



Volunteer Training

Town of Carlisle

July 18, 2023



Training Agenda

- Town structure
- Open Meeting Law
- Managing public comments
- Volunteer Onboarding
- HR policies
- Appointment and resignation process
- Finance

Town Structure - Key Documents and Sources

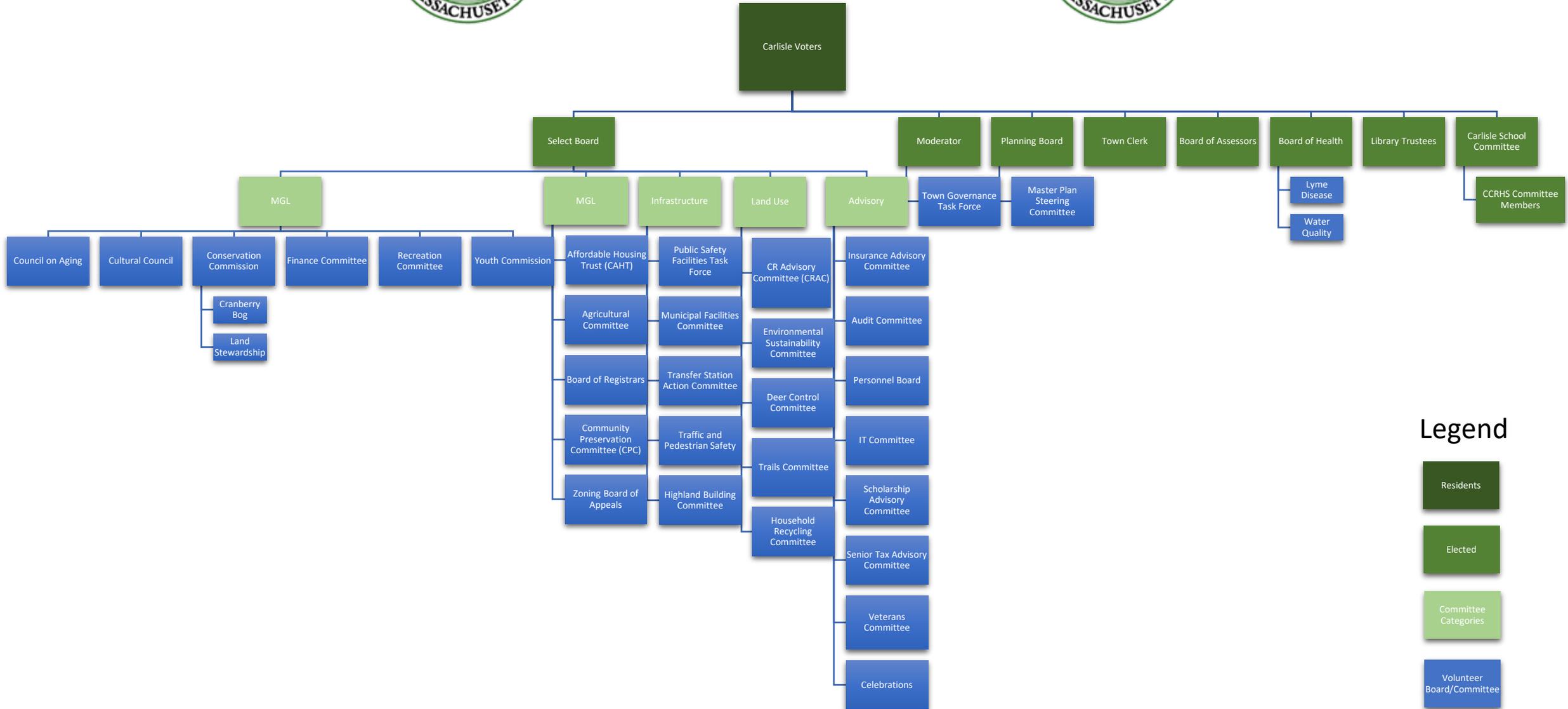


- [Town Website](#)
- [Bylaws](#)
- [Policies and Procedures](#)
- [Master Plan](#)
- Social Media and Online
 - Facebook/Twitter/Instagram/LinkedIn
 - City in the Woods
 - Website subscriptions



Town of Carlisle

Town Structure



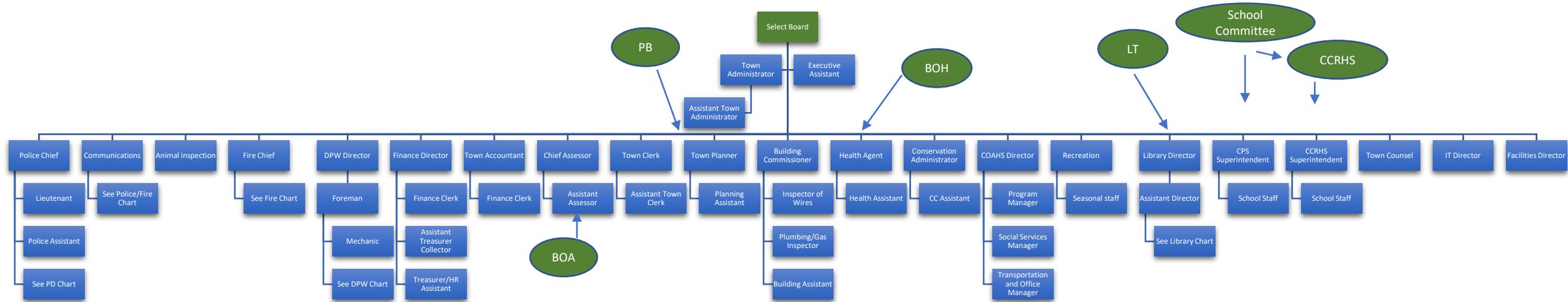
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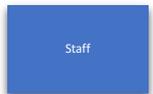
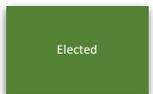


