ordinances, orders, resolutions, and proclamations approved by the Town Council, and other matters in the discretion of the Council, shall be signed by the Council President and the Clerk of the Council. Ordinances, orders, and resolutions shall also be signed after each meeting by an additional individual councilor (other than the Council President) on a rotating basis according to seniority. For proclamations, the additional councilor may be the

sponsoring councilor. If no documents requiring signature are approved at a meeting, the councilor with signature responsibility at that meeting continues in that role until such time as a meeting requires his or her signature. If a councilor misses his or her turn in the rotation due to absence or other reason, the signature responsibility rotates to the next councilor.

## **Rule 10. ORDINANCES**

- 10.1** Upon introduction, every proposed ordinance shall receive its first reading and shall then be referred for hearing and consideration to the Committee on Rules and Ordinance singly or jointly with such committee that shall be appropriate with such recommendation, which may subsequently refer it to such committee or subcommittee of the Town Council as shall be appropriate for such recommendation such subcommittee may wish to make prior to action thereon by the Committee on Rules and Ordinances; provided that, a proposed ordinance may, by a vote of the full Council, be referred directly to said appropriate committee or subcommittee.
- 10.2** Except in the instance of a special emergency involving the health and safety of the people or their property, no ordinance, loan order, borrowing or bond authorization shall be passed finally on the date of its first introduction. Any such emergency shall first be defined and declared in a preamble to the vote of the Town Council, said preamble to be adopted upon a separate call of the roll and receive the affirmative votes of not less than two-thirds of all the members.
- 10.3** When a proposed ordinance is reported out of a committee, it is subject to debate and amendment by the Town Council. The proposed ordinance is then published in the paper as required by Rules of the Town Charter prior to a public hearing.
- 10.4** Every ordinance, or order involving a bond issue or other action pledging the credit of the Town shall, before final action and passage by the Town Council, be referred to the Town Attorney or Bond Counsel, who shall forthwith examine same and advise the members regarding legality and notify the Town Council of his/her findings in writing.

## **Rule 11. COMMITTEES**

- 11.1** As soon as practicable following the organization of the Town Council, the President shall appoint chairs, vice-chairs, secretaries, and members of the following standing committees:

**Committee of the Whole:** To consist of all members of the Council with the President as Chair, to deal with all matters referred to it by the Council.

**Committee on Budget and Fiscal Oversight:** To consist of three members of the Council, to consider matters pertaining to the Town Budget and any other fiscal matters referred to it by the Council.

**Committee on Economic Development and Planning:** To consist of three members of the Council, to consider matters pertaining to planning, development, redevelopment, zoning or housing.

**Committee on Education and School System Matters:** To consist of three members of the Council, to consider matters involving the School Department and education generally.

**Committee on Human Services:** To consist of three members of the Council, to consider matters pertaining to the Council on Aging, Social Service programs, Veterans Services, Public Health, and Libraries.

**Committee on Parks and Recreation:** To consist of three members of the Council, to consider matters pertaining to Recreation, Parks, and the Skating Arena.

**Committee on Personnel and Town Organization:** To consist of three members of the Council, to consider matters involving Town personnel, including Civil Service, Town Hall budgetary matters, and proposals for organization or reorganization of the Town's departments and agencies.

**Committee on Public Safety:** To consist of three members of the Council, to consider matters pertaining to the Police, Fire and Civil Defense departments of the Town.

**Committee on Public Works:** To consist of three members of the Council, to consider matters pertaining to the Department of Public Works, and the Conservation Commission.

**Committee on Rules and Ordinances:** To consist of three members of the Council, to consider the advisability and merit of proposed new ordinances or amendments to current ordinances, including the form and legality thereof; and all related legal matters, together with the Town Attorney.

**Committee on State, Federal and Regional Government:** To consist of three members of the Council, to consider matters involving the Election Commission and Town Clerk and to serve as a liaison between the Town and Federal Government and the Commonwealth of Massachusetts and its authorities, regional bodies, and political subdivisions.

**11.2** Town Council may from time to time establish other special or standing committees as it shall deem necessary or appropriate, which special or standing committees shall be appointed by the President as soon as practicable following the establishment thereof.

