

HANDBOOK FOR APPOINTED BOARD AND COMMITTEE MEMBERS



Town of Boxborough
2025

Contents

Introduction.....	3
Officers	4
Pre-Meeting Requirements.....	4
Conducting a Meeting.....	5
Official Files, Reports and Records	7
Budgeting and Procurement.....	7
Support Services	8
Conflict of Interest	8
Appendix A: Membership and Activities of Appointed Town Boards Policy	9
Intent and Purpose.....	9
Contents.....	9
Policy & Applicability	9
Composition and Quorum	9
Filling of Vacancies.....	10
Resignation from Office	10
Associate/Alternate Members.....	10
Officers.....	10
Removal from Office.....	11
Open Meeting Law [MGL c 30A §18-25].....	11
Minutes [MGL c 30A §22]	11
Conflict of Interest [MGL c 268A]	11
Conduct.....	12
Appendix B: Open Meeting Law Guidelines.....	13
Appendix C: Public Records Law Guidelines	14
Appendix D: State Ethics Guidelines	15
Appendix E: Agenda Template	16
Appendix F: Minutes Template and Executive Session Minutes FAQ.....	17
Appendix G: Updated List of Boards and Committees.....	19

Introduction

Thank you for volunteering to serve on one of Boxborough's boards and committees. Many of our municipal services simply could not be delivered without your efforts. Your dedication and willingness to serve your community is greatly appreciated. According to Town Bylaw Article 2 § 13, board and committee members must be residents of Boxborough. Potential Board and Committee members who are interested in serving, should fill out a Resident Interest Form ([Available here](#)) and submit it to the Town Administrator's office (kprice@boxborough-ma.gov).

The purpose of this handbook is to assist the members of appointed boards, committees, and commissions to easily understand the variety of laws, procedures, local policies and traditions in participating in municipal government.

This handbook blends the directions and requirements that are found in state and local laws, town bylaws and administrative directives. Throughout this handbook the term "board" applies to every Town board, committee, commission or subcommittee that is represented as a governing body.

All committee members should read the Annual Town Report and Town bylaws for information regarding boards and committees. In addition, all committee members should review each set of laws that pertain to their board and all of the appendices found at the back of this handbook (especially the Charter of their board or committee).

Upon completion of your review of this document, and within 2 weeks of receiving this handbook, please respond to the Town Clerk that you have received it (via email). If this is your first time serving on a board or committee, you will need to take the MA online ethics test. More information can be found in [Appendix D](#).

Should you have any questions or concerns of any matter covered in this handbook, please feel free to contact the Town Clerk.

Rebecca Harris
rharris@boxborough-ma.gov
978-264-1727

Officers

Please Note: The duties that are described for officers originate from general practice. A Town board, through a majority vote of its members, can further define and/or redefine these responsibilities. Additionally, Robert's Rules of Order also defines the responsibilities of each Town Board officer.

Election of Officers

All Town boards shall annually elect a Chair and other necessary officers. Each Town board has the discretion to elect other officers.

Chair

The Chair's primary responsibility is the fair facilitation of meetings. The Chair presides at all meetings, decides questions of order, and calls special meetings and signs official documents that require the Chair's signature. The Chair has the same rights as other members to offer resolutions, discuss questions and vote thereon. The Chair is also responsible for ensuring that the provisions of the open meeting law are met, for preparing agendas and any other materials. The tentative agenda for the next meeting and minutes of the previous meeting should be prepared and available to each board member prior to each meeting. Also the Chair (or designated liaison) will schedule meeting location through the Town Administrator's or Town Clerk's office.

Clerk

The Clerk is responsible for taking and preparing the minutes, recording any amendments, and submitting the approved minutes to the Town Clerk's office for posting on the website.

Pre-Meeting Requirements

Unless otherwise stated, the requirements and procedures identified in this handbook apply to all types of meetings including: special meetings, workshops, emergency meetings, sub-committee meetings and public hearings. A public meeting occurs at any time a quorum of the Town board (or subcommittee) members get together to discuss or consider any public business or policy over which the board has some jurisdiction or advisory power.

