

TOWN OF MIDDLETOWN
BOARDS, COMMISSIONS AND COMMITTEES
HANDBOOK

PURPOSE

This manual has been prepared to assist members of all Town of Middletown Boards, Committees and Commissions in understanding their role in town government.

GENERAL INFORMATION

The Town of Middletown is organized and operated in accordance with the Rhode Island General Laws.

The Town of Middletown, by charter, is governed by an elected Citizen Town Council. The Town Council has provided a Town Administrator. The Town Administrator manages the administrative functions of the government and is responsible for effective and economical municipal operation and to ensure that Town Council policies are implemented.

The Town Council is responsible for establishing policies and providing overall direction for the Town's operation. As elected representatives, Council members are directly accountable to the citizens of Middletown. It is this accountability that requires the Council to be responsible for all municipal activities. To assist the Council in gaining a greater awareness of the sentiments of the residents, committees and commissions composed of local residents familiar with a specialized aspect of Middletown and its needs have been formed. Committees and Commissions expand the opportunity for citizen input, participation in policy development and to provide needed assistance to town staff.

APPOINTMENT OF COMMITTEE AND COMMISSION MEMBERS

Committees and Commissions are appointed by the Town Council. The Town Clerk will supply ordinances or adopted policies associated with a given Committee and a copy of the Rhode Island Public Meetings Law, Town Charter and the Comprehensive Community Plan, to all Board, Committee and Commission members.

To assist the Committee or Commission a Town staff member may be assigned to provide technical information, research capability, and professional support. Town staff members are employees of the Town and are accountable to the Town Administrator, who in turn, is accountable to the Town Council.

Although many Committees, Commissions and Boards shall have a staff person assigned, it is not mandatory for the staff person to attend each meeting. Attendance at meetings should be decided by the staff person in consultation with the respective Chair.

AUTHORITY OF COMMITTEES AND COMMISSIONS

Unless provided by Town Ordinance or State law, Committees and Commissions are strictly advisory to the Town Administrator and Town Council. Committees and Commissions recommend to the Town Council or Town Administrator the action they think should be taken on specific issues. Except for the Planning Board, Zoning Board and Conservation Commission, Committees and Commissions have no authority to act on their own without Town Council or Town Administrator concurrence. They can neither commit resources, direct staff, nor establish policy for the Town without Council authorization, however, they may never direct staff.

While Committees and Commissions have no authority to commit Town resources, the Town of Middletown values their recommendations for effective allocation of resources and development of Town policy. Committees and Commissions provide the following important services:

1. Identify and develop alternative recommendations regarding policy issues within a Committee's or Commission's area of specialization.
2. Ensure consideration of community values and goals.
3. Provide a "sounding board" when solutions are proposed to problems addressing community needs.
4. Provide citizen input into local government.

Committees and Commissions responsibilities include:

1. Advising the Town Council and Town Administrator on budget priorities.
2. Advising the Town Council and Town Administrator on long-range plans for capital and program needs.
3. Advising the Town Council and Town Administrator on staffing needs.

SELECTION OF OFFICERS

A Committee or Commission annually selects one of its members to serve as the Chair and another as Vice-Chair to act as the Chair in the Chair's absence. The Chair's function is to conduct meetings of the Committee or Commission and to serve as a liaison between the staff and the Committee or Commission. The Chair runs meetings in accordance with the Rhode Island Open Meetings Law and Robert's Rules of Order.

In addition, there shall be a secretary who will be responsible to record minutes of every meeting to serve as the official record of a Committee's or Commission's activities and will be responsible to transmit minutes to the Secretary of State in conformance with the General Laws of the State of Rhode Island.

STAFF RELATIONS

Article III, Section 304 (g) of the Town Charter states that the Town Administrator coordinates the activities and programs of all departments, agencies and all committees or commissions whose members are chosen by the Town Council. In order for information and requests to flow smoothly, all requests for funding or for requests with a budgetary impact, will go to the Town Administrator. Town staff members assigned to assist the Committee or Commission will provide administrative assistance as required. These duties include preparing staff reports, providing analysis and technical data needed to develop recommendations for the Town Council or Town Administrator.

The staff role is limited to support and advisory functions. The Town staff members are non-voting members and, consequently, do not participate in a Committee's or Commission's decision making process. Because of their purely supporting roles, staff members will not respond to questions from the public unless requested to do so by the Chair.

Formal staff contacts should be with the primary staff member assigned to the Committee or Commission. Contacts by members with the staff members should clearly be in the framework of the Committee or Commission assignment. Committee or Commission members should not ask for individual reports, favors, or special consideration from Town staff members.

The staff serves the Committee or Commission in an advisory capacity, much the same as the Committee and Commission serves the Town Council and Town Administrator in an advisory capacity. Staff members are selected by the Town Administrator on the basis of their professional and technical abilities and are expected to guide the Committee or Commission with recommendations based upon analysis of the situation, regardless of personal opinion.

The Committee or Commission should be aware of the staff member's responsibilities to provide advice to the Committee or Commission, the Town Council and the Town Administrator. In instances where the primary staff person disagrees with a Committee or Commission recommendation, staff is obligated to advise the Town Council, through the Town Administrator, of the staff member's recommendation. The Town Council or Town Administrator, in making a final decision, will consider the advice of both the Committee or Commission and the staff, as well as other interested individuals.

TOWN SOLICITOR

The Town Solicitor is responsible for advising the Town Council and staff on legal matters. It is appropriate for staff to gain any required advice from the Town Solicitor prior to any meeting on matters requiring legal review.