**11.3** The terms of membership on committees shall be the same as the terms of the Town Council.

- 11.4** Following the President's appointment of all committee members, the Council shall determine whether matters referred to committee but not acted upon by the prior Council shall be referred to a committee of the current Council. No matters referred to committee by a prior Council which have not been acted upon shall be taken up by a committee of the current Council unless referred by vote of the current Council. Referrals for matters that have been acted upon by a Council committee shall be considered ongoing.
- 11.5** Every committee to which a matter has been referred shall meet within a reasonable time to consider such matter. If the chair of the committee fails to call a meeting within 30 days of a referral, a majority of the committee may call a meeting. The Council may at any time vote to revoke a referral and take up a matter previously referred to committee or refer the matter to a different committee.
- 11.6** Each committee shall cause records to be kept of its proceedings. All reports or other papers submitted to the Town Council regarding said proceedings shall be typewritten or prepared on a word processor and follow a standardized format designated by the Council President.
- 11.7** It is the goal of the Town Council to actively involve citizens in the work of city government through council committees. All committees are encouraged to work with community and neighborhood groups and committees on issues that relate to these groups' mandates and interests.
- 11.8** No member(s) of the Town Council shall make any referral(s) to any standing Committee(s) without first having communicated the essence of said referral(s) to the appropriate Department Head(s) or equivalent and received a response from said Department Head(s) or equivalent, regarding said referral. No member of the Town Council shall make a request for a referral to be placed on the Town Council Agenda without first providing the Town Council Clerk with the aforementioned communication took place. If no response is received within a reasonable period of time, said communication requirement shall be waived and the request for referral may be placed on the Town Council Agenda. Referrals customarily made to Committee on an annual or otherwise regular basis, for example as required by Charter, or deemed an emergency or time sensitive by the Council President, are exempt from this provision.

## **Rule 12. COMMUNICATIONS TO THE COUNCIL**

- 12.1** The Clerk of the Council shall provide each member with a copy of all communications addressed to the Town Council as a body or to the President or Clerk on matters of interest to the entire Town Council which would not in the course of regular business of the Town Council be referred thereto for appropriate action, provided however, that if any such communication shall exceed ten pages in length, the Clerk may instead send a notice to each member advising that said communications are available for inspection in the anteroom to the Richard E. Mastrangelo Chamber.

## **Rule 13. ADMISSION WITHIN THE RAIL**

**13.1** No person shall be approach the Council table in the Richard E. Mastrangelo Chamber or enter the Council Office, except upon permission of the President or other presiding officer.

**13.2** No member of the Town Council shall take the podium without the permission of the Council President or other presiding officer.

#### **Rule 14. RECORDING OF MEETNGS**

**14.1** The Clerk of the Council shall maintain the recordings of all regular and special meetings of the Town Council.

**14.2** Except as otherwise authorized by General Law, any member or member of the public shall be permitted to make an audio or video recording of any regular or special meeting of the Town Council, provided however, that such member or member of the public, shall have given notice of his/her intent to make such a recording to the presiding officer prior to the start of any such meeting to be so recorded and that the presiding officer shall announce at the start of each meeting that it is being recorded.

#### **Rule 15. PUBLIC PARTICIPATION**

**15.1** All members of the public are invited to speak at the first Public Forum at the beginning of a Town Council meeting. A member of the public wishing to speak at the first Public Forum must place his or her name on a list that the Clerk of the Council will make available at the meeting location prior to the scheduled start of the meeting. The presiding officer shall recognize speakers at the first Public Forum in the order in which their names appear on the list. All members of the public are also invited to speak at the second Public Forum at the end of a Town Council meeting.

**15.2** At the first Public Forum, a member of the public shall state his or her name and address before making any remarks or asking any questions, shall limit his or her remarks or questions to matters of Town business or to items that are on the posted agenda for the meeting but are not scheduled for a public hearing, and shall speak for no more than two minutes.

**15.3** At the second Public Forum, a member of the public shall state his or her name and address before making any remarks or asking any questions and shall speak for no more than two minutes.

**15.4** During any public forum, there shall be no direct reply to the speaker or comment from Council members. Should the topic be a policy matter, the Town Council President shall provide a response, which shall also be provided to the full Town Council. Should the topic be an administrative matter, the Town Manager shall provide a response, which shall also be provided to the full Town Council.

**15.5** All members of the public are also invited to speak at any Public Hearing and, at the presiding officer's discretion, during or following the Council's discussion of the topic of the Public Hearing. The presiding officer shall recognize those wishing to speak in the order they raise their hand.

**15.6** All members of the public recognized by the presiding officer to speak during a Public Hearing or during or following the Council's discussion of the topic of the Public Hearing shall state his or her name and address before making any remarks or asking any questions, shall limit his or her remarks or questions to matter of the Public Hearing, and shall speak for no more than two minutes. He or she may be recognized by the presiding officer to speak a second time on the topic of the Public Hearing for no more than two minutes but only after all other members of the public wishing to speak have spoken once.