Town of Carlisle

Departments



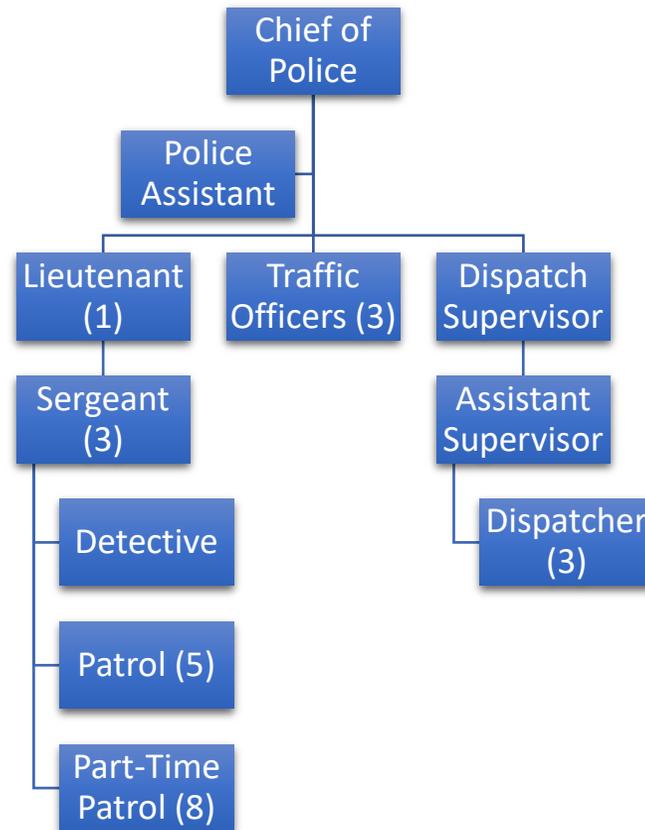
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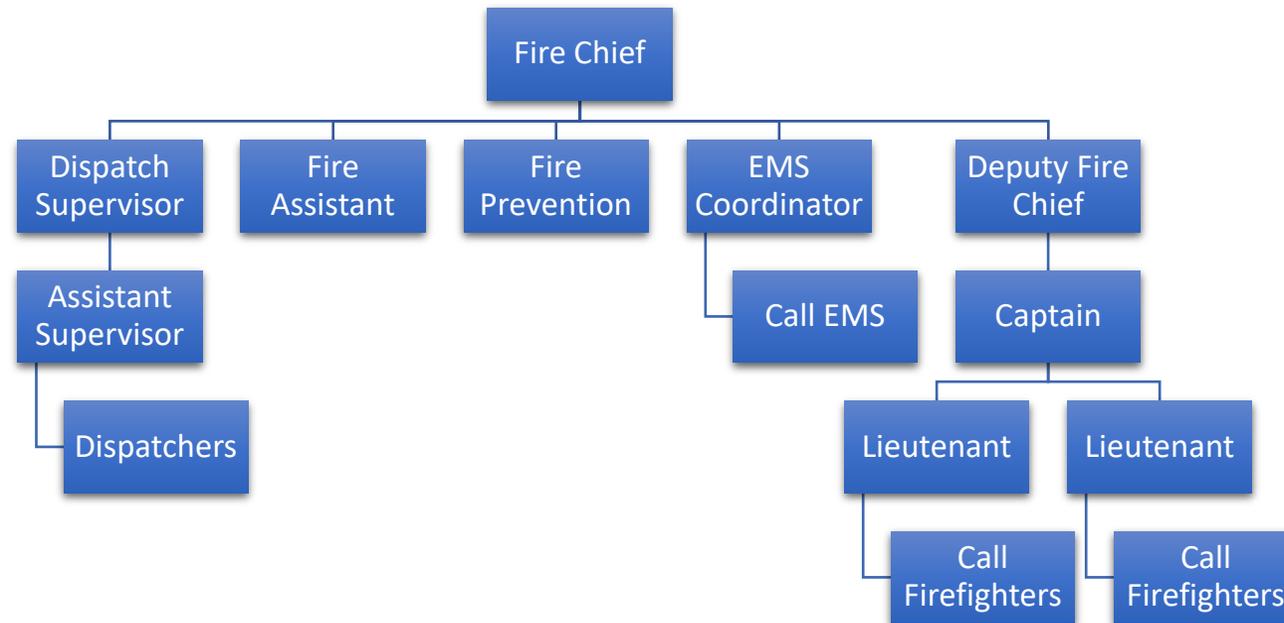
Police Department





