

TOWN OF EAST GREENWICH
TOWN COUNCIL
RULES AND GUIDELINES

The following Rules are hereby adopted as the Rules and Guidelines of the Town Council pursuant to the General Laws of the State of Rhode Island and the Town of East Greenwich Home Rule Charter. As set forth herein at Rule 15, below, these Rules and Guidelines are to be reviewed biennially on the first Town Council meeting in the February following a general election.

RULE 1. PRESIDENT AND VICE PRESIDENT

(a) The President of the Town Council and in his/ her absence, the Vice President of the Town Council, shall preside over all regular and special meetings of the Town Council. In case of the absence of both the President and the Vice President, or the inability of both of them to discharge the duties of the office of President, or Vice President, the Town Council shall elect one of its other members to perform such duties during the absence or disability of both President and Vice President.

(b) The President and Vice President shall be elected from within the Town Council's own membership at the first meeting after all five (5) Council members have been certified by the Board of Canvassers.

RULE 2. REGULAR MEETINGS

(a) The Town Council shall hold regular meetings of the Town Council at seven (7:00) o'clock p.m. on the second and fourth Mondays of the month.

(b) All meetings of the Town Council shall be open to the public; but the Town Council may authorize an executive session, which shall comply with the Rhode Island Open Meetings Act (OMA). Council and staff members shall keep matters discussed in executive session confidential.

(c) If any regular meeting day shall fall on a legal holiday, the meeting shall be held on the day following or a day certain determined by the President after polling members.

(d) In case of emergency, including but not limited to inclement weather, the President of the Town Council, on the day of a regular meeting, as soon as possible in his/ her discretion, may cancel the meeting and shall reschedule the meeting to a date certain in compliance with the OMA. The Town Clerk shall post notice of the cancellation and rescheduling.

RULE 3. SPECIAL MEETINGS

(a) Special meetings of the Town Council shall be called by the Town Clerk in accordance with § C-63 (B) of the Charter and the OMA.

(b) At any special meetings called by the Town Council through the Town Clerk under § C-63 (B) of the Charter, the purpose of the special meeting shall be stated in the notice or agenda of the meeting, and no business shall be transacted at any special meeting other than that which has been stated, although matters may be added to the agenda for discussion and/or referral only pursuant to the OMA.

(c) Emergency meetings of the Town Council may be called by the Town Council President or Vice President, but only pursuant to the OMA.

RULE 4. AGENDA

(a) The Town Manager and Town Clerk shall prepare a draft of the Town Council agenda in a timely fashion. The President, or in his/her absence, the Vice President shall provide final review and approval of the agenda. All Council agendas shall be reviewed by the Solicitor prior to posting to ensure OMA and other legal compliance requirements are satisfied. Any two (2) members of the Town Council may add items to the agenda by providing timely notice to the Town Clerk.

(b) An opportunity will be provided in each regular meeting to allow for Public Comment and will be placed on the agenda for each regular meeting. This time will be limited to no more than thirty (30) minutes. Those wishing to comment will use a sign-in sheet available at the start of the meeting. When appropriate to an agenda item, the presiding officer may allow Public Comment on an item.

(c) All relevant documents and back up materials for an agenda item shall be provided to the Town Clerk by no later than noon on the fifth day prior to the Council meeting (i.e. Noon on Wednesday for a Monday Council meeting) at which time the item(s) will be placed on the agenda for discussion or action. If such documents have not been so delivered, then the Clerk will not place the item on the agenda, except upon specific direction of the Town Manager or the President, or the Vice President in the absence of the President. The Council reserves the right to table any matter to allow sufficient time to review the documents prior to discussion or action. This shall not prevent the Council from considering, discussing, or acting upon any item in an emergency or when circumstances require action within a short period of time, despite the size of the documents and back up materials.

(d) In accordance with the OMA, any item not on the agenda for which a collective discussion will take place may be added to the agenda for discussion and/or referral only by an affirmative vote of the Council. [Reference: RIGL § 42-46-6.]

RULE 5. CALL TO ORDER, QUORUM, DECORUM

(a) The President shall take the chair at the hour designated for the meeting of the Town Council and shall promptly call the members to order.

