



TOWN OF CONCORD

EFFECTIVE GOVERNANCE WORKSHOP

Cautionary Tales and Conversations

Fall 2023



YOU'VE BEEN APPOINTED, NOW WHAT?



Oath of Office every time you are (re)appointed

You accept your office by taking the oath of office

NO OATH = NO VOTE



Committee Handbook

Reference Material

Guides

Policies

Laws & Summaries



Required Proof of Reading & Training

Ethics Summary Acknowledgment

Open Meeting Law Acknowledgment

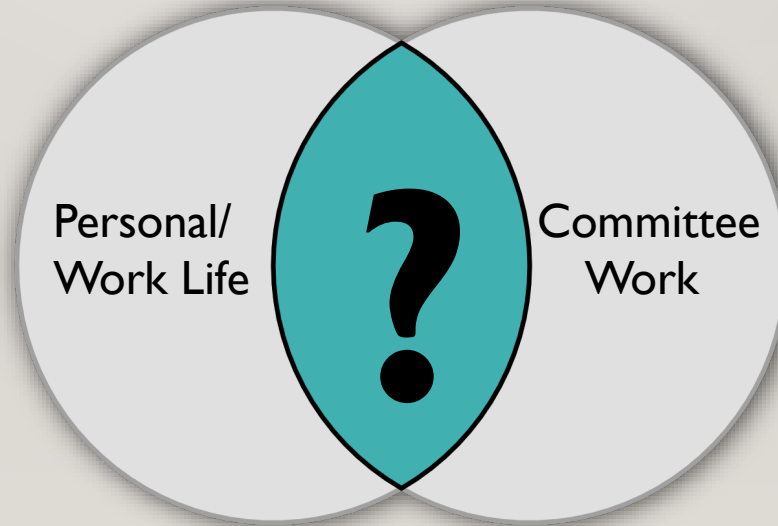
Ethics Commission online training certificate within 30 days of appointment

I'll get to it when I have time. I never have time...

CONFLICT OF INTEREST LAW

WHAT YOU NEED TO KNOW

- You are a Municipal Employee representing the town in your committee work
- Conflict of interest might occur when your committee work with your personal life intersect.
- It's about personal gain or undue influence because of your position on the Board or Committee





**CONSEQUENCES:
CONFLICT OF
INTEREST LAW**

691 municipal employees were subjects of complaints

\$61,000 in civil penalties assessed and collected by the Ethics Commission

77 private education letters were sent to municipal employees across the state.

28 of those were sent because a disclosure of the appearance of a conflict wasn't made

21 were the result of using public resources for other private purposes

17 were the result of participating in matters pertaining to abutting property (divided loyalties)

DISCLOSE BEFORE YOU ACT



I am an abutter
I am on the board of directors
I have worked for the applicant
The applicant is a former client
I volunteer for the applying organization



UNSURE? GET ADVICE! BEFORE A CONFLICT IS LIKELY TO OCCUR

- **CALL** the Ethics Commission "Attorney-of-the-Day:" (617) 371-9500 / (888) 485-4766
- **Make a REQUEST ELECTRONICALLY:**
www.mass.gov/ethics
- **SEND A LETTER** Requesting an Informal Written Advisory Opinion



State Ethics Commission

OPEN MEETING LAW POSTING REQUIREMENTS



Agenda is posted
online
when, where, what



Agenda updates
New information only



Meeting Packet
What you will discuss



Meeting

48 hours



WHAT GOES INTO AN AGENDA?

- Committee Name
- Date and time of your meeting
- Location
 - In person? Confirm the physical location
 - Virtual? Contact your staff liaison or Select Board Office for Zoom link
 - Hybrid? Do both
- Detail of what will be discussed

AGENDA POSTING

48 hour online posting deadline

- Don't count weekends & holidays
- 3 days prior – contact staff liaison for a zoom link
- 3 hours prior – forward agenda to meetings@concordma.gov
- Subject Line: Agenda