Town of Carlisle

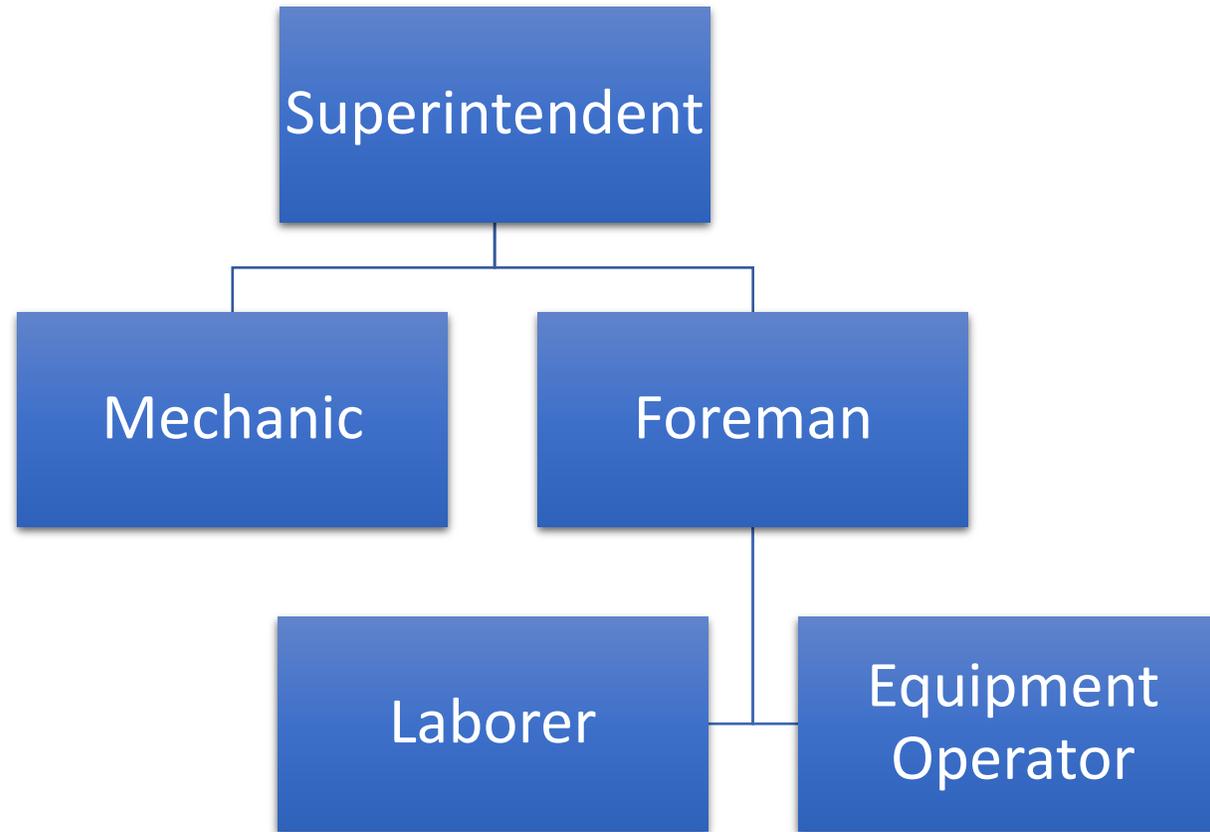
Fire Department





Town of Carlisle

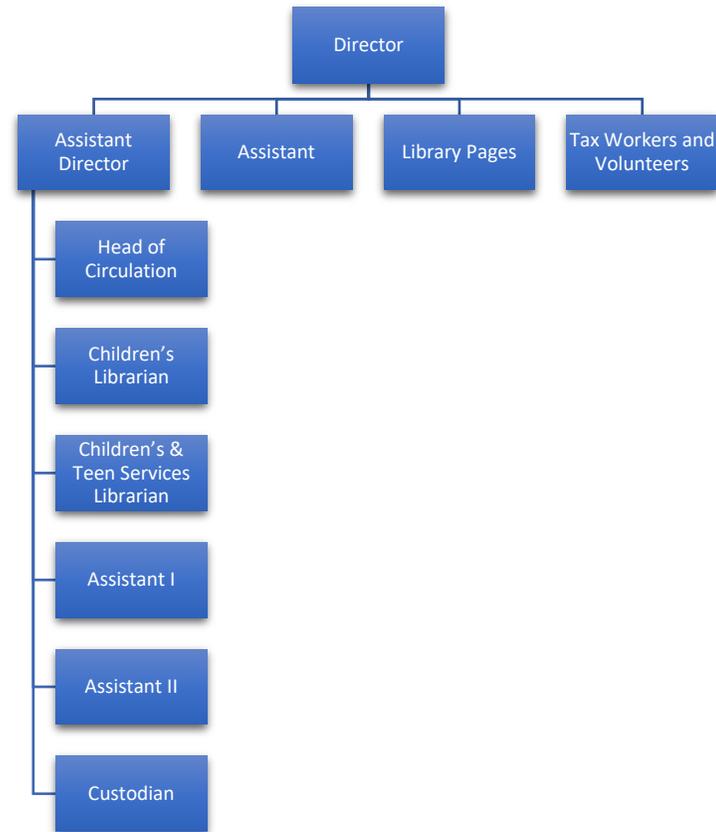
Public Works





Town of Carlisle

Library

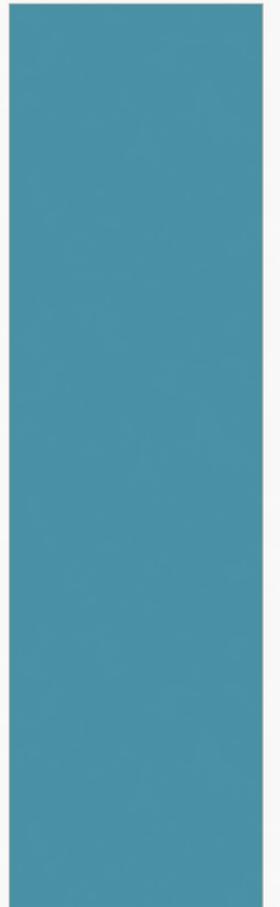


Open Meeting Law Public Records Law

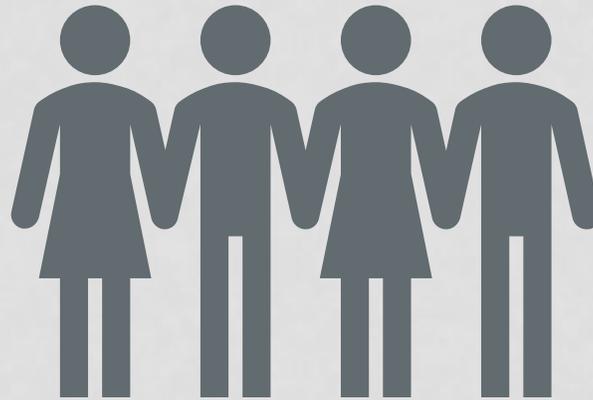
Basic Overview



Local options at work



Open Meeting Law



All public bodies, even subcommittees

Educational Requirements

OML Certificate

OML and
Regulations

OML Guide

New Cert upon
re-appointment
or re-election

Violations
for last 5
years

Meetings of a Public Body

All meetings of a public body must occur during a posted/noticed meeting (with some minor exceptions)



What is a Meeting?