Meeting Schedule

The frequency of meetings depends on a committee's workload. Most meetings are commonly held weekly, bimonthly, or monthly. The Chair calls each meeting. The appointing authority may also designate a temporary chair for this purpose. When possible, a regular meeting day, hour and location should be established. Except in cases of emergency, committees do not meet on major religious or official holidays, or if Town Hall is closed due to snow. They meet rarely on weekends.

Meeting Location and Meeting Notices

Meetings must be held in a place which is open to the public and accessible to the handicapped. It shall be the responsibility of the person calling a meeting of a Town board to first check with the Town Clerk on the availability of any meeting space for a particular day and time.

It is the responsibility of the committee (the Chair, Clerk or staff liaison) to post a meeting notice at least forty-eight (48) hours before any meeting, not counting Saturday, Sunday, and legal Holidays. The completed notice ([See Appendix E for sample](#)) will be submitted stating the department, day and date, time, place and an agenda of the meeting. The agenda must list items that will be discussed at the meeting and give as much information needed to inform the public. It is preferred the notice be emailed to the Town Clerk's office with sufficient time to post such notice. (rharris@boxborough-ma.gov)

Confirmation will be sent upon receipt of the notice. If you do not receive such confirmation, it is your responsibility to follow up with the Clerk's office. The Town Clerk's office will date stamp the notice, place the original on the board in the hallway at Town Hall, the meeting will be listed on the town's website calendar and the committee / board page, which has been approved as the legal posting location. If the notice is received after the 48 hours requirements, the Town Clerk will notify the sender via email that posting time was insufficient.

Available Meeting Rooms

The Grange and Morse-Hilberg Rooms are available for meetings at Town Hall, and are booked in an online calendar by the Town Clerk (or Select Board Administrative Assistant, Assistant Town Administrator or other staff person). Some committees choose to use the Sargent Memorial Library conference room (booked through the Library Director) or the Historical Society Museum or Steele Farm Barn (reserved through those committees). ZOOM meetings are allowed as an alternative to meeting in person, implemented by Executive Order in March 2020 and subsequently enacted by Section 20 of Chapter 20 of the Acts of 2021, An Act Relative to Amending Certain COVID-19 Measures Adopted During the State of Emergency ("Section 20"), and extended through June 2027. The Town has a ZOOM account for use by boards and committees, and the Chair or Clerk may request the use of that account or ask the Town Clerk or other staff person to set up the meeting for them in advance of the posting. Hybrid meetings are also sometimes possible, with the use of an "OWL" which can be requested through the Town Clerk or Assistant Town Administrator (rudson@boxborough-ma.gov).

Please note – permission to use any of the meeting rooms must be received *prior* to sending the notice to the Town Clerk.

Conducting a Meeting

In all procedural matters, meetings of Town boards shall follow the latest revised edition of Robert's Rules of Order, except as provided by the adoption of rules and regulations governing the conduct of adjudicatory hearings.

Open Meeting Law

The Massachusetts Open Meeting Law requires that all meetings of elected or appointed boards, committees or sub committees be open to the public except where Executive Session is allowed. The law does not apply to chance meetings or social occasions; however, such meetings cannot be used to circumvent the requirement of discussing and deliberating at public meetings. The law does not apply to administrative meetings or to advice on administrative matters. Please refer to **Appendix B** for complete guidelines of the Open Meeting Law.

Basic Requirements

All meetings of a governmental body shall be open to the public and any person shall be permitted to attend any meetings except under those circumstances listed in section Executive Session. No quorum of a governmental body shall meet in private for the purpose of deciding on or deliberating toward a decision on any matter except at provided by the circumstances listed in the section Executive Session. No votes taken in open session shall be by secret vote.

In the event of an emergency meeting, a notice shall still be given to the Town Clerk as soon as possible, the 48 hour guideline does not apply in emergency situations.

