

**TOWN OF WEST WARWICK**  
**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 West Warwick Home Rule Charter. As set forth herein at Rule 18, below, these Rules and Guidelines are to be reviewed biennially on the first Town Council meeting in February following a general election.

**RULE 1. PRESIDENT AND VICE PRESIDENT**

- (a) The President and Vice President shall be elected from within the Town Council's own membership at the first meeting after the Board of Canvassers certifies the election of its members.
- (b) In the absence of the Council President, the Vice President shall preside over regular and special meetings of the Town Council. If the President and Vice President are unable to discharge their duties, the Town Council shall elect a member to perform their duties.
- (c) When, in the judgement of the other members of the Town Council, the President or Vice President is unwilling or unable to satisfactorily perform his or her duties as an officer, the President or Vice President may be removed from office. The affirmative vote of four Town Council members is necessary to remove a President or Vice President from office.

**RULE 2. REGULAR MEETINGS**

- (a) Regular Town Council meetings shall be held on the first and third Tuesday of each month at 6:00 p.m. except in July and August, when there shall be one meeting each month on a date designated by the Town Council. Any meeting may be rescheduled for cause.
- (b) Town Council meetings shall take place in the Town Council chamber at the West Warwick Town Hall or at any other location designated in advance by the Town Council.
- (c) All meetings of the Town Council shall be open to the public; however, 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.

- (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 specific date 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 are held when due to a timeframe requirement, regular business cannot wait for the next scheduled meeting and shall be called by the Town Clerk in accordance with Article IV Section 404 of the Home Rule Charter and the OMA.
- (b) 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, as defined by RIGL §42-46-6(c), are called in cases where the meeting is deemed necessary to address an unexpected occurrence that requires immediate action to protect the public and may be called by the Town Council president or Vice President, but only pursuant to the OMA.

**RULE 4. EXECUTIVE SESSION**

According to RIGL §42-46-4, and 42-46-5, a public body may hold a meeting closed to the public on 10 exempted matters that are allowed from discussion at open meetings. A roll call vote is needed to go into executive session.

- (1) Any discussions of the job performance, character, or physical or mental health of a person or persons provided that such person or persons affected shall have been notified in advance in writing and advised that they may require that the discussion be held at an open meeting. Failure to provide such notification shall render any action taken against the person or persons affected null and void. Before going into a closed meeting pursuant to this subsection, the public body shall state for the record that any persons to be discussed have been so notified and this statement shall be noted in the minutes of the meeting.
- (2) Sessions pertaining to collective bargaining or litigation, or work sessions pertaining to collective bargaining or litigation.
- (3) Discussion regarding the matter of security including, but not limited to, the deployment of security personnel or devices.

- (4) Any investigative proceedings regarding allegations of misconduct, either civil or criminal.
- (5) Any discussions or considerations related to the acquisition or lease of real property for public purposes, or of the disposition of publicly held property wherein advanced public information would be detrimental to the interest of the public.
- (6) Any discussions related to or concerning a prospective business or industry locating in the state of Rhode Island when an open meeting would have a detrimental effect on the interest of the public.
- (7) A matter related to the question of the investment of public funds where the premature disclosure would adversely affect the public interest. Public funds shall include any investment plan or matter related thereto, including, but not limited to, state lottery plans for new promotions.
- (8) Any executive sessions of a local school committee exclusively for the purposes: (i) of conducting student disciplinary hearings; or (ii) of reviewing other matters which relate to the privacy of students and their records, including all hearings of the various juvenile hearing boards of any municipality; provided, however, that any affected student shall have been notified in advance in writing and advised that he or she may require that the discussion be held in an open meeting. Failure to provide such notification shall render any action taken against the student or students affected null and void. Before going into a closed meeting pursuant to this subsection, the public body shall state for the record that any students to be discussed have been so notified and this statement shall be noted in the minutes of the meeting.
- (9) Any hearings on, or discussions of, a grievance filed pursuant to a collective bargaining agreement.
- (10) Any discussion of the personal finances of a prospective donor to a library.

A Town Council Member, Town Manager and Town Solicitor may request to hold an Executive Session meeting according to RIGL §42-46-5(a) (1) - (10).

**RULE 5.                   AGENDA**

- (a) The Council agenda shall be prepared by the Town Manager, Town Clerk and the Town Council President. The President, or in his/her absence, the Vice President shall provide final review and approval of the agenda. Any member of the Town Council may add items to the agenda by providing timely notice to the Town Clerk
- (b) Agenda items for regular meetings must be received by the Town Clerk on Wednesday at 4:00 PM before a Tuesday meeting. The agenda will be made available for Council members and the general public no later than Friday evenings by 6:00 PM.

- (c) 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. Those wishing to comment are asked to use a sign-in sheet that will be available at the start of the meeting. Individuals are limited to five minutes of speaking time. Such time may be extended by the majority vote of Council. When appropriate to an agenda item, the presiding officer may allow Public Comment on an item.
- (d) Items will generally appear on the agenda in the following order:
1. Call to order
  2. Pledge of allegiance to the flag/Prayer
  3. Roll Call
  4. Citations or Proclamations
  5. Ordinances
  6. Consent agenda
  7. Licenses
  8. Appointments and Resignations
  9. Unfinished business
  10. New business
  11. Public forum
  12. Executive Session
  13. Resumption of open session
  14. Vote on matters taken up in closed session
  15. Adjournment

**RULE 6. CALL TO ORDER, QUORUM, DECORUM**

- (a) The Town Council President shall preside at all meetings of the Council and, at the stated hour upon the appearance of a quorum, shall call the Councilors to order.
- (b) 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 7. 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 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 8. DISCUSSION AND DEBATE**

As per Robert’s Rules of Order, 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 9. RECONSIDERATION**

In accordance with Robert's Rules of Order, reconsideration of a completed motion is allowed if the request is made within a limited time after the original motion. Reconsideration must be requested by a member who voted with the prevailing side in the original motion. The reconsideration can be seconded by any member, and a discussion and vote can occur. If it passes, the original vote is void and the motion can be debated, amended or tabled as with any motion.

**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 email 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) Individual members of the Council may contact Department Heads directly while also informing the Town Manager of the 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.
- (e) 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 they direct the Town Manager to 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.
- (f) Any member of the Town Council may contact the Town Solicitor regarding any questions they may have. When pertinent all Council members will be informed by the Town Manager of the response or recommendation of the Town Solicitor.

**RULE 11.                   DISCRIMINATION**

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

**RULE 12.                   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 13.                   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 14. ADJOURNMENT**

No item of business other than that of adjournment may be brought before the Town Council at any meeting unless such an item is introduced before 9:30 p.m.; provided, however, that this rule may be suspended by an affirmative vote of a majority of member.

**RULE 15. 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 16. MATTERS NOT ADDRESSED**

Any question of procedure not addressed by these Rules shall be governed by “Robert’s Rules of Order, Newly Revised” 10th Edition published by Da Capo Press - Cambridge, Massachusetts so long as it is not in conflict with the West Warwick Town Charter, town ordinances, state statute, federal law, or case law in this jurisdiction.

**RULE 17. SUSPENSION OF THE RULES**

The Rules contained herein may be suspended by a four-fifths (4/5) vote of members of the Council

**RULE 18. REVIEW OF THE 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.