AGENDA POSTING

Chair
or
designee



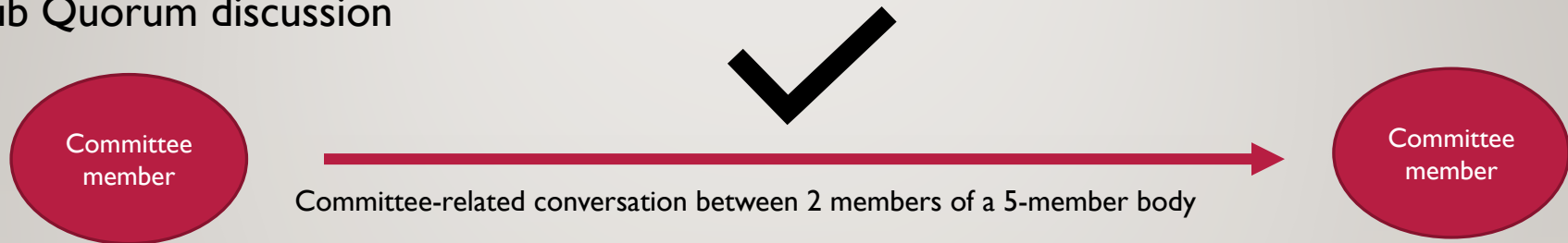
48 Hours

Online posting deadline

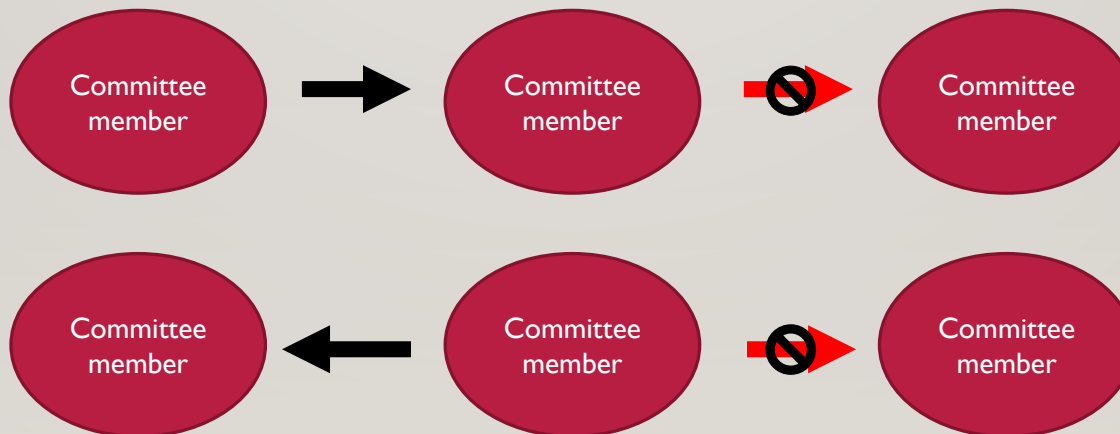


OPEN MEETING LAW TANGLES: SERIAL COMMUNICATION

Sub Quorum discussion



Communications that relate to committee business outside of a posted meeting may not reach a quorum.