Executive Session

The law states ten specific purposes for which an executive session may be held, and emphasizes that these are the only reasons for which a public body may enter executive session. Please refer to [Appendix B](#), Open Meeting Law Guide for a list of the ten purposes.

Minutes and Records of Town Boards

The Open Meeting Law requires every Town Board, Commission, Committee and Subcommittee to maintain accurate records of its meetings. All “original copies” of minutes and related records must be promptly filed with the Town’s Clerk’s office or within the board’s office if one is located on Town Hall (i.e., Select Board resides within the Town Administrator’s office). See [Appendix F](#) for a Minutes template.

Each set of minutes must include the following:

- The date and time of the meeting
- The location of the meeting
- The name(s) of members who were present
- The name(s) of members who are absent
- The “exact record” of motions, votes and official actions taken
- The subjects that were discussed
- A list of attachments provided/discussed at the meeting
- Once approved, the date approved with the Chair’s signature (on electronic minutes “/s/ name”)

Minutes may also include or have attached to:

- Assignments
- Names of additional participants of the meeting
- Supporting materials, letters, requests and reports
- Summaries of discussion (recommended only if they are helpful in understanding decisions or provide factual information that may be useful to the board)

The minutes should not be a verbatim transcript of all that was said at the meeting. Many boards tape their meetings and prepare written minutes at a later date. Tape recordings may not be used as a permanent record of meetings. Written minutes must be prepared with the information outlined above. Until the minutes are prepared and approved on paper, the tapes are the public records of the proceedings. The Secretary of State’s public Records Supervisor has ruled that “draft minutes are a public record, even before they are approved and must be made available for inspection and copying if requested. The board secretary may wish to stamp or write “draft” on the minutes until they are accepted so that there is no confusion if a copy is made public. Under the Open Meeting Law, a “timely manner” in which to approve minutes is considered to be within the next three public meetings or 30 days from the date of the meeting – whichever is later, unless the public body can show good cause for further delay.

Recordings by Observers

With the permission of the committee / board chair, a meeting of a Town board may be recorded by any person in attendance by means of an audio recorder or by means of videotape equipment fixed in one or more designated locations determined by the governmental body except when a meeting is held in executive session, provided that in such recording there is no active interference with the conduct of the meeting, and the chair of the Town board has been informed. Any recording of a meeting, whether by cable television, the governmental body, or a member of the press or the public, must be announced by the Chair at the outset of the meeting or the commencement of the taping.

Quorum

A quorum for a meeting of any Town board shall be a majority of the maximum complement of the full board, as defined in the board or committee's bylaws or charter (for example if there are supposed to be 7 members on a board, but there are only 4 serving, the quorum is still 4, not 3). No action of a Town board shall be valid and binding unless taken or ratified by an affirmative vote of the majority of the members, unless another quorum of vote is allowed or required by the Massachusetts General Laws. Associate members do not vote (unless there are special circumstances, as with Associate Planning Board members who need to fill in for a recused member) and do not count towards the quorum.

Rule of Necessity

Under certain circumstances (for boards with regulatory authority), the members of the board may invoke the "Rule of Necessity" to allow disqualified members to act. The Rule of Necessity provides that a board may invoke this rule for a member(s) who would be disqualified from participating on a specific Town board action, (e.g., because of a conflict of interest) to participate because of a lack of quorum needed to take action.

The Rule of Necessity may be invoked should the following three conditions exist:

- One or more member of a Town board or commission are disqualified from acting on a matter before the board due to a conflict of interest; and
- Thereby the disqualified member(s) would deprive the board of the number of members required to take an affirmative vote; and
- That there is no other board empowered to hear the matter.

Official Files, Reports and Records

Annual Reports

Each Town Board shall submit to the Town Clerk or Administrative Assistant to the Town Administrator /Select Board an annual report of activities, together with any recommendations relative to those activities, for inclusion in the Annual Town Report. The report shall be submitted on or before a date specified – usually in January-February.