**15.7** Copies of Rule 15 shall be made available to the public at all meetings of the Council.

#### **Rule 16. PARLIAMENTARY AUTHORITY**

**16.1** In all matters of parliamentary procedure not provided for in General Law, the Town Charter, Town by-laws, or ordinances, or these rules, the Town Council shall be governed by "Robert's Rules of Order, Newly Revised".

#### **Rule 17. AMENDMENT OR SUSPENSION OF THE RULES**

**17.1** In so far as these rules are not statutory in source or origin, the same may be amended, suspended or repealed at any meeting by two-thirds vote of all the members. In the event that action taken by the Town Council shall be inconsistent with these rules, such action shall be deemed to have been taken in suspension thereof, provided however, that the members concur in such action.

#### **Rule 18. DISPUTE RESOLUTION PROCESS**

**18.1** This dispute resolution process is intended to provide a framework to resolve disputes pertaining to work-related matters and the professional manner in which Councilors and employees of the Town Council interact. Disputes may arise from a variety of issues. This process may be used to resolve disputes arising between Council employees as well as between Council employees and Councilors. This process is not intended for use in resolving disputes between Councilors. This process does not replace any rights that Town Councilors or Council employees have under any applicable Federal or State Laws.

It is hoped that most disputes will be resolved fairly and amicably among the parties without having to utilize this formal process. It is further hoped that matters not resolved informally between the parties can be resolved working with the Council President.

The process consists of three steps as follows:

Step 1: Council President

To initiate the Dispute Resolution Process the employee(s) or Councilor(s) shall file a written complaint with the Council President outlining the matter under dispute. After receiving a complaint, the Council President must meet with both parties to the dispute within fifteen days (or by the date of the next regularly scheduled full Town Council meeting, whichever is later) to attempt to resolve the matter. After meeting with the parties, the Council President must make a decision on the matter within seven days. If either party disagrees with the Council President's decision, they may appeal the decision in writing within seven days. If the decision is not appealed within seven days, the decision is considered final.

Appeals involving the Town Council employees, except the Town Manager, must be made in writing to the Chair of the Personnel and Town Organization Committee for an appeal hearing at Step 2. Appeals involving the Town Manager must be made in writing to the Council President for an appeal hearing at Step 3.

The Dispute Resolution Process begins at Step 1 except in the following instances:

- (a) In the event that the Council President is a part to the dispute, the Town Council employee(s), except the Town Manager, must file their written complaint with the Chair of Personnel and Town Organization Committee and proceed directly to Step 2.
- (b) In the case of a dispute between the Council President and the Town Manager, the written complaint must be filed with the Vice President of the Town Council for a hearing before the full Town Council at Step 3.

#### Step 2: Personnel and Town Organization Committee

Upon receipt of a complaint or appeal, the Chair of Personnel and Town Organization Committee must schedule a hearing on the dispute within fifteen days (or by the date of the next regularly scheduled full Town Council meeting, whichever is later). The hearing will be held in Executive Session unless the employee requests an open session in writing. After hearing the dispute, the Committee will meet in Executive Session to make their decision on the matter by simple majority. The Chair of Personnel and Town Organization Committee must then issue the Committee's decision within seven days. If either party disagrees with the Personnel and Town Organization Committee's decision, they may appeal the ruling in writing within seven days. If the decision is not appealed within seven days, the decision is considered final. Appeals must be filed in writing with the Council President (or Vice President if the Council President is a party to the dispute).

#### Step 3: Full Town Council

Upon receipt of a complaint or appeal, the Council President (or Vice President if the Council President is a party to the dispute) must schedule a hearing on the dispute before the full Town Council within fifteen days (or at the next regularly scheduled full Town Council meeting, whichever is later). The hearing will be held in Executive Session unless the employee requests an open session in writing. After hearing the dispute, the Council will meet in Executive Session to make a decision on the dispute by simple majority. The Council President (or Vice President if the Council President is a party to the dispute) must

then issue the Town Council's decision on the matter within seven days. The decision of the full Town Council shall be final.

## **Rule 19. SANCTIONS FOR VIOLATION OF RULES**

**19.1** The Council may, by a majority vote, approve a motion to sanction any member who, after being given a warning by the presiding officer, again violates the Rules of the Council or the Town Charter. Sanctions that the Council may impose include a reprimand, censure, and loss of committee chair or membership. All proceedings and actions related to this motion shall be conducted in executive session and shall comply with provisions of the Massachusetts Open Meeting Law, including but not limited to the provision that the subject member shall be given written notice at least forty-eight hours prior to consideration of any such action by the Council. If the Council chooses to consider such action in open session or the subject member exercises his or her right under the Open Meeting Law to require that the action be considered in open session, the subject member may speak on his or her own behalf and may have counsel or a representative present to advise him or her. However, the counsel or representative may not speak in the meeting.