A deliberation by a quorum of public body with respect to any matter within the body's jurisdiction, with certain express exceptions.



What is NOT a Meeting?

- On-site inspection provided no deliberations
- Attendance by a quorum at an event provided no deliberations
- Attendance by a quorum at a meeting of another public body provided no deliberations
- Town Meeting

What is a Deliberation?

An oral or written communication through any medium, including electronic mail, between or among a quorum of a public body on any public business within its jurisdiction.



What is NOT a Deliberation?

- Sub-quorum, if not subcommittee
- Distribution of meeting agenda, scheduling or procedural information
- Distribution of reports or documents to be discussed – so long as no opinion of a member of the public body is expressed

File Sharing and Collaboration

- *Boelter v. Bd. of Selectmen of Wayland*, 479 Mass. 233(2018) – in *dicta* document sharing with member opinions may not violate OML if simultaneously posted publicly online. [AG indicates this may not be permissible.](#)
- Google Docs – not recommended (iterative revisions equate to deliberation)
- Recommend: short remote only [public](#) meeting to exchange draft documents (all formalities including posting notice and minutes required)

Meeting Notices/Agendas



48 Hours (excl. weekend/holiday)



Location/Remote Access Info and Time

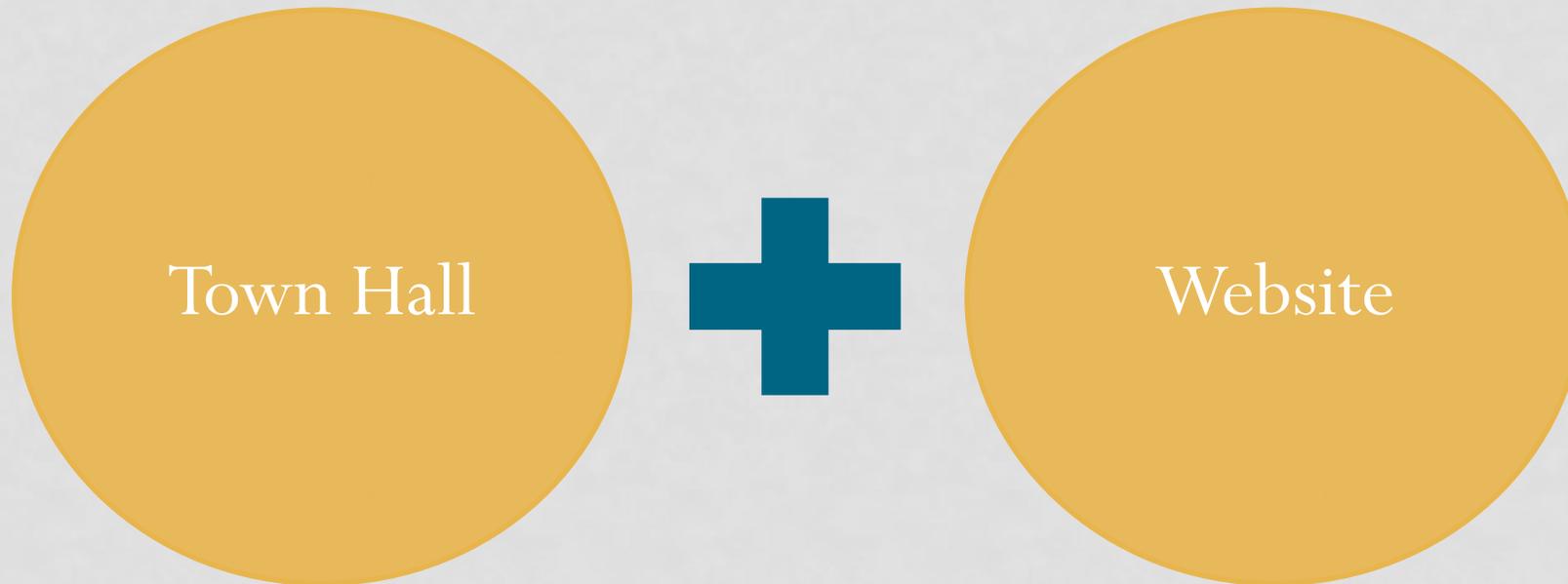


Reasonably Advise Public of Topics



If Executive Session is only topic, must note Open Session before Executive Session on Agenda

Meeting Notices/Agendas



Minutes

- Written minutes are required, a recording alone is not sufficient
- Date, time, place, and members present
- Identify those members participating remotely (roll call votes)
- Sufficient detail: Reasonably advise individuals not at the meeting of what transpired
- Decisions made and actions taken, including record of each vote (roll call where appropriate)
- List any documents and other exhibits used at the meeting



Approval of Minutes

OPEN SESSION

Approval: 30 Days or within 3 Meetings, whichever comes later

Public Record: Yes, and documents “used” at the meeting (limited exceptions)

Approval of Minutes

EXECUTIVE SESSION

Approval:

- Same as Open Session
- Either OS or ES (but may be released if reviewed in OS)

Release: Every 3 months must determine whether the minutes are ripe for release. Announce in OS.

