

TOWN OF WEST SPRINGFIELD

TOWN COUNCIL ORGANIZATION AND PROCEDURE

<u>Section</u>	<u>Page</u>
1010 Authority	1
1020 Regular Meetings	2
1030 Special Meetings	3
1040 Study Sessions	3
1050 Executive Sessions	3
1060 Minutes	3
1070 Minutes of Proceedings	4
1080 The Presiding Officer - Election and Duties	4
1090 Call to Order - Presiding Officer	4
1100 Roll Call	5
1110 Quorum	5
1120 Rules of Order	5
1130 Order of Business	5
1140 Agenda	5
1141 Procedure for a person being placed on the agenda	6
1150 Rules of Debate	6
1160 Motion to Reconsider	7
1170 “Reserved”	7
1180 Seating of Council	7
1190 Manner of Addressing the Council - Time Limit	7
1200 Decorum	7
1210 Enforcement of Decorum	7
1220 Persons Authorized to Be within the Rail	8
1230 Members May File Protests against Council Action	8
1240 Ordinances, Resolutions, Motions and Contracts	8
1241 Ordinances	8
1242 Emergency Ordinances	9
1243 “Reserved”	9
1244 Voting Requirements	9
1245 Resolutions	9
1246 Requests for Legal Opinions	10
1250 Reports and Resolutions to Be Filed with the Town Clerk	10
1260 Adjournment	10
1270 Referral to Committee	10
1280 Committee of the Whole Created	10
1290 Creation of Committees, Boards and Commissions	10
1291 Standing Committees	11
1300 Suspension and Amendment of these Rules	11
Definitions	11

SECTION 1010 - Authority.

(a) Charter of the Town of West Springfield, Massachusetts provides that the Council may determine its own rules of procedure for meetings. The following set of rules shall be in effect upon their adoption by the Council and until such time as they are amended or new rules are adopted.

Charter reference – West Springfield Home Rule Charter
Statutory reference – MGL 43 S 18

(b) In the event that any section or clause in these rules conflicts with applicable law, Town Charter or ordinance, the law, Charter or ordinance shall control and such conflict shall not affect any other provisions of these rules and to this end the provisions of these rules are declared to be severable.

TOWN COUNCIL ORGANIZATION AND PROCEDURE

SECTION 1020 - Regular Meetings.

- (a) All regular meetings of the Council shall be open to the public, unless closed pursuant to state law. [M.G.L. 30A, Sections 18-25]
- (b) The Town Council shall hold regular meetings on the first and third Mondays of the month for the months of September through June, and on the third Monday of each month for the months of July and August from 7:00 PM to not later than 10:00 PM. When the day fixed for any regular meeting of the Council falls upon a day designated by law as a legal holiday, such meeting shall be held at the same hour on the next succeeding day not a holiday. When a regularly scheduled meeting is postponed, such meeting shall be reposted.
- (c) The time of a meeting may be extended by the President or by a two-thirds (2/3) vote of the members of the Council present beyond the time specified herein.
- (d) Any meeting of the Council may be adjourned to a later date and time, provided that no adjournment shall be for a longer period than until the next regular meeting. The Clerk of the Council is responsible for noticing said adjourned meeting in conforming with the Open Meeting Law (MGL 30A, Section 18-25).
- (e) All regular meetings of the Council shall be held in the Council Chambers of the Town unless otherwise specified by the Council.
- (f) The Council, may by resolution, change the time and place of the regular meeting. The resolution shall set forth the circumstances necessitating such change. Such resolution shall be posted at least forty-eight (48) hours prior to the meeting to be held pursuant to the change and filed with the Town Clerk. Forty-eight (48) hours prior to the meeting to be held pursuant to such change, the Clerk of the Council shall give each Council member, notice of any change from the regular meeting established by this section.
- (g) Except for executive sessions as permitted by state law, all regular meetings of the Town Council and its committees shall be open to the public, subject to recording by various means by notification of the Council President, provided that such arrangements do not interfere with the orderly conduct of the meetings and are done under such rules as the Council may prescribe.
- (h) Each regular meeting of the Town Council shall include a time for Citizens Speak Out in the Order of Business. At this time any West Springfield resident, business owner, property owner, or employee may address the Council. After being recognized by the presiding officer, the person shall state his/her name, address, and the subject he/she wishes to speak on. Each speaker shall be limited to 5 minutes unless otherwise permitted by the Council President. Citizens Speak Out shall not exceed 30 minutes without a majority vote of the Council present. Only matters relating to the affairs of the Town of West Springfield shall be addressed. No subject shall be addressed upon which a public hearing has been set in accordance with law or by vote of the Council nor shall the Council be addressed upon any subject, which has had a public hearing in accordance with law or by vote of the Council and is awaiting final disposition. Questions are to be submitted to the Council in writing on the form provided for that purpose. The President will review the questions and assign a Councilor to follow up in a timely manner. The Clerk of the Council shall catalog the questions, responses and dispositions. The Clerk of the Council shall act as a timekeeper, raising a colored card as a 4-1/2 minute warning. A statement covering the purpose of Citizen's Speak Out may be read prior to each speak out session.
- (i) Regulation of participation by public in open meetings. No person shall address a public meeting of the Town Council without permission of the presiding officer, and all persons shall, at the request of the presiding officer, be silent. If, after warning from the presiding officer, a person persists in disorderly or disruptive behavior, said officer may order him/her to withdraw from the meeting, and, if he/she does not withdraw, may order a constable or any other person to remove him/her and confine him/her in some convenient place until the meeting is adjourned.