OPEN MEETING LAW TANGLES

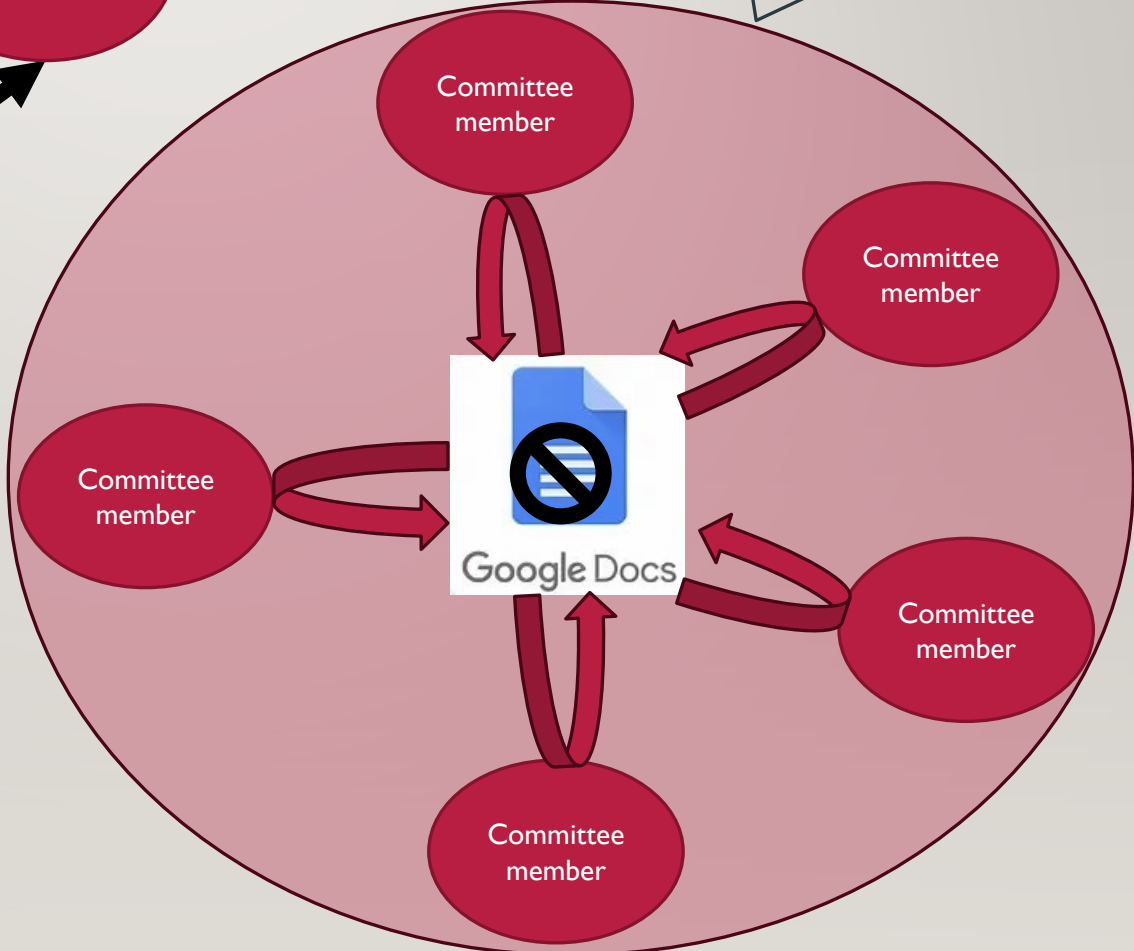
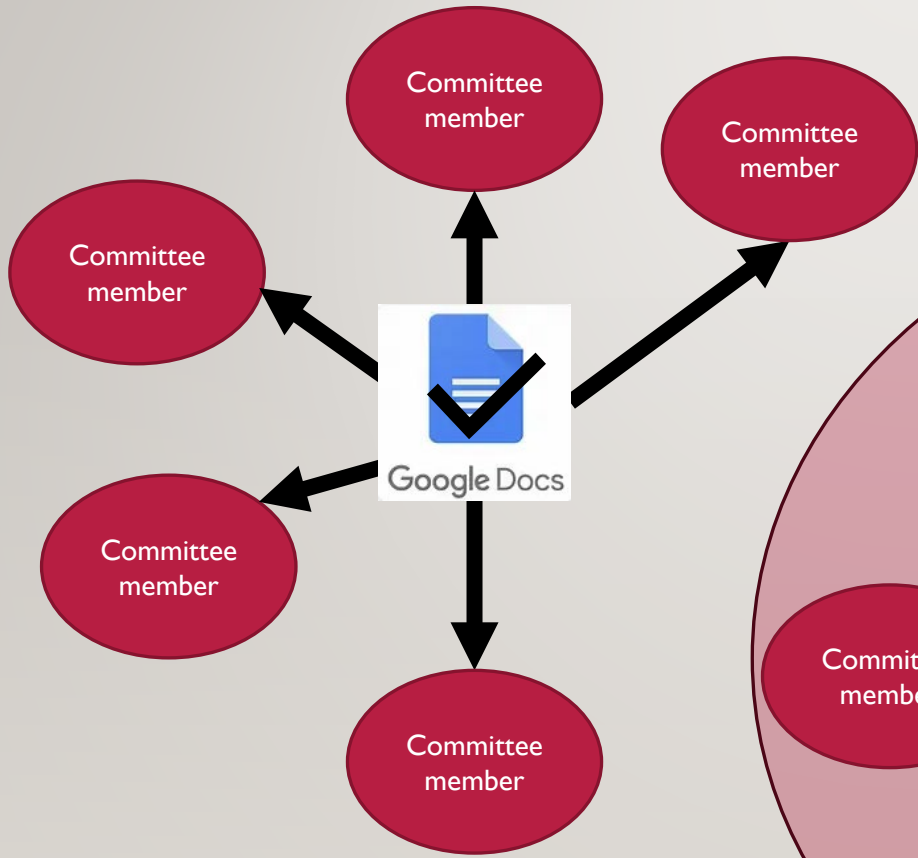
MEETING MINUTES
& COMMITTEE
DOCUMENTS

THE DO'S AND
DEFINITE DON'T'S





Texts and document editing apps are forms of communication (& deliberation).