- May designate someone to review.

Public Record: Once voted, minutes yes, depends on documents

Requests for Minutes

A Trap for the Unwary!

- OML: Minutes, in either final or draft form, must be provided within 10 calendar days of a request.
 - Request for ES Minutes trigger obligation to review minutes for release, if not recently done.
- PRL: Documents, must be produced within 10 business days of a request.

Executive Session

- 10 Reasons ONLY!
- Procedures:
 1. Convene in Open Session
 2. Motion to enter Executive Session
 - Non-members must be invited into the meeting
 3. Chair makes declaration, if required (purpose 3, 6, and 8)
 4. Specify whether public body will return to open session for reasons other than adjourning
 5. Roll call vote taken on motions to enter ES and on all motions during ES, including leaving

PURPOSE 1

To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee or staff member or individual.

Remember:

1. Specific notice requirements
2. May review OML complaints under Purpose 1

PURPOSE 2

To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel.

Remember:

1. Motion must identify the nonunion personnel or the union.
2. The public body must vote in OS to execute a non-union contract.
3. May approve the final terms of the collective bargaining agreement in ES, but should disclose in OS.

PURPOSE 3

To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on bargaining or litigation position and the chair so declares.

Remember:

1. Chair must declare!
2. Litigation must be pending or be imminently threatened

PURPOSE 6

To consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiation position of the public body.

Remember:

1. Chair must declare!
2. Consider identifying property in the motion and notice for the meeting.

PURPOSE 8

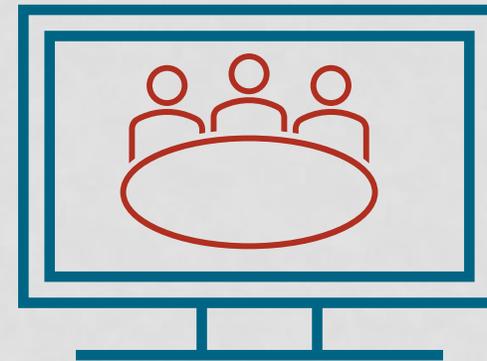
To consider or interview applicants for employment or appointment by preliminary screening committee if the chair declares that an open meeting will have a detrimental effect in obtaining qualified applicants.

Remember:

1. Does not apply to meetings of a committee to consider and interview applicants who have already passed a prior preliminary screening.
2. Does not apply to a screening committee that contains more than a quorum of the parent body.
3. Chair must make the required declaration!

COVID and Remote Meetings

- Public body members may *participate* remotely w/ o quorum physically present
- Public *access* may be provided remotely only
- March 31, 2025



Remote Participation & Access

Participation of Public Body Members

- Announce the name of all members participating remotely
- Roll call

Accessible to Public (under COVID rules)

- Live streaming (e.g., free Zoom access), telephone, local access television sufficient
- Recording (not real time) insufficient

Appeals



Public Records Law



What records are subject to the PRL?

Applies to all “documents” made or received by a public officer or employee, regardless of format.

Government
Property

- Town email address
- Text messages sent via Town provided phone
- Town Twitter/Facebook

Private property, but
sent as a municipal
official/business
related

- Personal email
- Text messages
- Social Media (Joe Smith, member of ConsComm)

Are all records public?

Presumption that the record is public.



What are the exemptions?

- ❖ Exemption A - Statutory
- ❖ Exemption C - Privacy
- ❖ Exemption D – Deliberative Process
- ❖ Exemption N – Security
- ❖ Exemption O – Appointed Official
- ❖ Attorney Client

Just some. Ask
if concerned!

I have a request – I think – now what?

- ❖ Formal request

- ❖ Informal request

e.g., Can I see the building department file?

Contact the RAO!

Responding to the Request

10 Business Days
to Respond

- ❖ Provide Records
- ❖ No Responsive Records

- ❖ Withhold Records
- ❖ Additional Time – 25 Business Days
- ❖ Modification
- ❖ Clarification
- ❖ Fee Estimate

Right to appeal must be
noted in response letter

No responsive records



No Responsive
Records



No responsive
records plus
brief
explanation



Be Literal!

Withholding a Responsive Record



Letter **MUST** include:

- ✓ Description of document withheld
- ✓ Relevant exemption
- ✓ How the exemption applies
- ✓ A/C – privilege log
- ✓ Right to appeal

Additional Time

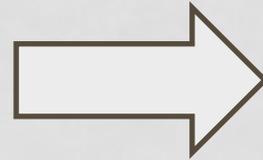


Detailed statement describing why the magnitude or difficulty of the request unduly burdens the other responsibilities of the Town