TOWN COUNCIL ORGANIZATION AND PROCEDURE

SECTION 1030 - Special Meetings.

(a) The Mayor, Council President, or any three members of the Council may call special meetings of the Council whenever, in their opinion, the public business may require it.

(b) Whenever a special meeting shall be called, a notice in writing, signed by the Mayor or the Councilors calling the meeting, shall be served on the Council President, and filed with the Clerk of the Council, and served upon each member of the Council either in person or by notice left at their place of residence, stating the date and hour of the meeting and the purpose for which such meeting is called, and no business shall be transacted at the meeting except such as is stated in the notice.

(c) No special meeting, except an emergency meeting, as determined by the Council President, shall be held until notice complying with the open meeting law has been given by the Clerk of the Council, at least forty-eight (48) hours after the call is issued.

(d) Regulation of participation by public in open meetings. No person shall address a public meeting of the Town Council without permission of the presiding officer, and all persons shall, at the request of the presiding officer, be silent. If, after warning from the presiding officer, a person persists in disorderly or disruptive behavior, said officer may order him/her to withdraw from the meeting, and, if he/she does not withdraw, may order a constable or any other person to remove him/her and confine him/her in some convenient place until the meeting is adjourned.

SECTION 1040 - Study Sessions.

(a) The Council may meet informally in study sessions which shall be open to the general public, at the call of the President or three members of the Council, to review forthcoming proposals of the town, including but not limited to budgetary matters, proposed ordinances and acceptance of legislative options, receive progress reports on current programs or projects, or receive other similar information from the Mayor, town departments and/or agents, elective officials and employees of the Town of West Springfield or the Commonwealth of Massachusetts.

(b) Study sessions shall not continue past two (2) hours of their starting time unless the majority of those Council members present choose to continue.

(c) Said sessions shall comply with the provisions of the open meeting law (MGL 39 S23) and notice of same to be given by the Clerk of the Council.

SECTION 1050 - Executive Sessions.

Executive sessions or closed meetings may be held in accordance with the provisions of the Open Meetings Law (MGL 39 S 23 A-C) so called.

SECTION 1060 - Minutes.

(a) Minutes of all regular and special meetings, study sessions and sub-committee meetings, shall be recorded and maintained in written form. Such minutes shall be maintained in the office of the Town Clerk. The minutes shall reflect:

- (1) The date, time and place of the meeting or session;
- (2) The members recorded as either present or absent;
- (3) A summary of the discussions on each subject with a list of documents and other exhibits used at the meeting; and,
- (4) A record of all votes and other official actions taken.

(b) Approval of minutes of all but closed meetings or sessions shall be considered at the next regular Council meeting and in the case of subcommittee minutes, shall be considered at the next regular meeting of the subcommittee. It shall not be necessary to read the minutes prior to approval. The Clerk of the Council is authorized to correct spelling, numbering, and other such technical defects in said minutes. Prior to approval, any member may, through the Presiding Officer, request the privilege of amending or correcting the minutes to accurately reflect the substance of the prior meeting. If objection is made by any Council member to such

TOWN COUNCIL ORGANIZATION AND PROCEDURE

amendment or correction, a majority vote of the Council present shall be necessary for adoption of the correction or amendment.