Records

The Massachusetts Public Records Law (MGL Chapter 4, Section 7(26)) and any amendments provides right of access to public records, broadly defined to include all documentary materials except specific exemptions such as personnel and medical files, proposals and bids, and appraisals of property. The minutes, informational data, memoranda and circulating material of any Town board are mostly all public information, including emails that are related to Town business. See [Appendix C](#) of this handbook for information on the Massachusetts Public Record Law.

Budgeting and Procurement

Budgeting

In general, a Town board does not have a budget unless one is authorized by Town Meeting. If a board anticipates a need to expend funds, it can request a budget for the next fiscal year. For the purpose of enabling the Town Administrator / Finance Director to make up the annual estimate of expenditures, all boards shall, upon his/her written request, furnish all information in his/her possession and submit to the

Town Administrator / Finance Director, in writing a detailed estimate of the appropriations required for the efficient and proper conduct of the board during the next fiscal year.

Procurement

All procurements must follow State statute. The Assistant Town Administrator can be contacted for assistance with the process if needed.

Disbursements

As bills are incurred by the Town board, the Clerk or Chair shall complete a Schedule of Bills Payable with the signature of the chair and attach the relevant invoices, and submit the packet to the Town Accountant for payment at APsubmissions@boxborough-ma.gov (hard copies can be left in the Accounts Payable box outside the Accountant's office in Town Hall). For assistance with this process, contact your **staff liaison** at Town Hall.

Support Services

Photocopying

A photocopier is located in the copy room at Town Hall, and is available for official Town business.

Postage

The postage machine is located in the copy room at Town Hall and is available for official Town business.

Staff Support

Some boards have dedicated staff support (especially those with regulatory review roles). Staff support for Town boards is a matter that is addressed by the Town Administrator and the Select Board during the annual budget process. If there is a question about the need for staff support, contact the Town Administrator or Assistant Town Administrator.

Town Counsel

All Town boards are required to go through the Town Administrator prior to contacting Town Counsel.

Town Website

The Town website contains meeting notices, minutes and various forms that individuals may print out for their use. In addition, it contains contact information and rules and regulations/by-laws that may be helpful. Town departments and committees are responsible for maintaining their own web page content. Training and assistance are available through the Town Administrator's office, and the Town Clerk's office.

Conflict of Interest

The purpose of the conflict of interest law is to ensure that public employee' private financial interests and personal relationships do not conflict with their public obligations. The conflict of interest law applies to town officials and employees, all elected and appointed, full and part time, paid, unpaid positions and contractors.

State Ethics Commission

The Massachusetts Conflict of Interest Law (Chapter 268A of the General Laws) sets a minimum standard of ethical conduct for all municipal employees and officials. Enacted in 1962, the conflict law's goal is to promote confidence in our government and in the integrity of its officials. Please read **Appendix D** for full details and your obligation under MGL. If there is a potential conflict of interest that you are concerned about, you may file a disclosure form with your appointing authority and the Town Clerk.



Appendix A: Membership and Activities of Appointed Town Boards Policy

Select Board

Town of Boxborough, MA

Intent and Purpose

To govern to membership and activities of all Town boards, committees and commission appointed by the Boxborough Select Board.

Contents

Policy & Applicability.....	1
Composition and Quorum.....	1
Filling of Vacancies.....	2
Resignation from Office	2
Associate/Alternate Members.....	2
Officers.....	2
Removal from Office	2
Open Meeting Law [MGL c 30A §18-25]	3
Minutes [MGL c 30A §22]	3
Conflict of Interest.....	3
Conduct.....	4

Policy & Applicability

The following policy is intended to govern the membership and activities of all Town boards, committees and commissions that are comprised of citizen volunteers appointed by the Select Board, hereinafter referred to as "boards." Should any provision of this policy conflict with the provisions of any general or special law or regulation of the Commonwealth or of any Town bylaw, the terms of the general or special law, regulation or bylaw shall be controlling and shall supersede those of this policy.

