## COMMITTEE HANDBOOK

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1.0 INTRODUCTION

1.1 Purpose

The purpose of this handbook is to assist the many boards, commissions, and committees of the Town of Kingston. It provides a brief description of procedures which may be well known to many, but are less familiar to others. It also provides details about important State statutes, such as the Open Meeting Law and Conflict of Interest Law.

1.2 Additional Publications

All committee members should read the Annual Town Report and the Town Bylaws for information regarding boards and committees. In addition, all committee members should review each set of laws that pertain to a certain board, commission, or committee.

2.0 FORMATION OF COMMITTEE AND MEMBERSHIP

2.1 Types of Committees

There are two types of appointed committees involved in Kingston Town Government, namely:

A. Permanent Committees of the Town (e.g. Zoning Board of Appeals, Finance Committee, Wage and Personnel Board, Conservation Commission, etc.). These are established by Bylaw, State statute/law, or by Town Meeting Vote. These committees are assigned specific responsibilities for certain functions of the Town.

B. Study, Advisory Committees, and Subcommittees. These committees are established by Town Meeting vote or by the Board of Selectmen or other boards to study problems/issues facing the Town and to bring back recommendations.

The composition of most appointed committees is specified by Town bylaws or Town Meeting vote.

2.2 Committee Formation

Appointments to committees in Kingston are made by any one of several elected boards, the Town Moderator, or by some combination thereof (hereinafter referred to as the “appointing agencies”). State statutes outline the authority and duties of many boards and the Town Bylaws further define the work of some boards. Town Meeting may request the appointment of a committee by approving an article for that purpose. The appointing agency prepares the charge/mission and receives the reports and recommendations of the committee. If appropriate, the committee may also report to Town Meeting.

2.3 Committee Application Procedure

When openings on committees are available, the openings are generally published as a listing in the local newspaper and on the Town’s website www.kingstonmass.org. Candidates seeking an appointment on a particular committee are urged to send a letter of interest or fill out a volunteer form (also known as a “Project SAVE” form) available in the Selectmen’s office and on the Town’s website. When no opening exists, the letter of interest and/or form will be held on file for consideration when an opening becomes available.

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A detailed letter of interest will assist the appointing agency in making the best decision on committee appointments. Ideally, the application should list education, work experience and outside accomplishments that will significantly contribute to the committee’s area of responsibility.

2.4 Appointment

The goal of the appointing agencies is to appoint qualified and interested Kingston residents who are broadly representative of the Town. The appointing agencies carefully consider letters of interest and recommendations by committees. The appointee receives formal written notification of appointment and the term of office from the appointing agency. The appointee shall appear before the Town Clerk to take the oath of office prior to attending a committee meeting as an official member. The Town Clerk gives committee members information about the Open Meeting Law (MGL Chapter 30A, Sections 18-25) and the Conflict of Interest Law (MGL Chapter 268A), as State statutes require. Members must sign a written acknowledgement of receipt.

Permanent committee appointments are generally for three year terms or as designated by the Bylaws, State statute, or appointment notification.

* NOTE: The above procedure does not apply to the filling of vacancies on elected boards.

In instances where a citizen assists a committee, but is not appointed, that person is not considered an official committee member and, as such, has no vote in committee proceedings.

2.5 Committee Orientation

New members to a committee or board should be informed about the committee’s specific role, authority and duties, rules and regulations, and any issues frequently encountered by the board or committee. Such information can be provided by the committee Chairperson, other members, and/or staff personnel.

2.6 Conflict of Interest Statute (MGL Chapter 268A)

2.6.1 Purpose

The purpose of the conflict law is to ensure public employees’ private financial interests and personal relationships do not conflict with their public obligations. The law is broadly written to prevent a public employee from becoming involved in a situation which could result in a conflict or give the appearance of a conflict.

The law restricts what a public employee may do: 1. On the job; 2. After hours; and 3. After leaving public service.

2.6.2 Provisions

The law prohibits a variety of actions, including bribery, extra pay, receipt of gifts or privileges because of committee 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 municipal employees from participating in a particular matter in which committee members or any of the following have a financial interest:
Immediate Family: includes the employee and spouse, their parents, children, brothers and sisters. Cousins, nephew and nieces, aunts and uncles, etc. are not considered immediate family members. Also, under the definition of the immediate family, some brothers-in-law are immediate family, while others are not (if your brother-in-law is your spouse’s brother then he is immediate family. If he is your sister’s husband then he is not immediate family for the purposes of the conflict law).

Partner or Business Associates.

A Business Organization in which the committee member serves as an officer, director, trustee, partner or employee (including a non-profit organization).

Any Person or Organization with whom the committee member is negotiating or has any arrangement concerning prospective employment.