ATTENDANCE

Committees and Commissions in general, meet regularly. Members are expected to attend all regular meetings. If a member is absent for three consecutive meetings or has four absences from regular meetings in a calendar year, he/she may be considered to have lost interest in the Committee or Commission. The Council President and Committee Chair will discuss any problems with the respective member and recommend that the Town Council replace the member if necessary.

When less than a quorum of the Committee or Commission members attends a regular meeting the only action that may be taken is to adjourn the meeting for a lack of quorum. Without a quorum the meeting is automatically adjourned until the next regular scheduled meeting unless a special meeting is called at that time.

MEETINGS

There are two categories of Committee or Commission meetings: Regular and Special meetings. All are open to the public and must be conducted in accordance with the Rhode Island Public Meetings Law.

When a regular meeting is called, notice of the meeting must be given to all members forty-eight (48) hours prior to the meeting posting to

the Secretary of State. The notice must include the date, time, and place of the meeting and the topics to be discussed. Additionally, a notice announcing the meeting must be posted in Town Hall at least forty-eight (48) hours in advance of the meeting. The staff will work with the committee to ensure that proper notice and posting is accomplished.

Committee or Commission discussions must be limited to those items contained in the posted agenda.

Special meetings are those which are called by the Chair or a majority of the Commission members. When a special meeting is called, a notice of the meeting must also be given to all members and the local news media forty-eight (48) hours prior to the meeting. The notice must include the date, time, and place of the meeting and the topic to be discussed. Additionally, a notice announcing the meeting must be posted in Town Hall at least forty-eight (48) hours in advance of the meeting. The staff will work with the committee to ensure that proper notice and posting is accomplished.

In the case of special meetings as with regular meetings, Committee or Commission discussions must be limited to those items contained in the posted agenda.

CONDUCT OF MEETINGS

Public Meetings

All regular and special Commission meetings must be open to the public. Adequate notice, as explained in the previous sections, must be given when a meeting is called.

Agenda Preparation:

To facilitate the orderly conduct of meetings and to provide advance notice of the business scheduled for discussion, an agenda is prepared for each meeting. The agenda provided by the Committee or Commission prior to the meeting includes staff reports if available and materials necessary for the decision-making process. The agenda and back-up material, are available for interested members of the public.

The agenda is prepared by the Chair of the Committee or Commission. Items included in the agenda are based upon staff need for direction, Town Council or Town Administrator referral of items for Committee and Commission review, Committee and Commission direction, and requests by concerned citizens for consideration of issues of interest. Members wishing to have an item included on the agenda should contact the appropriate staff or chair.

Order of Business:

Call Meeting to Order
Roll Call
Approval of Minutes
Committee/Commission Business
Adjournment

Meeting Minutes:

The secretary is responsible for preparing minutes of all Committee and Commission meetings. These minutes provide an official record of the actions taken and a summary of the important topics raised in the discussion. They are not intended as verbatim transcript.

Prior to voting to approve the minutes, the members will be given the opportunity to review minutes of previous meetings. The minutes may be ordered corrected at the request of the Committee or Commission to ensure that they accurately reflect the prior proceeding.

Minutes become the official record of a meeting only after they have been approved by the Committee or Commission.

Presiding Officer:

The Chair, selected annually by the members of the Committee or Commission, serves as the presiding officer at all Committee or Commission meetings. In the Chair's absence this role is assumed by the Vice-Chair. The Vice-Chair is also elected annually by members. If both the Chair and the Vice-Chair are absent, the Staff liaison will call the meeting to order and the members will select a temporary Chair to serve until adjournment or the arrival of the Chair or Vice-Chair.

The presiding officer retains the right to make seconds and motions, participate in debate, and vote on all matters.

Right to Address the Committee or Commission:

Every resident or property owner of the Town has a right to be present at a Committee or Board, or Commission meeting and there may, at the Committee's discretion, be a portion of the meeting allocated for public comments. In addition, any interested person may request permission from the presiding officer to address the Committee or Commission

regarding the subject under consideration or any other subject within the Committee or Commission's jurisdiction.

Voting:

After a motion has been made and seconded, all members of the Committee or Commission have the opportunity to vote. Only those motions which receive a majority vote of the members become official actions of the Committee or Commission. Tie votes are lost motions which may be reconsidered.

REPORTS TO THE TOWN COUNCIL

Except for certain Planning and Zoning actions, motions recommending action must be returned to the Town Council when appropriate, to receive Council approval prior to implementation. A subsequent Town Council agenda will list formal Committee or Commission recommendations. These items may then be referred back to the Committee or Commission by the Town Council with or without instructions.

Normally, formal Committee and Commission recommendations are included in a staff report from the staff liaison to the Town Council through the Town Administrator although the Chair may submit the report instead. The report summarizes the recommendation as well as the pertinent factors which led to the recommendation for action.

Based on this report and the results of the Council's own deliberation or hearings, an ultimate decision is made or the item is referred back to the originating Committee or Commission or another related Committee or Commission for additional study.

RHODE ISLAND PUBLIC MEETINGS LAW

The Rhode Island Public Meetings Law is designed to ensure that meetings of organizations supported with public funds are conducted openly without restrictions on the right of public to attend.

CONFLICT OF INTEREST

Because of the Town Council's desire to appoint Committee and Commission members who will represent a cross section of the Community, it is inevitable that matters will be considered by a Committee or Commission on which one or more members have a direct or indirect interest. In these situations, a member must decide if this interest will cause him/her to be biased in his/her opinion. If she/he feels a conflict or appearance of conflict exists, he/she must disqualify himself/herself from participating in the deliberations and must recuse. Always, Rhode Island Ethics Laws must be adhered to.

