



Select Board Operations Policy

SELECT BOARD

TOWN OF BOXBOROUGH, MA

Intent and Purpose

This document outlines the policies and procedures for the operations, meetings, and work done by the Boxborough Select Board.

Contents

Intent and Purpose	1
Authority of the Board	1
Election Procedures	2
Structure of the Board	2
Responsibilities of the Chair	2
Interactions with the Public	2
Operations with Town Administrator and Department Heads	3
Internal Select Board Operations.....	4
Liaisons to other Boards and Committees.....	4
Regular Meeting Procedures	4
Meeting Format	5
Meeting Agendas and Packets.....	5
Joint Meetings.....	6
Executive Sessions	6
Emergency Meetings	7
Attendance at Meetings	7

Authority of the Board

The Boxborough Select Board (BSB) is an Elected Board, which derives its authority and responsibilities from the statutes of the Commonwealth of Massachusetts, and the By-laws of the Town of Boxborough. The Board may promulgate rules, regulations and procedures as necessary in order to carry out its duties.

The Board is responsible for setting overall goals, strategies and priorities for Town Government within the budgetary and expressed philosophical and/or procedural constraints voted by Town Meeting.

Election Procedures

The Board shall consist of five duly elected members who shall serve staggered three-year terms. Before assuming official duties, each newly elected member shall be sworn to faithful performance of official responsibilities by the Town Clerk.

If a vacancy or vacancies occur the remaining members or member may call for a special election pursuant to MGL Chapter 41, sec.10. The term vacancy includes failure to elect, and removal or resignation of members.

Structure of the Board

The Board consists of three members-at-large, a Clerk, and a Chair. The position of Chair generally rotates among the five members of the Board on an annual basis with the Clerk of the Board first in line to assume the position of Chair next year. The Chair and the Clerk of the Select Board shall be elected annually at the first regular meeting of the Board after the adjournment of the Annual Town Meeting. A majority vote shall constitute an election. The Clerk of the Select Board shall preside as Chair pro tem until the Chair is elected.

The Clerk of the Board shall also be elected annually at the first regular meeting. The Clerk shall serve as Chair in the absence of the Chair. In the absence of the Town Administrator, the Clerk takes the minutes for Executive Sessions.

The Board by vote may at any time remove the Chair or the Clerk. If a vacancy occurs in either office, the Board shall elect a successor.

Responsibilities of the Chair

The Chair of the Board shall:

- Preside at all meetings of the Board.
- Sign official documents that require the signature of the Chief Elected Official.
- Coordinate with the Town Administrator in preparing the agenda.
- Arrange orientation for new members.
- Represent the Board at meetings, conferences and other gatherings.
- Act as spokesperson for the Board with the press.
- Serve as spokesperson of the Board at Town Meetings and present the Board's position unless otherwise determined by the Board or delegated by the Chair.
- Speak to Town Counsel on legal matters, or delegate this responsibility to the Town Administrator.

Interactions with the Public

All citizens shall be treated with respect, courtesy, fairness.

The Public are welcome to attend and observe all Select Board meetings, except when the Board meets in executive session. All meetings are posted and advertised in accordance with Open Meeting Laws.

It is the policy of the Board of Selectmen to set aside fifteen minutes at the beginning of each meeting for public participation, time permitting. Public wishing to speak must follow the rules and directions of the Chair so as not to interrupt the business on the scheduled agenda. The purpose of public

participation shall be to afford the general public an opportunity to ask questions on an ongoing basis. If a citizen has a problem or a question which will require action or is likely to take more than fifteen minutes, the citizen should request to be placed on the agenda for a future meeting.

This period of time shall not be used for any standing committees, commissions or boards. Those groups shall ask the Town Administrator for agenda time and shall abide by the scheduled appointment.

Every effort will be made to get the requesting party or parties agenda time as soon as possible.

Any person in attendance may record a BSB meeting by any means of reproduction, provided that there is no interference with the conduct of the meeting and that those present are informed that the meeting is being recorded. Attendees should be aware that most BSB meetings are recorded and streamed live in their entirety.

Operations with Town Administrator and Department Heads

The responsibility of the day-to day administration of departmental operations rests with the Town Administrator (TA) and/or the appropriate Department Heads, who follow the direction, budgets, and guidelines set by the BSB. The TA oversees the town hall employees, as well as the Chief of Police, Fire Chief, and Department of Public Works.

Day-to Day Operations

Board Members should not become involved in the day-to-day operations of the various departments. Department Heads will work directly with the TA to resolve problems as they occur. The TA will update the Board as appropriate.