(c) Minutes of closed meetings or sessions shall be reviewed periodically by the Town Council in closed session and shall be made available to the public only after the Council determines that it is no longer necessary to protect the public interest or the privacy of an individual (MGL 214 S. 1B).

SECTION 1070 - Minutes of Proceedings.

Copies of the minutes of the Council shall be kept in the office of the Council.

SECTION 1080 - The Presiding Officer - Election and Duties.

(a) The presiding officer of the Council shall be the President, who shall be elected at the first meeting in January immediately following the biennial election. The Town Council shall elect from among its members a Council President who shall serve during the ensuing term of office. The President shall assume the duties of the presiding officer immediately following his/her election. The President shall serve as an ex-officio member of all Council Committees.

(b) The President shall preserve order and decorum at all regular and special meetings of the Council and confine members in debates to the question under discussion.

(c) The President shall state every question coming before the Council, announce the decision of the Council on all subjects and decide all questions of order, subject, however, to an appeal to the Council, in which event a majority vote of the Council present shall govern and conclusively determine such question of order.

(d) The President shall vote on all questions, his/her name being called last.

(e) A Council Vice President shall also be elected from among its members. The Vice President shall serve as acting President during the absence or disability of the President during the ensuing term of office. The powers of acting Council President shall be limited to only those powers of the President as may be necessary to conduct the business of the Town Council in an orderly and efficient manner and which may not be delayed.

(f) "The President shall sign all ordinances, resolution and measures adopted by the Council during his/her presence." In the event of the absence of the President, the Presiding Councilor shall sign ordinances or resolutions as then adopted.

(g) During the absence of the President, the Vice President shall discharge the duties and exercise the powers and authority of the President. In the absence of the President and the Vice President, the member most senior in tenure on the Council or the member most senior in age, where there is no one senior in tenure shall preside. Said Council member shall discharge the duties and exercise the powers and authority of the President. The member of the Council presiding, may vote on all questions before the Council during the time he/she is presiding.

(h) When the President wishes to participate in the debate, he/she may call any other member to temporarily chair the meeting in order to take part in debate. After expressing his/her opinion on the issue he/she may return to the chair if not objected to by the majority of the Council present.

(i) If a vacancy shall occur in the offices of either president or vice-president, the council at its next regularly scheduled meeting, shall elect from among its members, a successor to the office of president or to the office of vice-president. If at such meeting the vice-president is elected president, the council, at the same meeting, shall elect a successor to the office of vice-president.

SECTION 1090 - Call to Order - Presiding Officer.

(a) The Presiding Officer, shall take the chair at the hour appointed for the meeting, and shall immediately call the Council to order.

TOWN COUNCIL ORGANIZATION AND PROCEDURE

(b) In the absence of the President and the Vice President, the Clerk of the Council, or his/her assistant, shall call the Council to order, whereupon the Council shall appoint the member most senior in tenure on the Council or the member most senior in age, where there is no one senior in tenure, to preside as temporary Chair.

(c) Upon the arrival of the President or Vice President, the temporary Chair shall immediately relinquish the position of presiding officer upon the conclusion of the business immediately before the Council.

SECTION 1100 - Roll Call.

Before proceeding with the business of the Council, the Clerk of the Council or his/her assistant shall call the roll of the members, and the names of those present shall be entered in the minutes.

SECTION 1110 - Quorum.

A majority of the members of the Council shall constitute a quorum and be necessary for the transaction of business. If, at the time any meeting is called to order, a quorum is not present and if, after a recess of not more than thirty minutes, a quorum is still not present, the President shall declare the meeting adjourned to a later time and those in attendance shall be named.

SECTION 1120 - Rules of Order.

The "Council Rules" shall govern the proceedings of the Council in all cases, unless they are in conflict with the Home Rule Charter or other M.G.L.'s. in which case the "HRC" and/or M.G.L. shall apply.

SECTION 1130 - Order of Business.

Promptly at the hour set on the day of each regular meeting, the members of the Council shall take their regular seats in the Council Chambers, and the business of the Council shall be taken up for consideration in the following order unless altered by the Council President:

- 1.) Opening Ceremony
- 2.) Roll Call
- 3.) Student Representative
- 4.) Approval of the Agenda
- 5.) Citizens Speak Out
- 6.) Approval of Minutes
- 7.) Petitions, Remonstrances and Communications
- 8.) Introduction and Adoption of Resolutions and Ordinances
- 9.) Appropriations
- 10.) Report of Officers/Boards/Committees.
- 11.) Unfinished Business
- 12.) New Business
- 13.) Adjournment

SECTION 1140 - Agenda.

