

SOUTHBRIDGE TOWN COUNCIL

RULES AND REGULATIONS

ADOPTED BY TOWN COUNCIL: APRIL 16, 1974

WITH ADDITIONS AND AMENDMENTS:

PERIOD ENDING JANUARY 27, 1992

AMENDMENT: TOWN COUNCIL MEETING, MARCH 23, 1998
AMENDMENT: TOWN COUNCIL MEETING, AUGUST 21, 2000
AMENDMENT: TOWN COUNCIL MEETING, NOVEMBER 8, 2004
AMENDMENT: TOWN COUNCIL MEETING, MARCH 12, 2007
AMENDMENT: TOWN COUNCIL MEETING, SEPTEMBER 14, 2009
AMENDMENT: TOWN COUNCIL MEETING, SEPTEMBER 26, 2011
AMENDMENT: TOWN COUNCIL MEETING, SEPTEMBER 22, 2014
AMENDMENT: TOWN COUNCIL MEETING, JANUARY 30, 2017
AMENDMENT: TOWN COUNCIL MEETING, APRIL 24, 2017
AMENDMENT: TOWN COUNCIL MEETING, APRIL 9, 2018
AMENDMENT: TOWN COUNCIL MEETING, NOVEMBER 1, 2021
AMENDMENT: TOWN COUNCIL MEETING, FEBRUARY 13, 2023
AMENDMENT: TOWN COUNCIL MEETING, FEBRUARY 27, 2023
AMENDMENT: TOWN COUNCIL MEETING, AUGUST 7, 2023

MADALINE I. BONADIES
TOWN CLERK

DEFINITIONS

1. **Meeting Definitions:**

- a) “Regular Meeting”: Shall refer to the two (2) monthly Full Council Meetings required by Town Charter Chapter 2, Section 5, Paragraph 1.
- b) “Special Meetings”: Shall refer to any other Full Council Meeting and/or Joint Public Body meeting (excluding subcommittee meetings) pursuant to Town Charter Chapter 2, Section 5, Paragraph 1.
- c) “Committee of the Whole”: Shall refer to a Full Council meeting called by the Council Chairperson or by vote of entire Council. The purpose of the meeting is for the gathering of additional information required, and dealing with one subject only. As per defined in “Robert’s Rules of Order”.
- d) “Joint Meeting of Subcommittee and Town Council”: Shall refer to a combined meeting of a Subcommittee and a potential quorum of Town Council members. This is not a Full Council Meeting. Established to allow for full and open participation of all Council members in attendance and ensures full compliance with the Open Meeting Law pursuant to M.G.L. c30A, §§18-25
- e) “Subcommittee Meeting”: Shall refer to an informational and advisory meeting called by the Subcommittee Chairperson, or upon request by the Council Chairperson or Town Manager to review issues, gather information and to make recommendations to the Full Council for action. (These meetings are not Full Council Meetings.).

2. **General Definitions**

- a) “Subcommittee”: The term Subcommittee shall refer to an advisory committee established and deemed necessary and reasonable by the Council. It may consist of Council and non-council members as provided for in the Town Charter Chapter 2, Section 4, Paragraph 4. The Town shall have five (5) standing Subcommittees. Committee members include three (3) Councilors and two (2) Citizen Members. (See Rule 4).
- b) “Quorums”
 - 1. For Full Council Meetings a majority of five (5) members present shall constitute a quorum.
 - 2. For all Subcommittee meetings a majority of three (3) members that are appointed to that Subcommittee shall constitute a quorum.
- c) “Attendance”
 - 1. Councilors are expected to be at all Full Council meetings and the Subcommittee meetings to which they have been appointed.

d) “Ex-Officio Members”

1. The Council Chairperson and Vice Chairperson are Ex-officio members of all Subcommittees. Their attendance at Subcommittee meetings may be counted to establish a quorum with full voting privileges. If an Ex-officio attendance is not required to establish a quorum, voting will be reserved for appointed Subcommittee members only.

ORGANIZATION

RULE 1.