Provide notice that you will be assessing fees, if applicable

Modification or Clarification

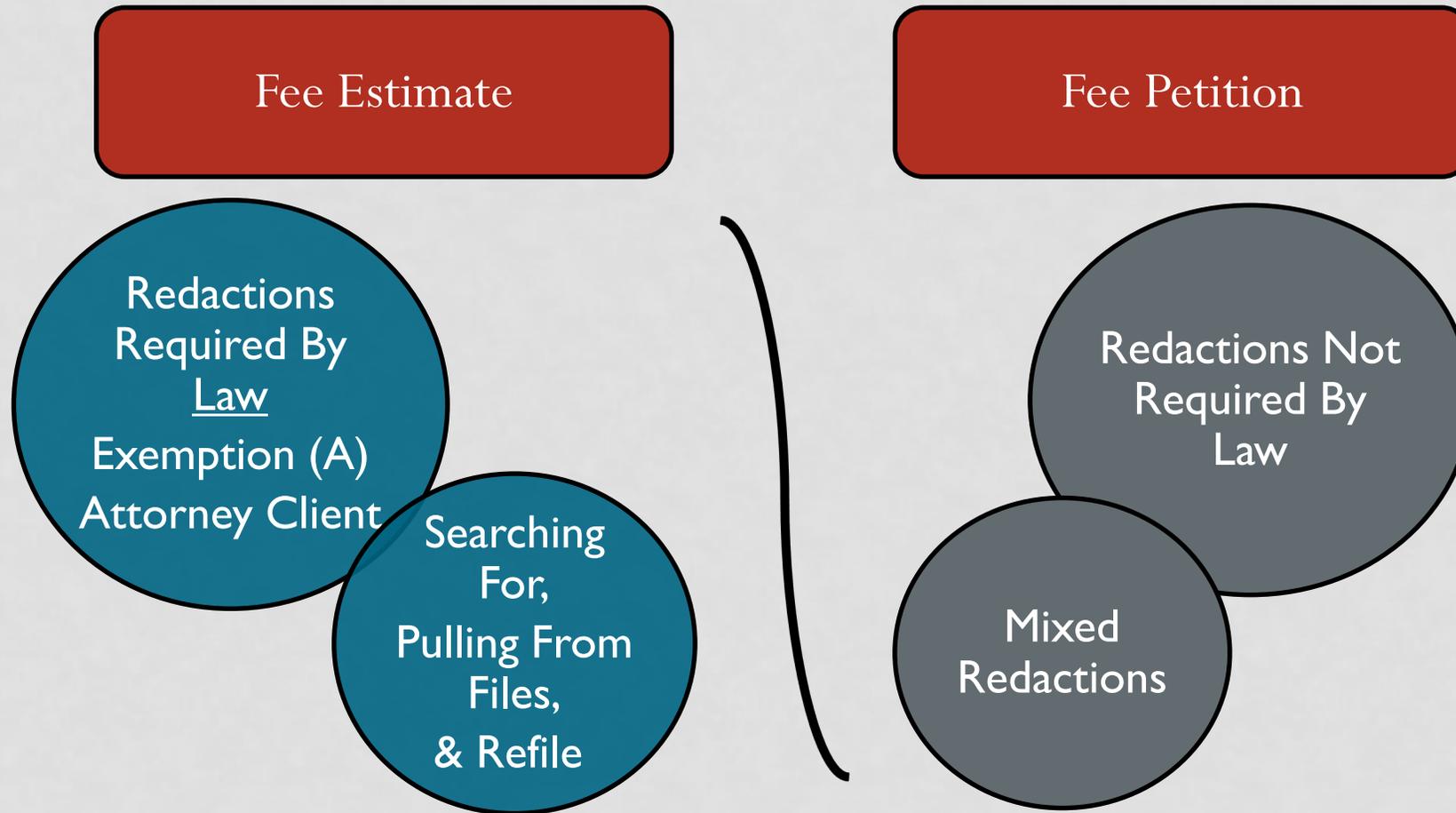
All records related to or pertaining to the Cook Street development.



All emails sent or received by the CPDC Chair between January 1, 2021, and March 1, 2021, that refer to the development at 12 Cook Street.

Helpful to do a preliminary estimate

Fee Estimate vs. Fee Petition



How to Calculate the Fee

First two hours free
(in municipalities with
over 20,000 residents)

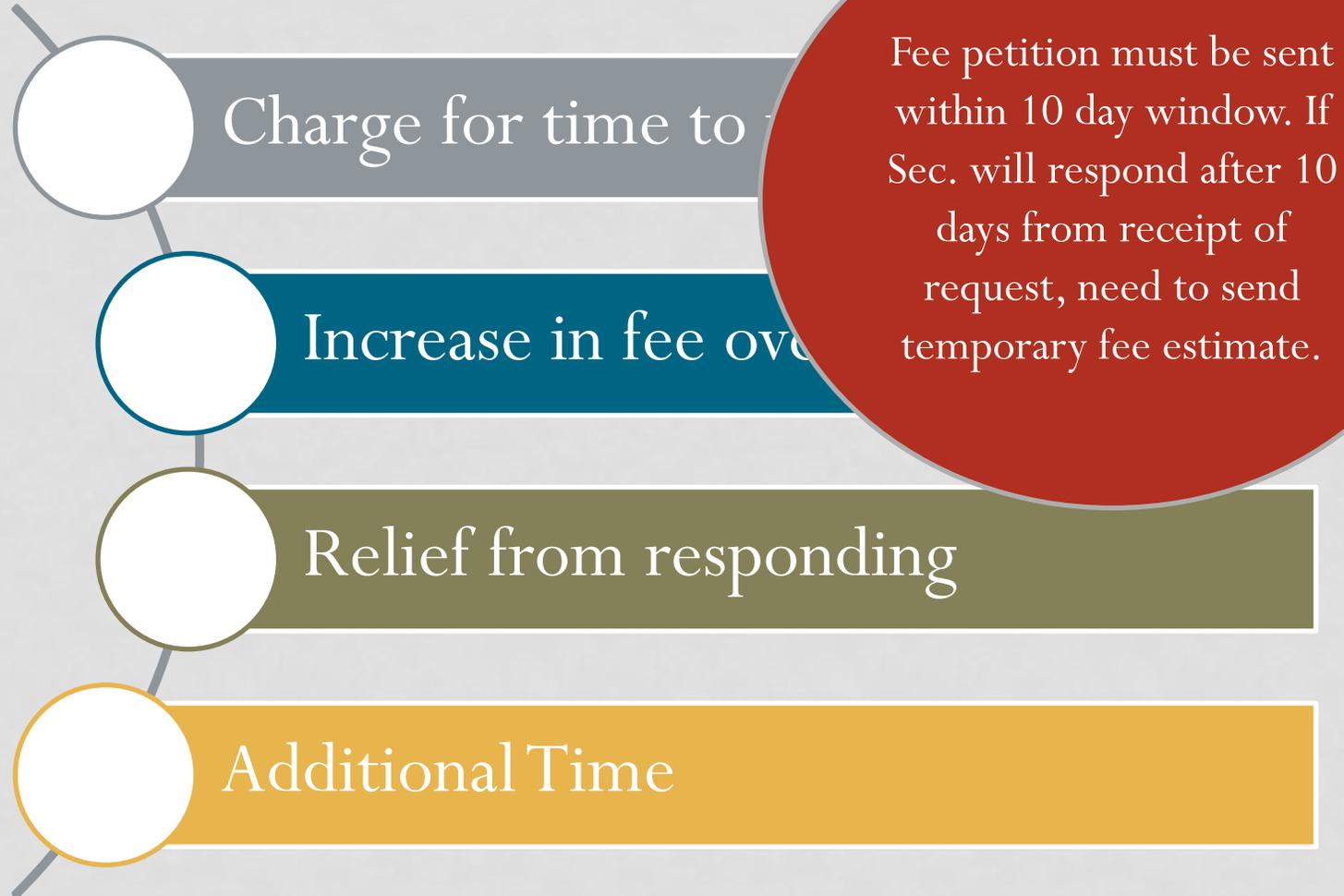
\$25 or lowest paid person
capable of performing the task,
whichever is lower