(a) All written reports, communications, ordinances, resolutions, contract documents, or other matters to be submitted to the Council for consideration other than requests subject to the provisions of section 1141, shall be delivered to the Clerk of the Council, in writing, forty eight (48) hours prior to each regular Council meeting, exclusive of holidays and weekends, whereupon the Clerk of the Council shall immediately arrange a list of such matters according to the Order of Business and furnish each member of the Council, the Mayor, and the Town Attorney with a copy of the same at least forty eight (48) hours prior to the Council meeting and as far in advance of the meeting as time for preparation will permit.

(b) None of the foregoing matters shall be presented to the Council by appointed officials except those of an urgent nature, and the same, when so presented, shall have the written approval of the Mayor before presentation.

TOWN COUNCIL ORGANIZATION AND PROCEDURE

(c) The agenda shall provide a time when the Mayor or any Council member may bring before the Council any business that he/she believes should be deliberated upon by the Council. These matters need not be specifically listed on the agenda, but formal action on such matters shall be deferred until a subsequent Council meeting, except that immediate action may be taken upon a unanimous vote of the members of the Council present, subject to the provisions of 2-6B and 2-9 of the Charter.

(d) The agenda will be prepared by the Clerk of the Council and the President.

SECTION 1141 – Procedure for a person being placed on the agenda.

- (a) The requester must submit a written request to the Clerk of the Council. Said request must include the requester's name, address and telephone number.
- (b) The request must contain a comprehensive statement of the matter(s) to be presented to the Council for discussion or consideration.
- (c) Copies of all materials that will be presented to the Council or referenced during the discussion and names of others who will be addressing the Council must be submitted with the request.
- (d) The Clerk of the Council may not accept any request unless it complies with the above requirements.
- (e) The President of the Council will provide the request and all related materials to the Councilors and the Clerk of the Council will stamp a date in the upper right corner on page one of the request which shall be the date by which any Councilor may file an objection.
- (f) The response date shall be not less than the 10th day, exclusive of Saturdays, Sundays and Holidays, after the mailing of the request by the Clerk of the Council. Objections received by the Clerk after the response date shall be of no effect
- (g) The request will be placed on the agenda by the President of the Council unless a majority of Councilors notify the Clerk of the Council in writing that the item should not be put on the agenda. The Clerk of the Council will notify the requester in either event.
- (h) The President shall determine when an approved item is to be scheduled on the agenda unless a specific date for consideration has been requested by a majority of the Council.
- (i) If the President has not placed a non-objected to item on the agenda within 60 days from the response date, any Councilor may, subsequent to the 60th day, request the item be placed on the Council agenda.
- (j) The Clerk of the Council shall notify the requesting party of the date the item is to be on the agenda.

SECTION 1150 - Rules of Debate.

(a) The President or Vice President or such other member of the Council as may be presiding may move, second, and vote from the chair, but may not debate from the chair.

(b) Every member desiring to speak shall address the Chair, and, upon recognition by the presiding officer, shall confine himself/herself to the question under debate, avoiding all personalities and abusive language.

(c) A member, once recognized, shall not be interrupted when speaking unless it is to be called to order, or as herein otherwise provided. If a member, while speaking, be called to order, he/she shall cease speaking until the question of order is determined, and, if in order, he/she shall be permitted to proceed.

(d) No member shall speak more than twice on the same question or more than once until others choosing to speak shall have spoken, or more than 10 minutes at each time, without obtaining leave of the Council.

TOWN COUNCIL ORGANIZATION AND PROCEDURE

(e) The Council member proposing the adoption of an ordinance, resolution or measure shall have the privilege of closing the debate.

SECTION 1160 – Motion to Reconsider.

A motion to reconsider any action taken by the Council may be made only at the meeting such action was taken. Any Councilor may move for immediate reconsideration or may serve notice that motion for reconsideration shall take place at the next regular meeting of the Council. The vote for reconsideration shall be open for debate, which shall be limited to twenty minutes. A motion to reconsider requires a majority vote of the Councilors present. Reconsideration may be moved by any Councilor present.

SECTION 1170 – “Reserved”

SECTION 1180 – Seating of Council.

The Vice President sits at left of the President. The seats of the council shall be numbered and determined by lot annually during the first meeting of the year. No member shall change his seat except by permission of the President.