Composition and Quorum

Boards shall be comprised of an odd number of members, whenever possible. When the terms of office of a board are for more than one year, such terms of office shall be so arranged that as nearly an equal number of terms as is possible will expire each year.

If a board has a variable number of members, the Select Board shall seek input from the board on the

desirability to increase or decrease the membership above or below the then current level, at such times when the then-current number of members may become ineffective in fulfilling the board's responsibilities. Additionally, the board may at any time make a recommendation to the Select Board to increase or decrease the current membership.

A quorum shall consist of a majority of the number of members stated in the Town's by-law or the Select Board document establishing the board or a majority of the actual number of members currently serving, whichever is greater.

Filling of Vacancies

Whenever a vacancy shall occur in the membership of a board, the chair of said board shall forthwith give written notice of such vacancy to the Select Board. The board may recommend to the Select Board in writing a suitable candidate or candidates for appointment to fill the vacated position(s). The Town Administrator shall publish a notice of the vacancy on the Town website and other suitable locations. Interested individuals will be asked to directly contact the Town Administrator who shall bring forward the names to the Select Board for consideration at an upcoming meeting.

Resignation from Office

A board member who is no longer able to serve for whatever reason should resign promptly so that the vacancy may be filled. The member shall submit a written resignation to the Town Clerk, with a copy to the Board Chair and the Select Board.

Associate/Alternate Members

There are two kinds of associate/alternate members: those appointed by the Select Board and those appointed by Boards themselves.

Associate/alternate members who are appointed by the Select Board for some elected Boards can by statute vote in some cases on some matters, e.g., the Planning Board. Associate/alternate members that are appointed by the Select Board for some appointed Boards can by statute vote in some cases on some matters, e. g. the Zoning Board of Appeals. It is the policy of the Select Board that it will not appoint associate/alternate members to boards unless specifically allowed or required in the State Law, Town Bylaw, or Select Board Charter establishing such board.

Boards appointed by the Select Board may create and fill positions of associate/alternate membership as may be appropriate to the Board. Such positions are encouraged as they can help develop new prospective candidates for future appointments as voting members, and also provide opportunity for continued participation and continuity with members who have not been reappointed for whatever reason. Associate/alternate members appointed by the Boards shall not, however, be entitled to vote on any matter that is before the Board.

Officers

A Board shall annually, at its first regularly scheduled meeting in the fiscal year, select from its membership such officers as deemed necessary by the board; at a minimum, this shall include a Chair and Vice Chair or Clerk. Ideally, boards should rotate membership through their elected offices, with no member serving more than two years in succession in any given office. Boards are encouraged to adopt rotation policies of their own, consistent with the desire expressed herein for a regular change in leadership.

Removal from Office

The Select Board has the right to remove an appointed member from a board for cause.

Poor attendance may be a cause for removal. If a member of a board misses 3 meetings in a row or 3 meetings over a 3 month time frame without sufficient cause, after consultation with the member and the board, the Chair of that board may petition the Select Board to deem that lack of attendance to be a defacto cause for removal.

Open Meeting Law [MGL c 30A §18-25]

All members of town boards shall comply with the Open Meeting Law, which in summary requires that:

- a) all meetings of elected or appointed boards and sub-committees shall be open to the public unless falling under one of the ten exemptions for which a board may convene executive session as specified in G.L. c. 30A, §21.
- b) Boards shall deliberate and take action in a public meeting for which members of the public have been provided adequate notice in accordance with the meeting notice requirements of the Open Meeting Law (**posted 48 hrs in advance**).
- c) Board members shall not use electronic communications and/or telephones to conduct business, deliberate, or otherwise act to circumvent the Open Meeting Law.

The Town Clerk provides newly appointed members of boards with detailed material on the Open Meeting Law and procedures for posting meetings and also provides follow-up material on a regular basis including updates when the law changes.