ONE-WAY COMMUNICATION VS. SERIAL COMMUNICATION



MINUTES

Required

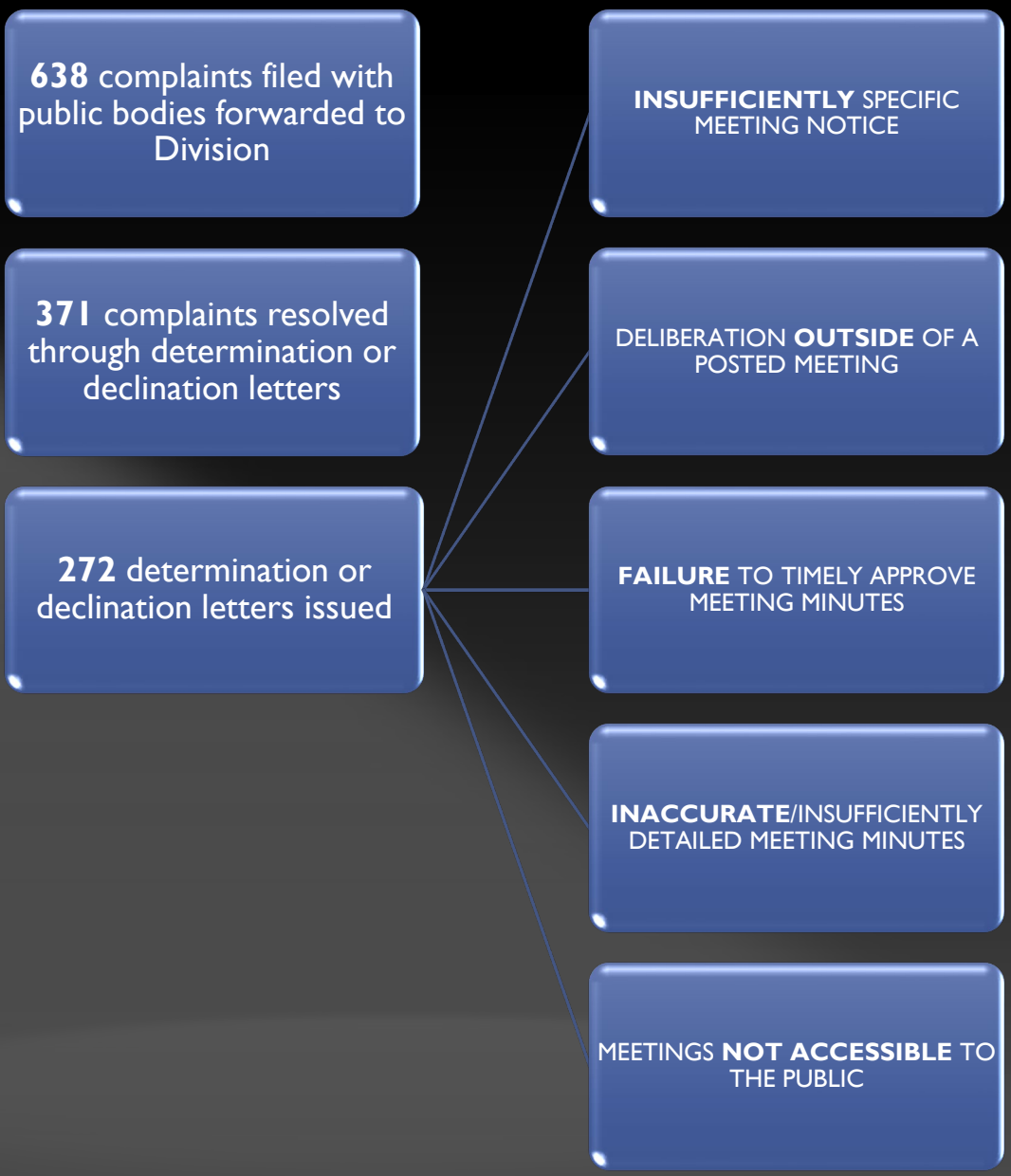
- Date, Time, Place of meeting
- Members Present
- Dates of minutes approved
- Summary of matters discussed
- Votes taken
 - Roll call required if any members are virtual
- List of documents present or referred to
- Time of adjournment