(b) A majority of all members of the Town Council shall constitute a quorum.

(c) The President shall preserve decorum and order; he/ she shall decide all questions of any points of order, subject to an immediate appeal to the Town Council by any member present. No other business shall be in order until the question on appeal shall have been decided by a majority of the members present. He/ she may speak on points of order, in preference to other members and may speak and vote and make or second motions on general questions the same as other members. The President shall enforce order and decorum among persons and any person addressing the Town Council. The Council shall follow Roberts Rules of Order 10th Edition when addressing matters of parliamentary procedure, not otherwise covered by the Charter, the General Laws of Rhode Island, and these Rules.

RULE 6. VOTING

(a) The President of the Town Council shall clearly and succinctly state every question before the Town Council as a whole.

(b) Items on the Consent Calendar of the agenda may be voted on by a single motion; however, items may be removed for separate action by the request of any Council member.

(c) In case of a tie vote, the motion is not carried or passed.

RULE 7. DISCUSSION AND DEBATE

At any meeting of the Town Council, any member desiring to speak, shall address the President, and after his/ her right to speak has been recognized, he/ she shall not be interrupted while speaking, except by a call to order, or to yield to another member. He/ she shall confine his/ her remarks to the question under discussion or debate. No member shall speak more than once on the same question, until all other members desiring to speak thereon shall have done so. There shall be no conversation among members while a member is speaking, while a vote is being taken, while any paper is being read or while a question or motion is being stated by the President.

RULE 8. RECONSIDERATION

When a vote has been passed, it shall be in order for any member voting with the prevailing side to move a reconsideration thereof, in accordance with the provisions of these rules, at the same meeting. The same ordinance, resolution, paper or vote shall come but once before the Town Council for reconsideration at the same meeting. A motion for reconsideration may be seconded by any member and must be voted upon in the same meeting in which it was made. Nothing herein shall affect the ability of a member of the Town Council from resubmitting the item for future consideration on a new agenda through the traditional procedures and channels.

RULE 9. FINANCIAL REPORTS

The Finance Director shall present financial reports on a quarterly basis by the second Council Meeting of the month following the fiscal quarter end. The financial reports will include

a comparison of unaudited actual amounts to the annual budget and an explanation of significant dollar value variances.

RULE 10. COMMUNICATIONS

(a) Non-confidential mail or written communications received by Council members related to Town business or issues may be forwarded to the Town Clerk's office for copying and/or e-mail distribution to the entire Council, upon request by said Council member.

(b) E-mail messages will be utilized to keep all Council members updated on issues or matters of interest.

(c) As Council members are made aware of problems or concerns within the Town, the Council member may notify the Town Manager by e-mail or telephone, so the matter may be addressed promptly.

(d) The Town Manager shall have the authority over the Town website. Messages and information posted to the Town website or press releases distributed to the media that are to be considered an official communication of the Town Council will require prior Council approval and a vote.

(e) Individual members of the Council may contact Department Heads directly after informing the Town Manager of the intended contact and the substance of any such contact. Any contact shall be for informational purposes only and Council members shall not provide direction or give orders to any Department Head or to any employee of the Town.

(f) Individual members of the Council may contact the Town Manager directly. However, individual Council members shall not give orders to the Town Manager, nor shall the Town Manager undertake substantial projects nor allocate significant Town resources other than upon direction of a majority vote of the Town Council at a meeting of the Town Council.

RULE 11. BOARDS, COMMISSIONS, INCLUDING ADVISORY BOARDS AND COMMISSIONS

(a) The Council will only consider applicants for appointment to boards or commissions if they have a letter of interest (mail or electronic) on file stating their qualifications, in addition to a volunteer application.

(b) An advisory board or commission is set forth in the East Greenwich Town Charter, Section C-122, and shall include a group formed and tasked by the Town Council with a specific, limited purpose, and from which the Council seeks advice or requests a report, for further action by the Council. Pursuant to C-122, the members shall be appointed by the Town Council, and shall also be subject to C-15, C-16, and C-17, including the requirement that every member be a qualified elector of the Town and a resident actually living in the Town. An advisory board or commission shall not include any group assembled and/or appointed by the Town Manager to

advise the Town Manager on any specific purpose, and the members of such group advising the Town Manager shall not be subject to the aforementioned Charter provisions.