If board or committee members have a conflict of interest or an appearance of conflict in any matter before the board or committee, they should not be counted in the quorum nor participate in or be present for any pertinent discussion or votes. The law provides for the legal determination of conflict of interest status for any employee submitting a request to the appointing agency or State Ethics Commission (“Commission“)*. The law also provides for continued service in certain circumstances if full disclosure is made or a special exemption is granted by the Board of Selectmen. If committee members have any questions about their activities, they should file a written request for an opinion from Town Counsel through the Town Administrator** or seek a free legal opinion from the State Ethics Commission legal department (617-371-9500). The answer to the request may be in writing and may become a matter of public record.

* “Municipal Employee” refers to anyone holding any office, position, employment or membership in any municipal agency. Unpaid members of local Town boards and committees are municipal employees as are private citizens serving on a special advisory committee.

** Town Administrator is the municipal liaison to the Ethics Commission.

2.6.3 Ethics Reform Law

Chapter 28 of the Acts of 2009, the ethics reform law, imposes new mandatory education and training requirements on public employers and public employees. The law authorizes the Commission to establish procedures to implement and ensure compliance with these requirements, and these Implementation Procedures are issued pursuant to that authority. The new requirements can be summarized as follows: Every state, county, and municipal employee must be given a summary of the conflict of interest law prepared by the Ethics Commission and must complete an online training program prepared by the Commission. Every municipality must designate a liaison to the Commission. All records of compliance with these requirements must be retained for 6 years. These new requirements apply to all public employees, as defined by the conflict of interest law, except to the extent that an employing public agency exempts certain categories of employees from these requirements.

All state, county, and municipal employees (including members of committees, boards, commissions) must complete the online training program that is currently on the Commission’s website within 30 days of becoming a public employee, and then once every two years afterwards. Public employees must provide a certificate of completion to their employers (Kingston Town Clerk is the Keeper of Records), as defined herein, and the employers must retain such certificates for six years. A public employee who completes the training
currently on the Commission’s website will not be required to take a new online training program until the next two year period. The online training website is: http://db.state.ma.us/ethics/quiz_MEthics/index.asp

2.7 Reappointment

Reappointment is based on an evaluation by the appointing agency of the citizen’s contribution to the committee, the desirability of widespread involvement, and the changing needs of the committee and the Town. There is no fixed limit on length of service unless specified by State statute. If a person chooses not to be appointed, the appointing agency should be advised in advance. A committee member is under no obligation to accept reappointment nor is the appointing authority obligated to offer reappointment.

It is incumbent upon the committee Chairperson to make recommendations regarding the reappointment of committee members. Specific reasons for positive or negative recommendations should be stated.

2.8 Resignation

A committee member who is no longer able to serve should resign promptly so that the vacancy may be filled. A written resignation must be submitted to the Town Clerk, with a copy to the committee Chairperson and the appointing agency (MGL Chapter 41, Section 109).

2.9 Other Terminations

In rare circumstances such as continued unexplained absences or conflict of interest, the appointing agency may ask for a member’s resignation or, if necessary, revoke the appointment. Prompt, written notification to the committee member will be given by the appointing agency in the event of such action. Attention should be given to the Board of Selectmen’s Attendance Policy identified as “Appendix A”.

2.10 Composition

The Composition of most appointed committees is specified by Town bylaws or Town Meting vote.

3.0 OFFICERS

3.1 Elections

Committees elect a chairperson, vice-chairperson and a secretary annually*, usually at the first meeting after new terms begin. It is the responsibility of the Chairperson to notify the appointing agency, the Town Administrator, and the Town Clerk of changes in officers. Committees are not required to elect a secretary if that committee has a paid part-time secretary (e.g. Conservation Commission and Planning and Zoning Boards).

* Unless otherwise provided by State law or Town Bylaw.

3.2 Chairperson

The Chairperson presides at all meetings, decides questions of order, calls special meetings, and signs official documents that require the Chairperson’s signature. The Chairperson has the same rights as other members to offer resolutions, make or second motions, discuss questions, and vote thereon.
3.3 **Vice-Chairperson**

The Vice-Chairperson acts for the Chairperson whenever the latter is absent from meetings and performs other necessary duties.

3.4 **Secretary**

The secretary is responsible for the following duties of the committee:

1. Take and transcribe the committee’s minutes. Hard copies of minutes shall be provided to the Town Clerk. Secretary shall upload minutes to the Town’s website upon approval.

2. Prepare agendas and any other materials. The tentative agenda for the next meeting should be distributed to committee members.

3. Copy meeting materials and make available packets to committee members using, if necessary, facilities and materials at the Town House.

4. Schedule a place, date, and time of meeting and prepare the meeting notice with the agenda in accordance with the Open Meeting Law for posting with the Town Clerk no later than 48 hours before a meeting, excluding Saturdays, Sundays and legal holidays. The Town Clerk will insure that the notice is posted on the Town House bulletin board, and other appropriate places.