Optional (not required)

- Detail of who said what
- Future meeting schedule

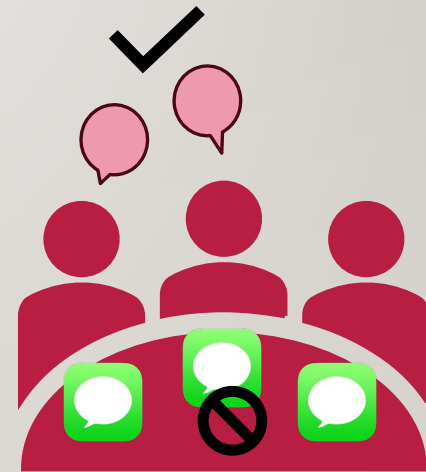
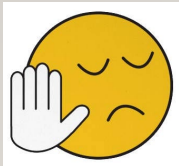


OPEN MEETING LAW VIOLATIONS



OPEN MEETING LAW ETIQUETTE

- Don't text each other during meetings
- Keep the door to the meeting room open unless you are in executive session
- You can't mandate civility from the public, but you can limit the time or eliminate it entirely (but is that really a good idea?)
- Don't let the public take over the meeting






OPEN MEETING LAW TANGLES:
CIVILITY

YOU CAN DISAGREE WITHOUT
BEING DISAGREEABLE. RBG



PUBLIC RECORDS AND PRIVATE EMAILS

Email that relates to your committee work belongs to your committee



Committee email is considered a public record



PUBLIC RECORDS AND PRIVATE EMAILS

Keeping the public out of your personal email

- Don't mix personal conversations into committee-related email messages
- Public Records Request? Forward only committee email to the Records Access Officer
- Create a gmail account for your committee and cc that gmail account on committee correspondence





PUBLIC RECORDS REQUESTS

Forward the request to
townclerk@concordma.gov

Work cooperatively with
Records Access Officer

There is a 10-business day
response timeline

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UPDATED COMMITTEE HANDBOOK

SESSION 3

CONVERSATION CAFE

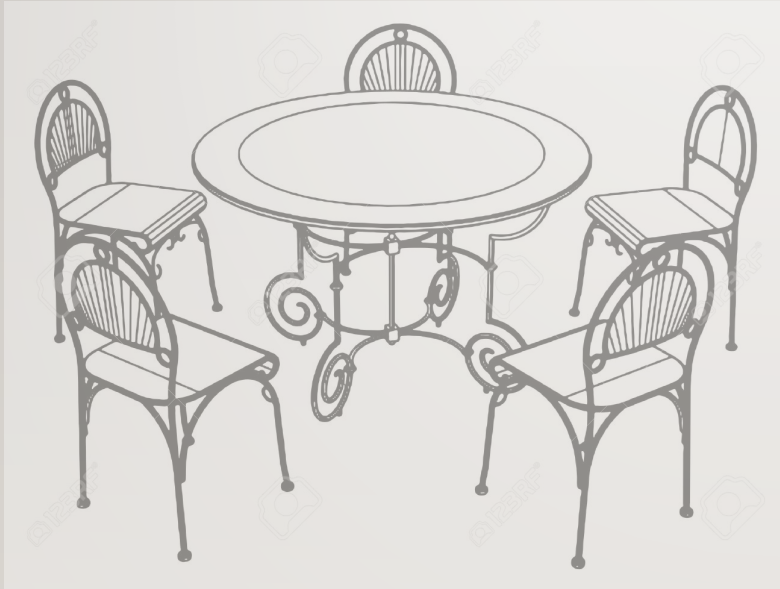


TABLE TOPICS

- ❖ Running and keeping control of your meetings, Codes of Conduct, and zoom
- ❖ Agendas, Minutes and Records Management
- ❖ Living with the Open Meeting Law

QUESTIONS?

WHERE TO TURN

THANK YOU!