(c) The Town Council may create an advisory board or commission by ordinance, outlining the fixed purpose and charge. The term of all study commissions shall expire upon the completion of the performance of its duties charged, a fixed date or the expiration of the Town Council's term of office, whichever is earlier in time.

(d) Each board and commission shall have a chairperson and vice-chairperson appointed by the President of the Town Council or, if set by state law or town code or the Council deems appropriate, elected from and by the membership of the study commission. The vice-chairperson shall act as chairperson in the absence of the chairperson.

(e) Any and all reports from said study commissions shall be submitted to the Town Council by filing said report with the Town Clerk and shall be added to the next Council agenda, subject to Rule 4(a), above.

(f) The Town Manager shall undertake special projects or commit staff resources to research special projects at his or her discretion, or after the majority vote of the Council as a whole.

(g) The Town Council may, at its discretion, appoint from among its membership, one or more Council liaisons to the various Town boards and commissions, including advisory boards and commissions. The Council liaison shall periodically attend the board or committee meeting she or he is appointed to and shall report back to the Council any items note taking place before said board or commission.

RULE 12. DISCRIMINATION

The Town Council is committed to the enforcement of all applicable laws and regulations which prohibit discrimination.

RULE 13. INVITATIONS TO PUBLIC FUNCTIONS

When invited to a public function as a representative of the Town, the Town may pay for the cost for the Council member or Council member and guest.

RULE 14. UNFINISHED BUSINESS

The Town Council is a continuing body, and unfinished business pending before it shall not lapse or cease to be under consideration following expiration of the Council's term of office, but all pending business before the Town Council at the termination of any term of office shall be considered as pending before the Town Council of the next succeeding term of office and with the same effect as if no change in such Town Council had taken place by the expiration of a term of office.

RULE 15 MOTION TO RECEIVE AND FILE

Members of the Town Council may make a Motion to Receive and File any correspondence or item on an Agenda. A Motion to receive and File shall only apply when an Agenda item is under consideration by the Town Council. A Motion to Receive and File may be made by any member of the Town Council at any time when it is under consideration. If a Motion to Receive and File is approved by the body, the item will be removed from further Agendas and will cease to be considered by the Town Council during that meeting. A Motion to Receive and File will take precedence over all other motions, except a Motion to Adjourn, and must be decided before business can continue. Once a Motion to Receive and File is approved, there shall be no further public comment on the matter. An affirmative Motion to Receive and File shall not affect the ability of a member of the Town Council from resubmitting the Agenda item for future consideration on a new Agenda through the traditional procedures and channels.

RULE 16 RECUSAL

Pursuant to RIGL §36-14-6, when a member of the Town Council must refrain from participating in discussion and/or voting on a particular matter because of a conflict of interest, as defined by the Rhode Island Ethics Commission pursuant to Title 36, Chapter 14 of the General Laws of Rhode Island, that member shall complete a Statement of Conflict of Interest (also known as a “Recusal Form”) which will be noted in the minutes of the meeting. Said form shall be kept on file in the Office of the Town Clerk, and a copy shall be forwarded to the Rhode Island Ethics Commission. The recused member shall immediately leave the table and sit at the back of the Council Chamber or leave the room entirely, or if the meeting is being conducted virtually, the recused member shall have his or her microphone and camera turned off for the duration of the consideration of the item.

RULE 17 AMENDMENT OF THE RULES

The Rules contained herein may be amended by a majority vote of the Town Council from time to time. Amendment of these Rules must be properly noticed and posted on a Town Council Agenda before a vote may be taken.

RULE 18. REVIEW OF TOWN COUNCIL RULES AND GUIDELINES

These Town Council Rules and Guidelines shall be distributed by the Town Clerk to all Council members at the first meeting after their election, and shall automatically be placed on the agenda biennially for review in the first meeting in February following a general election.

Adopted March 22, 2021

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