Town Administrator as Chief Operating Officer for the Town

The Town Administrator shall be the Chief Operating Officer for the Town, reporting to the Board, and will accurately report any critical information to all five Board Members as soon as practical.

Requests for information, documents, records or reports

To ensure that workloads are properly prioritized and managed, any request for information, documents, records or reports that requires significant staff time or effort, must be made through the Town Administrator or appropriate Department Head. The Town Administrator or Department Head should be copied on all requests.

When the Town Administrator is asked by individual members for information on matters of concern to the whole Board, he/she will report back to the whole Board and not only the individual member. Any materials or information provided to a Selectman from a staff member will be made available to all Selectmen.

Navigating complaints from residents

Members of the Board shall forward complaints received from residents to the Town Administrator or responsible Department Head. The Chair will coordinate with the Town Administrator and/or Department Head to determine who will respond to the resident complaint.

Communication with staff

The Board will treat all staff as professionals with clear and honest communication that respects the abilities, experience and dignity of each individual. The Board will not publicly criticize an individual

employee. Concerns about staff performance shall be communicated to the Town Administrator or appropriate Department Head in a private conversation.

Internal Select Board Operations

The Board functions as a body in all decisions and matters as required by law or determined by vote of the Board in formal session and shall:

- Promote transparency in town government. Provide information about town government, including related documents (minutes, by-laws, contracts) on the Town's website and in accordance with Open Meeting Laws.
- Agree that actions voted at official legal meetings are binding. An individual Board member cannot bind the Board outside of such meetings. Board members shall abide by all board decisions once they are made.
- Schedule an annual meeting to discuss, formulate and develop strategic goals and priorities for the year. Goals and priorities will be reviewed and updated semi-annually.
- Keep each other informed of all issues they are pursuing which are, or may be, of concern to the Board. Fact finding initiatives by Board Members must first be approved by a majority vote of the Board.
- Formalize a personnel and capital resource planning activity in order to effectively prioritize potential personnel additions, infrastructure requirements, capital equipment purchases and other large discretionary acquisitions such as land purchase in an environment of limited and possibly shrinking resources. This will require department heads, boards and commissions to carefully forecast personnel, infrastructure, capital and real property needs and priorities. These individual forecasts will be integrated and prioritized from a town-wide perspective in order to constitute comprehensive five year and ten year plans that will form the basis for effective town meeting actions.
- Participate in regional and statewide municipal organizations working toward improvements in local revenue distributions, effective development policies and regional management of emergency services, affordable housing policies and other resource management issues. Review potential for consolidation of services within the town.

Liaisons to other Boards and Committees

Annually, Board members shall be assigned as liaisons to specific Departments, appointed Committees, Boards or Commissions. The liaison role with department heads is one of communication and guidance, rather than management and direct oversight. The liaison is responsible for providing the full Board with substantive information about initiatives, activities, problems, upcoming events, budgets and warrant articles. A Board liaison cannot commit the Board to a position or decision until after a full and fair opportunity to weigh the merits of an issue during a Board meeting.

Regular Meeting Procedures

The Board meets as scheduled on Monday Nights at 7:00 p.m. unless otherwise scheduled. Meetings may be canceled or postponed at the discretion of the Board. The meeting is called to order at the time posted as long as a quorum is present. The meeting is conducted by the Chair or, in the absence of the Chair, the Clerk. The department assistant who supports the Town Administrator is responsible for taking the minutes. The Select Board Clerk or Town Administrator shall accurately record the votes taken at Executive Sessions, except as voted by the Board. Executive Sessions may not be recorded by any party.

Select Board Operations Policy

BSB approved 09/09/2019

Page 4 of 7

Meetings are to be conducted in accordance with generally accepted rules of parliamentary procedure. It is the accepted practice that application of such procedures be on a relatively informal basis, due to the size of the group and desire for flexibility in the expression of opinion.

A quorum shall consist of three members of the Board. As a practical courtesy, actions on critical or controversial matters, the adoption of policy, appointments, etc. shall be taken when practical only when the full Board is in attendance.

Actions and decisions shall be by motion, seconded, opened for discussion and then voted. Split votes will be identified by name.

All Select Board meetings are open to the public. If time permits, the Chair may recognize residents to comment or question on matters under consideration by the Board. In the event that the Board has sufficient time to accommodate resident comments, residents will be limited to no more than two minutes per person.