Minutes [MGL c 30A §22]

Boards shall create accurate minutes of open meetings and executive session in a written format. At a minimum, the minutes shall contain the date, time, place, names of members present and absent, a summary of topics discussed on each subject, a list of documents and other exhibits used at each meeting, and an exact record of motions, votes and official actions taken at each meeting. It is not necessary to transcribe the meeting verbatim; rather, the minutes need only provide enough substance to allow readers to understand the nature and status of the matters discussed at the meeting.

Audio and video recordings may be made of meetings, but written minutes must also be prepared. Draft minutes of open sessions are considered public record from the moment that they are created. Open session minutes shall be promptly prepared and accepted in the course of a subsequent meeting of the board in accordance with State law and/or regulation (**and signed by the chair – “/s/ name” is fine**), and a copy filed with the Town Clerk, who shall post on the town’s website. Executive session meeting minutes must be reviewed at reasonable intervals by the Chair to determine whether they should be considered for public release.

Conflict of Interest [MGL c 268A]

All appointed board members are subject to the Conflict of Interest Law which ensures that their private financial interests and personal relationships do not conflict with their public obligations. The law is broadly written to prevent a board member from becoming involved in a situation that could result in a conflict or give the appearance of a conflict. The Town Clerk provides all board members with a Summary of the Conflict of Interest Law provided by the state Ethics Commission. The board members must acknowledge receipt of the Conflict of Interest Law and complete all mandatory training as

required by statute. The Select Board may provide additional group training on the Conflict of Interest Law as needed.

The law restricts what a board member may do on the job, after hours, and after leaving public service. It prohibits a variety of actions, including bribery, extra pay, receipt of gifts or privileges because of board members' official actions, and acting as an agent or attorney for anyone in a claim against or doing business with the Town. The law prohibits all board members from participating in a particular matter in which board members and immediate family and partners, business associates and organizations have a financial interest.

The law provides for the legal determination of conflict of interest status for anyone submitting a request to the appointing authority or State Ethics Commission. The law also provides for continued services in certain circumstances if full disclosure is made or a special exemption is granted by the Select Board. If members have any questions about their activities, they should file a written request through the Town Administrator. The response will be in writing and will become a matter of public record.

Conduct

Board members shall maintain a professional demeanor when dealing with each other and the public. They shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of their board, or other boards, commissions, committees, staff or the public and shall be courteous to their colleagues and to the public.

Members shall not act arbitrarily to the detriment of any person, group or body and shall have due regard for the rights, duties and proper interests of all others. When making decisions, members shall act lawfully and exercise their discretionary powers impartially, taking into account only relevant matters.

This policy, revised January 21, 2020 revokes and replaces all previous policies on this topic including the policy initially adopted by the Select Board on November 27, 2006 and revised by the Select Board on November 16, 2015 **Note: text in red was added by the Town Clerk**

Appendix B: Open Meeting Law Guidelines

- 1) The State Open Meeting Law Guidelines and Educational Materials, required for all board/committee members, are [here](#).
- 2) Text of the Open Meeting Law is [here](#).
- 3) The calendar template for posting outside of the 48 hour window is here:

Open Meeting Law posting Template

Posting by:	To have your meeting on:
Monday	Wednesday
Tuesday	Thursday
Wednesday	Friday
Thursday	Monday of the following week
Friday	Tuesday of the following week

** Please note that if there is a Holiday, move your posting date back by 1 day.

- 4) Certificate of completion of OML guidelines is on the next page.

CERTIFICATE OF RECEIPT OF OPEN MEETING LAW MATERIALS

I, _____, who qualified as a member of the
(Name)

_____, on _____, certify pursuant
(Public Body) (Date)

to G.L. c. 30A, § 20(h) and 940 CMR 29.04, that I have received and reviewed copies of the following Open Meeting Law materials:

- 1) the Open Meeting Law, G.L. c. 30A, §§ 18-25;
- 2) the Attorney General's Regulations, 940 CMR 29.00–29.11;
- 3) the Attorney General's Open Meeting Law Guide, explaining the Open Meeting Law and its application; and
- 4) if applicable, a copy of each Open Meeting Law determination issued by the Attorney General within the last five (5) years to the public body of which I am a member and in which the Attorney General found a violation of the Open Meeting Law.