SECTION 1190 - Manner of Addressing the Council - Time Limit.

(a) Any person desiring to address to Council, other than during the Citizens Speak Out, must comply with Section 1140 – Agenda, or Section 1141 – Procedure for a person being placed on the agenda.

(b) Each person addressing the Council shall step up to the microphone in front of the rail, shall give his/her name and address in an audible tone of voice for the record, and unless further time is granted by the Council present, shall limit his/her address to five (5) minutes.

(c) All remarks shall be addressed to the Council as a body and not to any member thereof.

(d) No person, other than the Council and the person having the floor shall be permitted to enter into any discussion, either directly or through a member of the Council, without the permission of the presiding officer.

(e) No question shall be asked a Council member except through the presiding officer.

(f) Any person making personal, impertinent, or slanderous remarks or who shall become boisterous while addressing the Council shall be asked to remove themselves from Council Chambers, forthwith, by the presiding officer.

SECTION 1200 - Decorum.

(a) While the Council is in session, the members must preserve order and decorum, and a member shall, neither by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council or disturb any member while speaking or refuse to obey the orders of the Council or its presiding officer, except as otherwise herein provided.

(b) Any person making personal, impertinent, or slanderous remarks or who shall become boisterous while addressing the Council shall be asked to remove themselves from Council Chambers, forthwith, by the presiding officer.

SECTION 1210 - Enforcement of Decorum.

(a) At the will of the presiding Officer, the Chief of Police, or such member or members of the Police Department as he may designate, shall be Sergeant-at-Arms of the Council meetings. He, or they, shall carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the Council meeting.

(b) Upon instructions of the presiding officer, it shall be the duty of the Sergeant-at-Arms to remove any person who violates the order and decorum of the meeting.

TOWN COUNCIL ORGANIZATION AND PROCEDURE

SECTION 1220 - Persons Authorized to Be within the Rail.

No person shall be permitted within the rail in front of the Council Chamber without the express consent of the Council and/or presiding officer.

SECTION 1230 - Members May File Protests against Council Action.

Any Council member shall have the right to have the reasons for his dissent from, or protest against, any action of the Council entered in the minutes.

SECTION 1240 - Ordinances, Resolutions, Motions and Contracts in general.

(a) Ordinances, resolutions, contracts and other matters, or subjects requiring action by the Council must be introduced and sponsored by a member of the Council, except that the Mayor may present an ordinance, resolution, contract or other matter or subject to the Council, and any Council member may assume sponsorship thereof by moving that such ordinance, resolution, contract or other matter or subject to be adopted; otherwise, they shall not be considered, provided however, zoning ordinances may be introduced in accordance with the provisions of M.G.L. Ch. 40A, Section 5.

(b) All ordinances, resolutions and contract documents shall be presented to the Council in type written form. Prior to consideration of these documents by the Council said documents shall be reviewed as to form and legality by the Town Attorney.

(c) The Council may pass a resolution, contract or other measure through all of its stages at any one meeting, except proposed ordinances, appropriation orders and loan authorizations, provided that no members of the Council shall object; but if any member objects, a vote on the measure shall be postponed to the next meeting of the Council. If, when the matter is next taken up for a vote, five or more members object to the taking of the vote, the matter shall be further postponed for not less than an additional five days. Any measure that requires action by the Council on said measure by a specific date, that is beyond the control of the town to change and that will occur before the next regularly scheduled meeting of the Council, as determined by the President of the Council, shall not be postponed under this clause.

(d) Ordinances, resolutions and contracts shall be reviewed by the Mayor where substantive matters of administration are involved. Where substantive matters of administration are involved, all such documents shall first be referred to the head of the department under whose jurisdiction the administration of the subject matter of the ordinance, resolution or contract document would devolve and be approved by said department head, provided, however, that if approval is not given, then the same shall be returned to the Mayor with a written memorandum of the reasons why such approval is withheld. If no response is received within 30 days of delivery to the Mayor and department head, it shall be presumed the matter is not objected to. Delivery shall be made by the Clerk of the Council and time stamped accordingly.

(e) Where approval is not given and a questioned document is not redrafted to meet a department head objection, or the objection is not withdrawn and approval in writing given, then the Mayor shall so advise the Council and give the reasons advanced by the department head for withholding approval.

(f) A stated objection by the Mayor and or department head shall not prohibit the Council from hearing and acting upon an otherwise properly drafted ordinance, resolution or contract.