Meeting Format

A typical BSB meeting should include the following:

- Call the meeting to order
- Announcements
- Payroll and payable warrants
- Minutes
- Citizen's Concerns
- Select Board and Town Administrator reports
- General Business
- Press Time
- Executive Session (if necessary)
- Adjourn
- Upcoming Select Board Meetings (informational)

Meeting Agendas and Packets

Pursuant to Open Meeting Law, the agenda will be prepared by the Town Administrator for timely posting forty-eight hours, excluding Saturdays, Sundays or holidays, in advance of a scheduled meeting. In most instances, when the meetings are on a Monday, the procedure will be as follows:

- Board Members will communicate with the Chair and Town Administrator before 4:00 p.m. on the Wednesday prior to a scheduled meeting regarding agenda items that they wish to be included in the packet.
- Any Board/Commission/Committee on the agenda shall, except for a compelling reason or in cases of emergency, request to be on the agenda and submit all documents to be discussed at the meeting noon on the Thursday before the meeting. All meeting appointment times shall be coordinated through the Town Administrator. If materials are not pre-submitted, the BSB may reschedule the appointment of the Board/Commission/Committee.
- The agenda packet will be provided by the Town Administrator to the Board on Friday preceding a scheduled meeting.
-

The responsibility for coordinating and planning the agenda is that of the Chair. Each of the Board Members and the Town Administrator may request that items be placed on the agenda. The Town Administrator shall schedule a realistic time period for each appointment, item of business, interview etc.

Board Members shall not add or request last minute agenda items except in matters of emergency or those of a strictly routine nature which need no prior research, or which are of a strictly routine nature which need action before the next regularly scheduled meeting. Any changes to the agenda must fall under exceptions allowed under Open Meeting Laws.

The meeting packet includes all back-up data, pertinent information or outline for discussion that accompanies all subject matters or items to appear on the agenda. Agenda packets will be posted to the Town website, but hard copies will not be provided at BSB meetings to anyone other than members of the Board, the TA, and other necessary parties on the agenda. Items of emergency nature or those that are strictly routine which develop after the closing of the agenda may be considered under other business.

Members of the Board, staff, Town Administrator or others who prepare background material for the meeting must ensure that the material is included in the weekly packet. If the background material is not included in the packet, the item will be struck from the agenda and rescheduled for a subsequent meeting. If background material included in the packet is insufficient or complicated or if complex memos or motions are presented at the meeting, any member may request the tabling of the item to allow for careful study of the material presented or the motion proposed.

Joint Meetings

The Board may hold joint meetings with other Town Committees, Commissions, and Boards as deemed necessary. Each Board, Committee or Commission must post their meeting according to the Open Meeting Law at least 48 hours in advance of the meeting, not including Saturdays, Sundays or holidays.

Executive Sessions

If practicable, Executive Sessions, other than a few minutes in duration, will be scheduled at the end of the Open Meeting. Executive Sessions shall be called only for the purposes legally permissible under the open meeting law MGL Chapter 39 sec 23A. The meeting must be convened in open session, the Chair announces the purpose of the Executive Session, a majority of the Board must vote to enter an Executive Session and the vote must be recorded as a roll call vote. The Chair must announce whether the meeting will once again convene in open session and all votes taken in an Executive Session must be roll call votes.

The Board must maintain accurate records of both Open Meetings and Executive Session Meetings. At a minimum, the records must set forth the date, time, place, persons present, and action taken. The minutes must provide enough substance to allow readers to understand the nature and status of matters discussed at the meeting. Executive Session Records shall remain confidential only as long as the publication of such records may defeat the lawful purpose of the Executive Session but no longer. Thereafter, they shall be open to the Public.

Emergency Meetings

An Emergency Meeting may be called if the emergency in question is one that relates directly to the functions and responsibilities of the Board. An emergency is defined by law as “a sudden, generally unexpected occurrence or set of circumstances demanding immediate action.” Such a meeting may be held even though notice was not posted as required at least 48 hours in advance. Notice of such Emergency Meeting must be posted as soon as the Board determines that an Emergency Meeting is warranted and scheduled. Emergency Meetings are rare and only will be held if the BSB is in agreement that postponing the meeting would be detrimental to the Town.

Attendance at Meetings

The Town Administrator and Members of the Board are expected to attend all regular meetings. The Town Administrator shall attend Board meetings in order to ensure accurate record keeping, for purposes of updating Board Members and to coordinate and carry-out the actions of the Board. He/she shall recommend all matters that fall within the jurisdiction of the Office, shall carry out the actions of the Board as they relate to the conduct and administration of town affairs under his/her jurisdiction, and research and inform the Board on matters of law known to him/her.

This policy revokes and replaces all previous policies on this topic, including the policies approved on 3/10/1997 and 1/5/2015, and the unapproved policy dated November 2018.