Don't start
production
until payment
is received!

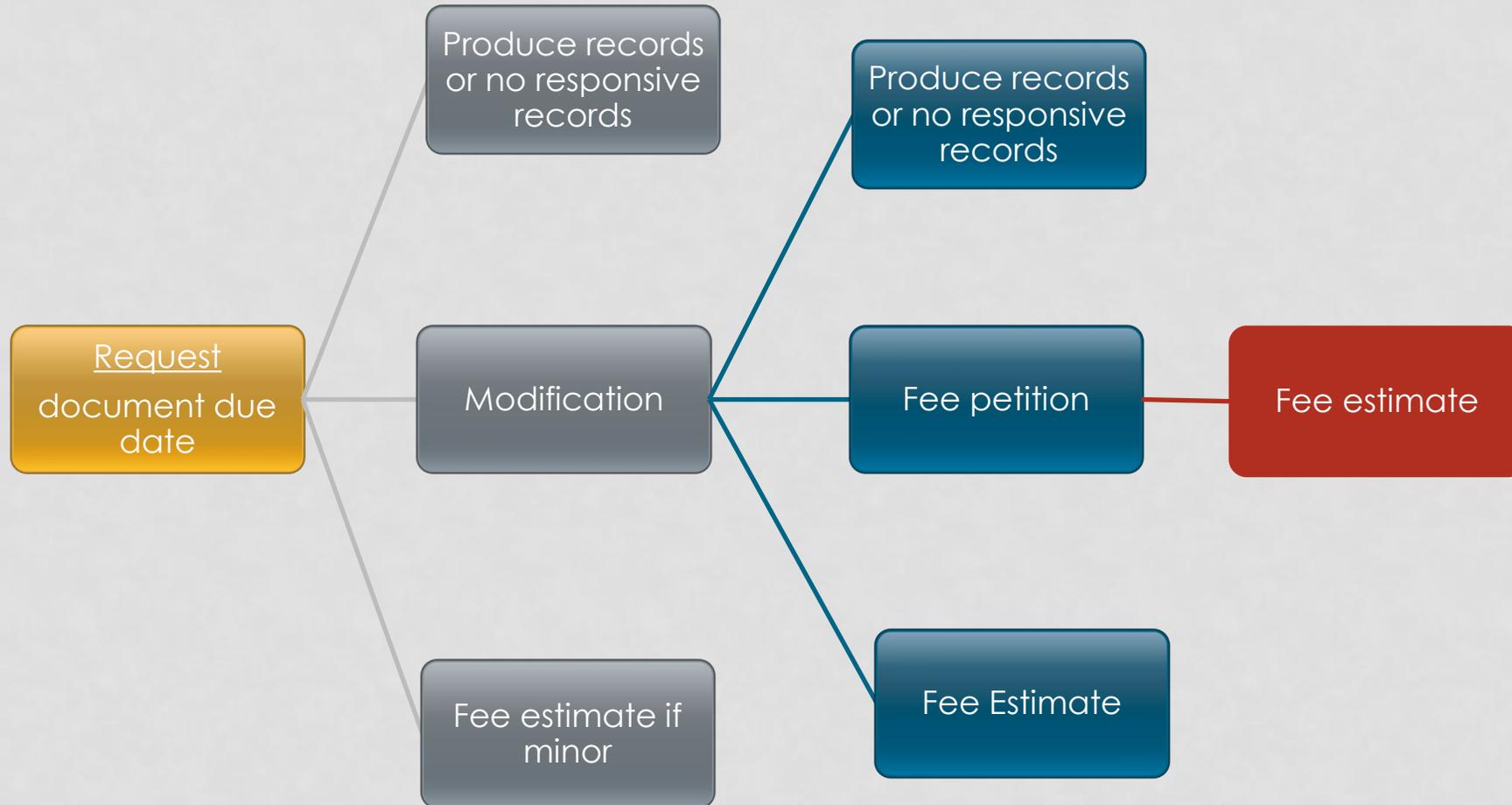
\$.05 per page for
copies

Actual cost of production
(large prints, USB, mailing)