(g) Upon passage, a number shall be assigned to each ordinance or resolution by the Town Clerk.

SECTION 1241 - Ordinances

(a) No ordinance shall be passed finally on the date it is introduced except in the case of an emergency involving the health or safety of the town's people or their property.

(b) No ordinance shall be considered by the Council unless accepted by a majority of the Council or requested by the Mayor. All ordinances will be reviewed by the Town Attorney. All ordinances submitted to the Council shall be in printed or type written form.

(c) No ordinance shall relate to more than one subject, which shall be clearly expressed in its title, and no ordinance, or section thereof, shall be amended or repealed unless the new ordinance contains the title of the ordinance or section amended or repealed

TOWN COUNCIL ORGANIZATION AND PROCEDURE

(d) The Clerk of the Council shall prepare copies of all proposed ordinances for distribution to all members of the Council at least seventy-two (72) hours before the Council meeting at which the ordinance is to be introduced.

(e) All ordinances shall have two (2) separate readings, but the second shall never be had on the same day. When an ordinance has been referred to committee, the committee shall report said ordinance to the Council at a subsequent meeting. The ordinance shall stand for final action in accordance with the report of the committee, notwithstanding that such committee reports an amended or substituted ordinance, provided that such amendment or substitution is germane to the ordinance originally referred to such committee. (Home Rule Charter, Section 2-9c.)

(f) When passed by the Council, an ordinance shall be signed by the presiding officer, submitted to the Mayor, and upon return to the Clerk of the Council, shall be filed and preserved in the office of the Town Clerk.

SECTION 1242 - Emergency Ordinances

(a) In cases involving an emergency relative to the health and safety of the town's people or their property, the Council may propose and act upon an otherwise properly drafted ordinance in one sitting.

(b) No ordinance shall be regarded as an emergency ordinance unless the emergency is defined and declared in preamble to such ordinance, separately voted upon and receiving the affirmative vote of six or more members of the Council.

(c) If the ordinance carries an emergency clause, copies of the ordinance must be distributed at least twelve (12) hours prior to the meeting of the Council by the Clerk to the Council or his/her designee, at which said ordinance is to be considered or the length of the notice given for said meeting whichever is less.

SECTION 1243 – “Reserved”

SECTION 1244 - Voting Requirements

(a) The yeas and nays shall be taken upon the passage of all ordinances, resolutions, appropriations, and orders, and entered upon the official record of the Council. These votes will be taken by roll call.

(b) An affirmative vote of at least a majority of the entire membership of the Council shall be necessary to pass an ordinance, other than a zoning ordinance or an appropriation order where a different vote is required by statute or the West Springfield Home Rule Charter; however, a resolution, motion, or other matter may be adopted by a majority voting on the issue except where otherwise specified or prohibited in the Town Charter of West Springfield or general laws.

(c) An affirmative vote of at least 2/3's of the entire membership of the Council shall be necessary to pass a zoning ordinance or zoning amendment thereto (G.L.c40A).

(d) When any vote is called each Council member shall respond "yes (aye)," "no," or "abstain (with reason)." Any Councilor may change his/her vote prior to the announcement of the total tally. Any member abstaining shall not be counted as having "voted" for the purpose of determining the majority of the membership voting.

(e) In the event of a tie in votes on any motion, the motion shall be considered lost.

(f) A 2/3's vote of the entire membership of the Council is necessary to override the Mayor's veto (HRC 3-7).

(g) All votes of the Council relative to any and all Executive sessions shall be registered in the minutes by individual Councilor's name and vote taken. This shall include votes during executive session and also votes to enter and exit executive session.

SECTION 1245 - Resolutions

Any member of the Council may present a resolution to the Council for consideration.

TOWN COUNCIL ORGANIZATION AND PROCEDURE

SECTION 1246 - Requests for Legal Opinions

Any member of the Council may request, in writing, written legal opinions, relating to Town business, involving matters within the authority of the Council and for purposes of inquiry request an opinion or advice on Town legal matters directly from the Town Attorney.

SECTION 1250 - Reports and Resolutions to Be Filed with the Town Clerk.

All reports and resolutions shall be filed with the Town Clerk and entered in the minutes.

SECTION 1260 - Adjournment.

A motion to adjourn shall always be in order and decided without debate.

SECTION 1270 – Referral To Committee.