T.C.M. The Town Council shall meet at 7:00 p.m. on the first regularly scheduled
8/21/00 meeting on or after July 1 following the Town Elections, and the members
T.C.M. elect shall severally make oath before the Town Clerk to perform
2/13/23 faithfully the duties of their respective offices, except that any member elect
not present shall so make oath at the earliest possible time thereafter.

RULE 2.

T.C.M. After a majority of the Councilors elect have been sworn in, the Town
11/8/04 Council shall be called together and organize as specified in Chapter 2,
Section 9 of the Southbridge Home Rule Charter.

RULE 3.

The Town Council shall appoint a Clerk of the Town Council whose duties are to record Council meetings.

RULE 4.

T.C.M. The Town Council shall have five (5) standing subcommittees. They are
11/8/04 (1) General Government, (2) Department of Public Works, (3) Protection
T.C.M. of Persons and Property, (4) Education and Human Services and (5
9/22/14 Planning and Development. Establishment of other subcommittees will be
authorized by a majority of Councilors present at a regular meeting. All
subcommittees shall be appointed and announced by the Chairperson of the
Town Council. The subcommittee shall make a written report of activity
under their jurisdiction. The report is to be turned into the Chairperson
before the next organizational meeting and will be used in the Annual Town
Report. Non-Council members shall be appointed to subcommittee in
accordance with Section 2-4-4 of the Home Rule Charter.

T.C.M. Each Councilor shall be assigned equally to subcommittees except the
11/8/04 Chairperson and Vice-Chairperson, who shall be ex-officio members of all
T.C.M. subcommittees. The Vice-Chairperson may be also assigned to a
2/15/23 subcommittee as needed.

T.C.M. Deleted
1/30/17

T.C.M. Deleted
4/24/2017

Rule 4a.

T.C.M. Appointments of citizen members of Town Council
9/14/09 subcommittees shall be for terms ending June 30th.
T.C.M. Upon expiration of each appointed term, persons so
9/22/14 appointed shall not continue in office; provided, however, that
T.C.M. nothing in this Rule shall prevent the Subcommittee from reappointing or
8/7/23 the Town Council from reconfirming such person for an additional term.

Rule 4b.

T.C.M. All Committee, Board and Commission appointments and reappointments
11/1/21 by the Town Manager shall be reviewed by the subcommittee of the
Southbridge Town Council best fit to review the applicant before such
appointment is sent to the full Town Council for confirmation.

MEETINGS:

Intent: To address and resolve, in a proactive and collaborative manner, the calling and posting of Subcommittee meetings to ensure full compliance with the Open Meeting Law (OML), pursuant to M.G.L., c.30A §§ 18-25.

The new rules will allow for open participation of all Councilors attending any Subcommittee meeting, continue to provide opportunity for full public participation, as well as increase the overall transparency and productivity of our Town government.

Rule 5.

T.C.M. Regular meetings of the Town Council shall be held on Monday evenings
11/8/04 at 7:00 p.m. Schedules at all times must be in adherence to Chapter 2,
T.C.M. Section 5 of the Southbridge Home Rule Charter.
2/28/23

Rule 5a:

T.C.M.
1/30/17 1. The listing and heading of all subcommittee meetings shall be as follows:
T.C.M.
2/13/23 a) "A joint meeting of the General Government Subcommittee and Town Council
b) "A joint meeting of the Department of Public Works Subcommittee and Town Council*"
c) "A joint meeting of the Education and Human Services Subcommittee and Town Council*"
d) "A joint meeting of the Protection of Persons and Property Subcommittee and Town Council*"
e) "A Joint meeting of the Planning and Development Subcommittee and Town Council*"

2. The Subcommittee Chairperson shall see that meetings are posted at least 48 hours in advance, in accordance with M.G.L., c.30A §20 and should ensure that all Councilors, Citizen Members, and the Town Manager, if needed, are notified of the meeting.
3. The posting notice of a Joint Subcommittee and Town Council meeting shall include but not be limited to the following:
 - a) Date, place and time of meeting
 - b) List all anticipated items to be discussed
 - c) Accept meeting minutes of the previous session
 - d) Adjournment
 - e) All posting shall include the following text: “*It is possible a quorum of the Town Council may be present and discuss the agenda items, but voting rights shall be limited to Subcommittee members in attendance.”
 - f) At the end of each agenda the following will be added: “The items listed as the agenda are those reasonably anticipated by the Chair, which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.”