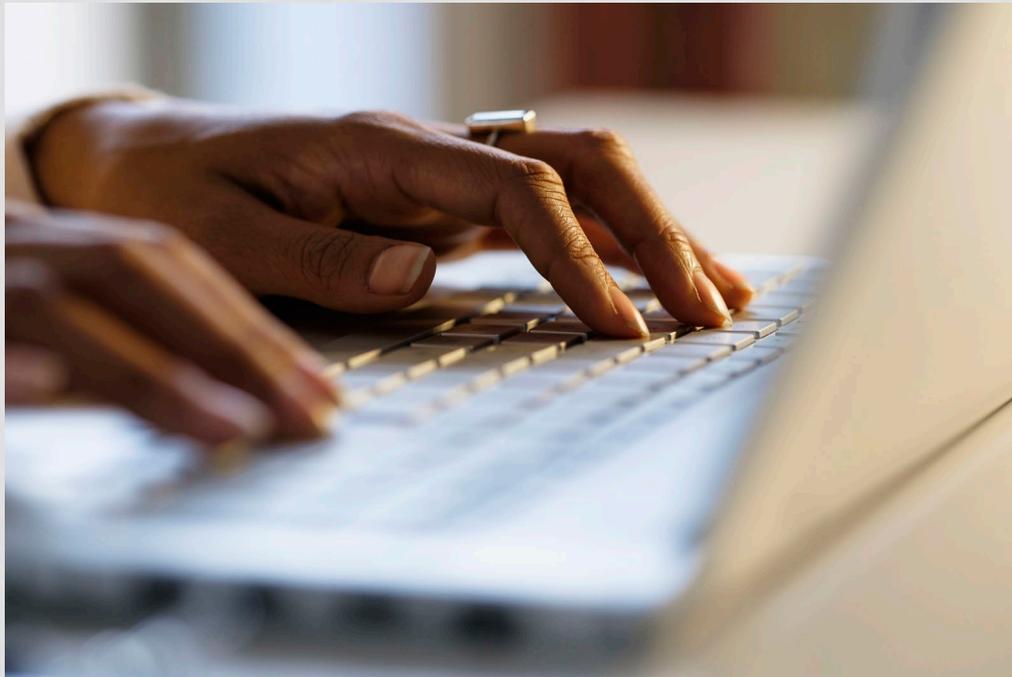
Fee Petition



Overall Process



Things to Note!



Electronic
Version

Searchable PDF

Should this be
online?

Appeals

Supervisor of
Public Records

Superior Court

Identity of the Requestor



Retention



QUESTIONS?



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Managing public comments

- [Best practices policy from MMA](#)

SAMPLE GUIDELINES FOR INDIVIDUALS SPEAKING AT PUBLIC MEETINGS

- Chair is responsible for conducting public meetings.
- May allow public comment session. Time limits recommended.
- Public may speak only with permission of chair and identify themselves.
- Matters presented will not be debated or acted upon at the time they are presented.
- Speakers must conduct themselves in a peaceable and orderly manner.
- No true threats or violence or incite imminent lawless conduct by others.
- Speakers are encouraged to refrain from acts which disrupt or otherwise impede the orderly conduct of any meeting.
- Cannot disrupt proceedings of a meeting. Chair may authorize removal of person from meeting.
- Same rules apply to remote participation.
- Because of constitutional free speech principles, public bodies do not have the authority to prevent or limit all speech that may be upsetting or offensive during such sessions.



Volunteer Onboarding

- [Public Body Handbook](#)

- Certificate of Receipt of Open Meeting Law Materials
- Acknowledgement of Receipt of Summary of Conflict of Interest Law 2022
- Open Meeting Law Guide and Education Materials
- Special Guidance File Sharing and Collaborative Software
- Summary of the Conflict of Interest Law for Municipal Employees
- Inspector General's Guide for Members of Public Boards and Commissions
- Agenda and Minutes Style Guide
- Direct Links to State Departments and Resources



HR policies

Appointing authorities

1. Current employees

1. Goals
2. Evaluations

2. Employee turnover

1. Managing exit interview, hiring process, onboarding



Appointment and Resignation Process

- Appointment process
 - Work with Jenn Gibbons, Executive Assistant to the Select Board, on recruitment
 - Boards/Committees receive letters of interest and meet with candidates
 - Recommendations sent to SB for approval and appointment
- Resignation Process
 - Member submits letter of resignation to Town Clerk, who then sends it to the Select Board and the chair of the board/committee
 - Town Clerk must receive the resignation letter for the resignation to be deemed effective (M.G.L. Ch. 40 §109)



Finance

- Invoices / Purchasing

- **Utilize sales tax exemption.** Personal purchase reimbursements will not include sales tax.
- When making a purchase under the Town's account:
 - You **MUST leave your name and/or committee name** as a comment on the order
- Invoices should be verified that services were performed/items delivered, THEN signed by the designated member of the committee prior to submitting them to the accounting office.
- The committee should formally designate this member at an open meeting. If a committee has more than one account (i.e., gift account, general fund operating budget, etc.) **it should be noted which account the invoice is intended to be paid from on the invoice itself.**
- **Be aware of your budget and available funds.** If you are unsure what your balance is, contact the accounting office.

- Budgets



Finance

- Turnovers (Revenue)

- Any volunteer that collects money needs to fill out a Turnover sheet in triplicate (one for Treasurer, one for Accountant and one for themselves).
- Money needs to be turned in no less than once a month,
 - Large amounts should be weekly or biweekly.
- For existing accounts, the Treasurer's Office can assist with the Turnover sheet. **Any new purpose funds collected need to be discussed with the Accountant** for a new account to be set up.