I have read and understand the requirements of the Open Meeting Law and the consequences of violating it. I further understand that the materials I have received may be revised or updated from time to time, and that I have a continuing obligation to implement any changes to the Open Meeting Law during my term of office.

(Name)

(Name of Public Body)

(Date)

Pursuant to G.L. c. 30A, § 20(h), an executed copy of this certificate shall be retained, according to the relevant records retention schedule, by the appointing authority, city or town clerk, or the executive director or other appropriate administrator of a state or regional body, or their designee.

Appendix C: Public Records Law Guidelines

- 1) STATE GUIDELINES: The Massachusetts Secretary of State's office publishes an updated Guide to Public Records Law here: <https://www.sec.state.ma.us/divisions/public-records/download/guide.pdf>
- 2) BOXBOROUGH GUIDELINES: On December 13, 2021 the Boxborough Select Board voted to approve these Boxborough Public Records Request guidelines to help the public navigate Public Records Law and understand the process.
- 3) KP LAW EXEMPTIONS to PUBLIC RECORDS LAW: See below for frequently asserted exemptions as required or allowable by law.

Frequently Asserted Exemptions

- Exemption (a) allows withholding of records that are "specifically or by necessary implication exempted from disclosure by statute."
- Exemption (c) allows withholding of "personnel and medical files or information; also any other materials or data relating to a specifically named individual, the disclosure of which may constitute an unwarranted invasion of personal privacy."
- Exemption (d) allows withholding of "inter-agency or intra-agency memoranda or letters relating to policy positions being developed by the agency; but this subclause shall not apply to reasonably completed factual studies or reports on which the development of such policy positions has been or may be based."
- Exemption (e) allows withholding of "notebooks and other materials prepared by an employee of the commonwealth which are personal to him and not maintained as part of the files of the governmental unit."
- Exemption (f) allows withholding of "investigatory materials necessarily compiled out of the public view by law enforcement or other investigatory officials the disclosure of which materials would probably so prejudice the possibility of effective law enforcement that such disclosure would not be in the public interest."
- Exemption (h) allows withholding of "proposals and bids to enter into any contract or agreement until the time for the opening of bids in the case of proposals or bids to be opened publicly, and until the time for the receipt of bids or proposals has expired in all other cases; and inter-agency or intra-agency communications made in connection with an evaluation process for reviewing bids or proposals, prior to a decision to enter into negotiations with or to award a contract to, a particular person."
- Exemption (i) allows withholding of "appraisals of real property acquired or to be acquired until (1) a final agreement is entered into; or (2) any litigation relative to such appraisal has been terminated; or (3) the time within which to commence such litigation has expired."
- Exemption (n) allows a records custodian, who reasonably believes that disclosure is "likely to jeopardize public safety" to withhold records including, but not limited to, "blue prints, plans, policies, procedures and schematic drawings, which relate to internal layout and structural elements, security measures, emergency preparedness, threat or vulnerability assessments, or any other records relating to the security or safety, or cyber security, of persons, buildings, structures, facilities, utilities, transportation or other infrastructure located within the commonwealth."
- Exemption (o) allows withholding of "the home address, personal email address and home telephone number of an employee of the judicial branch, an unelected employee of the general court, an agency, executive office, department, board, commission, bureau, division or authority of the commonwealth, or of a political subdivision thereof or of an authority established by the general court to serve a public purpose, in the custody of a government agency which maintains records identifying persons as falling within those categories; provided that the information may be disclosed to an employee organization under chapter 150E, a nonprofit organization for retired public employees under chapter 180, or a criminal justice agency as defined in section 167 of chapter 6."