Rule 5b.

At any Subcommittee meeting in which a quorum cannot be met by appointed or Ex-officio members of such Subcommittee, the Subcommittee Chairperson shall have the right to appoint any one Town Councilor attending that meeting to count towards establishing a quorum, and that additional Councilor may exercise Subcommittee voting rights for that meeting.

Rule 5c

All meetings of the Town Council shall be in compliance with the Open Meeting Law M.G.L., c.30A, §§18-25 and the Southbridge Home Rule Charter.

Rule 6.

Unless the Town Council shall vote to go into Executive Session as specified in the Southbridge Home Rule Charter, all meetings of the Town Council and of the committees thereof shall be open to the public.

Rule 6a

Per Public Records Law, all minutes shall be released as soon as the matter no longer needs Executive Session protection. To facilitate this, the Town Council Chair and Vice-chair, in consultation with the Town Manager, shall review such minutes periodically and recommend to council in Executive Session which ones can be released. At a minimum, this shall happen at the last meeting in June annually. All Executive Session minutes that are released by Executive Session vote shall be voted in open session.

Rule 7.
T.C.M.
1/31/17.

Deleted in its entirety.

Rule 8.

T.C.M.
9/26/11

As provided in Chapter 2, Section 5 of the Southbridge Home Rule Charter, all inhabitants and employees of the Town shall have a reasonable opportunity to be heard at any such meeting in regard to any matter considered thereat. For regular agenda items each speaker shall have three (3) minutes to speak to the agenda item at the time the agenda item is being considered. The time limit may only be extended by a majority vote of the Councilors present for an additional two (2) minutes. Each speaker shall have one opportunity to speak per agenda item. Additionally, there shall be a Citizen's Forum which will allow citizens the opportunity to present information or address issues to the Town Council that are not regular agenda items of the meeting. Each speaker shall have five (5) minutes to present the subject of his or her concern. The time limit may only be extended by a majority vote of the Councilors present for an additional five (5) minutes. Each speaker shall have one opportunity to speak at Citizen's Forum.

Rule 8a.

T.C.M.
3/12/07

Any proposed agenda item except as provided for otherwise in these Rules, either with or without a recommendation, shall be included in the agenda for the next following meeting of the Town Council. Provided, however, that should the Town Council Chair fail to include such item on the agenda because the agenda prepared by the Town Manager has been approved and closed by the Town Council Chairperson, the item shall appear on the agenda open for the next following meeting of the Town Council.

Rule 9.

Votes on motions or procedures may be taken by a show of hands except as specified in the Charter. The Chairperson will announce those votes in the minority. This rule is waived if a member of the Town Council requests a roll call vote. Roll call votes will become a permanent part of the journal.

DUTIES OF THE CHAIRMAN DURING MEETINGS:

Rule 10.

T.C.M. The Chairperson of the Town Council shall take the chair at the announced
2/13/23 time of the meeting and call the members to order and shall cause the roll to be called and the names of the absentees recorded. If a quorum be present the Chairperson shall then proceed to business.

Rule 11.

The Chairperson of the Town Council shall preserve order and decorum, may speak to points of order in preference to other members and shall decide all such questions.

Rule 12.

The Chairperson of the Town Council may at any time during debate or otherwise declare a recess for not more than ten (10) minutes.

Rule 13.

Every member shall respectfully address the Chair, confining themselves to the question under debate and avoiding personalities. No member shall speak out of his or her place without leave of the Chairperson, nor shall any member be interrupted by another while speaking except by a call to order.

Rule 14.

Any member who may be mentioned in debate by another shall be addressed by his or her name and title (Councilor).

Rule 15.

When two or more members shall address the Chair at the same time, the Chairperson shall name the member who is entitled to the floor.

Rule 16.

The seats of the Town Council shall be numbered and determined by lot and no member shall change his seat except by permission of the Chairperson.

Rule 17.

The order of voting shall be by roll call in alphabetical order and the first to vote shall be determined by rotation in alphabetical order at the beginning of each regular or special meeting.