5. Meeting room assignments are obtained through the Selectmen’s office.

4.0 **MEETINGS**

4.1 **Definition**

Meeting”, a deliberation by a public body with respect to any matter within the body’s jurisdiction; provided, however, “meeting” shall not include:

1. an on-site inspection of a project or program, so long as the members do not deliberate;

2. attendance by a quorum of a public body at a public or private gathering, including a conference or training program or a media, social or other event, so long as the members do not deliberate;

3. attendance by a quorum of a public body at a meeting of another public body that has complied with the notice requirements of the open meeting law, so long as the visiting members communicate only by open participation in the meeting on those matters under discussion by the host body and do not deliberate;

4. a meeting of a quasi-judicial board or commission held for the sole purpose of making a decision required in an adjudicatory proceeding brought before it; or

5. a session of a town meeting convened under section 10 of chapter 39 which would include the attendance by a quorum of a public body at any such session.
4.2 Open Meeting Law (MGL Chapter 30A, Sections 18-25)

The Massachusetts Open Meeting Law requires that all meetings of elected or appointed boards, committees or subcommittees be open to the public except in ten specific situations where Executive Session is required (See Section 4.4 Executive Session).

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 a group appointed by a single administrator to advise on administrative responsibilities.

After notifying the Chairperson, any person may make a video or audio recording of an open session or of a meeting provided there is no active interference with the conduct of the meeting. The manner in which this right is to be exercised is subject to the reasonable direction of the chairperson.

4.3 General Guidelines

A committee may adopt formal rules of order. Although most small committee discussions may seem too casual to be called debate, it is advisable for the committee to observe a minimum of generally accepted procedures. Attentive guidance by the Chairperson and adherence to adopted procedures can increase efficiency as well as maintain objectivity.

The Chairperson should limit all participation to concise, non-repetitive statements. Although desirable, it is not necessary for the committee to continue discussion until complete consensus is achieved. Other actions such as calling for a vote, postponing until more information is available, or referring to a subcommittee may be required. The Chairperson should ascertain that all members present and voting at a hearing are qualified to vote by having been properly sworn and by having been present at all hearing sessions.

The Open Meeting Law does not require that visitors be allowed to participate. It may be advisable for the Chairperson to remind speakers of time and repetition limits. No one may speak at a committee meeting without permission of the Chairperson. If a speaker refuses to be silent after warning from the Chairperson, the Chairperson has the authority to order the speaker removed from the meeting by the police. Nevertheless, all committee members represent and serve the Town. They should treat all visitors and other committee members with courtesy and consideration.

Please refer to the Open Meeting Law hand-out for a comprehensive review of the Law and applicability to Committees.

4.4 Executive Session

A public body may meet in closed session for 1 or more of the purposes enumerated in subsection (a) provided that:

1. the body has first convened in an open session pursuant to section 21;
2. a majority of members of the body have voted to go into executive session and the vote of each member is recorded by roll call and entered into the minutes;
3. before the executive session, the chair shall state the purpose for the executive session, stating all subjects that may be revealed without compromising the purpose for which the executive session was called;

4. the chair shall publicly announce whether the open session will reconvene at the conclusion of the executive session; and

5. accurate records of the executive session shall be maintained pursuant to section 23.

Records of any Executive Session remain closed to the public only as long as publication may defeat the purposes of the Executive Session. Topics discussed in Executive Session are confidential. Attendees do not discuss these matters with anyone until the purpose for the Executive Session no longer exists and the minutes can be released to the public. Releasing minutes is completed by majority vote of the appropriate committee.

Executive Sessions can be held only when the following matters are being discussed or considered:

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, staff member or individual. The individual to be discussed in such executive session shall be notified in writing by the public body at least 48 hours prior to the proposed executive session; provided, however, that notification may be waived upon written agreement of the parties. A public body shall hold an open session if the individual involved requests that the session be open. If an executive session is held, such individual shall have the following rights:

   ii. to be present at such executive session during deliberations which involve that individual;

   iii. to have counsel or a representative of his own choosing present and attending for the purpose of advising the individual and not for the purpose of active participation in the executive session;

   iv. to speak on his own behalf; and

   iv. to cause an independent record to be created of said executive session by audio-recording or transcription, at the individual’s expense.

The rights of an individual set forth in this paragraph are in addition to the rights that he may have from any other source, including, but not limited to, rights under any laws or collective bargaining agreements and the exercise or non-exercise of the individual rights under this section shall not be construed as a waiver of any rights of the individual.