Appendix D: State Ethics Guidelines

As an elected or appointed board/committee member:

- 1) Every year, you must acknowledge receipt of the Conflict of Interest law.
- 2) Every other year you must take the State Ethics Training.

Both can be done here. First time users should click “Create your account” and continue with both tasks once they’re logged in.

<https://massethicstraining.skillburst.com/User/index.php>

Appendix E: Agenda Template



TOWN OF BOXBOROUGH NOTICE OF PUBLIC MEETING

BOARD/COMMITTEE:

MEETING DATE:

TIME:

PLACE: LOCATION, INCLUDING STREET ADDRESS

SUBJECTS TO BE DISCUSSED (AGENDA):

- 1
- 2
- 3
- 4

Appendix F: Minutes Template and Executive Session Minutes FAQ



TOWN OF BOXBOROUGH NOTICE OF PUBLIC MEETING Meeting Minutes

Approved, Date: _____ **Signed: /s/** _____ **Chair**

BOARD/COMMITTEE:

MEETING DATE:

TIME:

PLACE: Location, including street address

Members Present:

Members Absent:

Other Attendees:

Summary of discussion of each topic

Record of any votes taken

List of Documents/Exhibits used, if any

***NOTE: Documents/Exhibits must be listed in the minutes if they meet 3 criteria:**

- a) **They are physically present at the meeting.**
- b) **They are verbally described.**
- c) **Their contents are discussed at the meeting.**

(Documents must meet ALL 3 CRITERIA in order to be listed in the minutes.)

Executive Session Minutes FAQ:

What process must public bodies follow for reviewing executive session minutes for approval?

Executive session minutes must be approved in a timely manner, just like open session minutes. Executive session minutes may be withheld from disclosure “as long as publication may defeat the lawful purposes of the executive session, but no longer.” G.L. c. 30A, § 22(f). If a public body reviews confidential portions of executive session minutes in open session, it may risk publicly disclosing confidential information. For this reason, a public body may decide to designate the chair or another individual to review and approve executive session minutes, or it may review the minutes together in executive session (see below).

Can a public body convene in executive session to approve executive session minutes?

Yes, a public body may convene in executive session to review and approve executive session minutes. A public body may convene in executive session under the original purpose for the executive session, or it may convene in executive session pursuant to G.L. c. 30A, § 21(a)(7) “[t]o comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements” (“Purpose 7”), citing to the Open Meeting Law, G.L. c. 30A, §§ 22(f), (g). That section of the Open Meeting Law requires public bodies to review executive session meeting minutes and allows them to withhold executive session minutes and documents used therein from the public until the purpose for confidentiality has expired.

What process must public bodies follow for reviewing executive session minutes for release to the public?

The Open Meeting Law requires that a public body, or its chair or designee, review the minutes of its executive sessions at reasonable intervals to determine if the Open Meeting Law warrants continued non-disclosure. G.L. c. 30A, § 22(g)(1). Upon a request for executive session meeting minutes, it shall review those minutes and release “the non-exempt minutes, or any portion thereof, not later than the body’s next meeting or 30 days, whichever first occurs.” G.L. c. 30A, § 22(f).

The law requires a two-stage review of executive session minutes, with both stages occurring within 30 days of a request. G.L. c. 30A, § 22(f), (g)(2). First, the public body must determine whether the executive session purpose continues to warrant confidentiality. G.L. c. 30A, § 22(f). Second, if the purpose no longer warrants confidentiality, then the public body must determine whether the attorney-client privilege or one or more of the exemptions under the Public Records Law apply to withhold the minutes, or a portion thereof, from disclosure. Id. At the conclusion of this review, the public body must respond to the requester and either make the minutes available or provide an explanation of what is being withheld and why. A public body may not charge the requester a fee for this review.

Executive Session Minutes Template is Available [here](#).

Appendix G: Updated List of Boards and Committees

An up to date list of current Board / Committee membership is available [here](#), including descriptions, open positions, and links to Charters (if they exist), relevant bylaws and MGLs to each committee.