Rule 18.

All rules of procedure not considered herein shall be governed by “Roberts Rules of Parliamentary Procedure”.

Rule 19.

The initiating department will submit a request for transfer of funds to the Town Manager. It will be placed on the agenda for appropriate action by the Town Council.

Rule 19a.

Councilors Forum will be an agenda item on each regularly scheduled Town Council meeting. The purpose of Councilors’ Forum is to conduct Council business. It affords Councilors the opportunity to present issues or request information in a formal meeting. Councilors should present any issue or complaint from a citizen to the Manager for action as soon as it occurs.

Such issues or complaints not reported shall be considered not in order at formal meetings. Issues will be respectfully addressed to the Chair and should be phrased in an orderly form or request for information that can be either answered immediately or referred by the Chair for appropriate action.

BUDGET PROCEDURES:

Rule 20.

The following procedures will be followed annually prior to adoption of the budget:

1. Joint Council, Town Manager meeting to cover broad aspects of budget.
2. Subcommittees of Council will work together on subcommittee areas of responsibility in budget.
3. Deleted.
4. Joint subcommittees meeting with Town Manager after budget review is complete, or meeting of entire Council and Town Manager.
5. Deleted.

SPECIAL PROJECTS:

Rule 21.

11/8/04

The Town Manager shall advise the Town Council on matters having a financial impact on the Town. The Town Manager will receive assignments from the Council Chairman as follows:

1. Requests from subcommittees will be assigned to the Town Manager.
2. Requests from all other sources will, at the Chairperson's discretion, be sent to subcommittee for recommendation or assigned to the Town Manager with notification to the proper subcommittee of the Council.

When the project is completed, a written report will be submitted to the Town Council and the requester with the results of the project and any recommendations.

Rule 22.

T.C.M.

11/8/04

Deleted in its entirety.

Rule 23

T.C.M.

2/13/23

The Southbridge Town Council Rules and Regulations shall be discussed, reviewed and voted on for accuracy at the first regularly scheduled Town Council meeting annually.

MARCH 23, 1998 – T.C.M. AMENDMENT, RULE 1

AUGUST 21, 2000 – T.C.M. AMENDMENT, RULE 1

NOVEMBER 8, 2004 – T.C.M. AMENDMENT, RULES 2, 4, 5, 8, 21 & 22
Also strike the header between Rule 19A and 20.

MARCH 12, 2007 – T.C.M. AMENDMENT, INSERT RULES 4a. and 8a.

SEPTEMBER 14, 2009 – T.C.M. AMENDMENT, RULE 4a

SEPTEMBER 26, 2011 – T.C.M. AMENDMENT, RULE 8

SEPTEMBER 24, 2014 – T.C.M. AMENDMENT, RULES 4, 4a

JANUARY 30, 2017 – T.C.M. AMENDMENT, ADD Definitions, RULE 4, ADD RULES 5a, 5b, & 5c, change Chairman to Chairperson in entire document, RULE 7

APRIL 24, 2017 – T.C.M. AMENDMENT, Delete last four notes in RULE 4

APRIL 9, 2018 – T.C.M. AMENDMENT, ADD RULE 6a

NOVEMBER 1, 2021 – T.C.M. AMENDMENT, ADD RULE 4b

FEBRUARY 13, 2023 – T.C.M. AMENDMENT, RULE 1

FEBRUARY 13, 2023 – T.C.M. AMENDMENT, RULE 4

FEBRUARY 13, 2023 – T.C.M. AMENDMENT, RULE 5a

FEBRUARY 13, 2023 – T.C.M. AMENDMENT, RULE 10

FEBRUARY 13, 2023 – T.C.M. AMENDMENT, ADD RULE 23

FEBRUARY 27, 2023 - T.C.M. AMENDMENT, RULE 5

AUGUST 7, 2023 – T.C.M. AMENDMENT, RULE 4a

I, Madaline I. Bonadies, Town Clerk of Southbridge, Massachusetts do hereby certify that attached hereto is a true copy of the Town Council Rules & Regulations containing additions and amendments ending August 7, 2023.