(a) When a matter properly before the Council relates to a subject, which may properly be examined and reported upon by an existing or new ad hoc committee of the Council, such matter shall be referred to such committee by the Council President, with the exception of the Mayor's recommendations to multiple member bodies. The Mayor's recommendations shall be forwarded directly to the Human Resource & Personnel committee immediately by the Clerk of the Council upon filing; copies of said recommendation to be forwarded to the full Council. Any matter may be referred to an ad hoc committee, advisory committee, or board for advice sought by the Council.

(b) If, after thirty (30) days, a matter referred to a Committee is not reported upon, a majority of the Council may recall such matter from the Committee provided however that a referral made under Section 2-10 of the West Springfield Home Rule Charter may be withdrawn at any time.

(c) If after one hundred twenty (120) days, a matter referred to Committee is not reported upon, action on the matter shall be considered as having been postponed indefinitely.

(d) A matter referred to Committee may not be re-filed unless it has been recalled and acted upon unfavorably or otherwise considered to have been postponed indefinitely in accordance with this rule.

(e) Should a matter be referred to more than one committee, it is recommended that those committees have one or more joint meetings of the Chairpersons or the full Committee to assure the information brought before the full Council is unified or any discrepancies between committees clearly noted.

SECTION 1280 - Committee of the Whole Created.

There is hereby created a special Committee of the Whole composed of all members of the Town Council. The President of the Council shall be the presiding officer of the Committee of the Whole, and the rules of proceedings in the Council shall be observed in the Committee of the Whole as far as the same may be applicable.

SECTION 1290 - Creation of Committees, Boards and Commissions.

(a) The Council may create committees, boards, and commissions to assist in the conduct of the operation of the legislative branch of Town government with such duties as the Council may specify not inconsistent with the Town Charter or Town By Laws.

(b) Membership and selection of members shall be as provided by the Council if not specified by the Town Charter or the Town of West Springfield General Ordinances.

(c) Any committee, board, or commission so created shall cease to exist when abolished by a majority vote of the Council.

(d) No committee so appointed shall have powers other than advisory to the Council except as otherwise specified by the Town Charter.

TOWN COUNCIL ORGANIZATION AND PROCEDURE

- (e) No committee, board or commission shall include less than 3 members.
- (f) Said Committees and their membership are to be appointed by the President of the Council

SECTION 1291 – Standing Committees

The following are standing committees of the Council:

- A Committee of the Whole
- Budget/Management Committee
- Human Resource & Personnel
- Ordinance & Policy
- Traffic & Safety

SECTION 1300 - Suspension and Amendment of these Rules.

- (a) Any provision of these rules not governed by the Town Charter may be temporarily suspended by a vote of a majority of the Council. The vote on any such suspension shall be taken by yeas and nays and entered upon the record.
- (b) These rules may be amended, or new rules adopted, by a majority vote of all members of the Council, provided that the proposed amendments or new rules shall have been introduced into the record as required herein.
- (c) 1. By the first meeting in September each year, Councilors will forward recommendations for changes to the Council President, who will refer them to the Ordinance & Policy Sub-committee for review and consideration. 2. By the first meeting in November, the Ordinance & Policy Sub-committee will report back to the Council with its recommendations. 3. By the first meeting in December, the Council will discuss the Ordinance & Policy Sub-committee’s recommendations. 4. By the second meeting in December, the Council will vote on the recommendations. 5. Any changes, additions and deletions voted on at the last meeting in December shall take effect the first meeting of the following month.

DEFINITIONS

A **majority of the Council** shall equal five (5) Councilors.

A **majority of the Council present** shall equal a majority of Councilors present at that time.

“Substantive matters of administration”: any matter dealing with or related to the operation or organization of a board, committee, department, agency or activity, or an employee involved with or related to the executive branch of the Town.

The word **“member”** shall mean **Councilor or Council member**.

This Town Council Organization and Procedure is adopted by a unanimous affirmative vote on this Sixteenth day of January, in the year 2001.

S/Edward C. Sullivan
Edward C. Sullivan, President

Revised: 12/19/2011
Revised: 12/06/2010
Revised: 11/16/2009
Revised: 12/15/2008
Revised: 12/03/2007
Revised: 01/02/2007

TOWN COUNCIL ORGANIZATION AND PROCEDURE

Revised: 11/21/2005
Revised: 11/15/2004
Revised: 03/03/2003
Revised: 02/03/2003
Revised: 12/17/2001

S/Frederick S. Conlin

Frederick S. Conlin, Vice President