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

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

4. To discuss the deployment of security personnel or devices, or strategies with respect thereto;

5. To investigate charges of criminal misconduct or to consider the filing of criminal complaints;

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 negotiating position of the public body;
7. To comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements;

8. To consider or interview applicants for employment or appointment by a preliminary screening committee if the chair declares that an open meeting will have a detrimental effect in obtaining qualified applicants; provided, however, that this clause shall not apply to any meeting, including meetings of a preliminary screening committee, to consider and interview applicants who have passed a prior preliminary screening;

9. To meet or confer with a mediator, as defined in section 23C of chapter 233, with respect to any litigation or decision on any public business within its jurisdiction involving another party, group or entity, provided that:

   i. any decision to participate in mediation shall be made in an open session and the parties, issues involved and purpose of the mediation shall be disclosed; and

   ii. no action shall be taken by any public body with respect to those issues which are the subject of the mediation without deliberation and approval for such action at an open session; or

10. To discuss trade secrets or confidential, competitively-sensitive or other proprietary information provided in the course of activities conducted by a governmental body as an energy supplier under a license granted by the department of public utilities pursuant to section 1F of chapter 164, in the course of activities conducted as a municipal aggregator under section 134 of said chapter 164 or in the course of activities conducted by a cooperative consisting of governmental entities organized pursuant to section 136 of said chapter 164, when such governmental body, municipal aggregator or cooperative determines that such disclosure will adversely affect its ability to conduct business in relation to other entities making, selling or distributing electric power and energy.

4.5 First Meeting

The first meeting of a committee will be called by the Chairman of the committee, or being none, then by the appointing agency or designee of the Board of Selectmen. At that time it is advisable to review the charge and goals of the appointed committee so that all members understand and agree upon the objectives of the committee. Copies of the goals shall be distributed to all committee members, the Board of Selectmen, the Town Administrator and the appointing agency.

4.6 Meeting Schedule and Location

To accomplish committee objectives, regular meeting times and locations should be established. Depending upon the committee’s workload, meetings may be held weekly, bimonthly or, at the very least, monthly. The Chairperson calls each meeting except for the first one which is called by the appointing agency or designee of the Board of Selectmen. When possible, a regular meeting day, hour, and location should be established. Meetings must be conducted in a public building accessible to the physically challenged. A committee may reserve a meeting room in the Town House by contacting the Selectmen’s office. While nothing in the statues prohibits meetings from being held on holidays or Sundays, meetings on such days should be avoided*. The Zoning Board of Appeals and Planning Board are prohibited by Statute from meeting on days on which elections, primaries, and caucuses are held.

* and may not be permissible in public offices (MGL C.136, S12)
4.7 Public Posting

By law, public notice of all committee meetings must be posted with the Town Clerk a minimum of 48 hours before any meeting; excluding Saturdays, Sundays and legal holidays (as they do not count towards the 48 hour calculation). Notice shall be printed in a legible, easily understandable format on the required form, and shall contain the date, time and place of meeting and a list of topics – or agenda that the Chairperson reasonably anticipates will be discussed. The Town Clerk shall post the notice as required by current law.

4.8 Meeting Notices

All committee members should be notified in writing of each committee meeting, if the committee is operating on an irregular schedule, and of each special meeting.

4.9 Record Keeping

State law requires that a committee keep accurate records of its public meetings. The committee must formally vote to accept all minutes. The records of each regular meeting are public information, and Chairperson or its designees must maintain a copy of all approved minutes for public inspection. In addition, a copy of all approved minutes must be filed with the Town Clerk’s Office within a reasonable amount of time and a copy should be provided to the Selectmen/Town Administrator’s Office. Minutes shall be posted to the Town’s website, per the guidelines established by the Webmaster.

Minutes must include:
- The names of committee members present and absent at the meeting.
- The names of others present if Executive Session, and roll-call votes.
- Date, place, time convened, and time adjourned.
- All agreements/motions reached by vote or consensus, and recording of the votes.
- Any materials received at the meeting as hand-outs*

* Please refer to the Open Meeting Law for a complete listing.

Minutes should include:
- Assignments to committee members.
- Summary of topics discussed.
- Exact wording of all motions including who made the motion and who seconded. Also, the vote of each member and those members who did not participate in the vote should be recorded.
- Names of additional participants (not press or observers).

Once minutes are accepted by committee vote, they become the official record of the meeting. Verbatim copies of proceedings, such as audio or video recordings, must be retained as public documents.

4.10 Public Records Law (MGL Chapter 66, Sections 1-18)

The Massachusetts Public Records Law (MGL Chapter 66 - www.mass.gov/legis/laws/mgl/gl-66-toc.htm) 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, unless released. The minutes, informational data, memoranda, emails, and circulating materials of any Town board
or committee are public information. The committee should consult the Town Administrator if questions arise concerning freedom of information inquiries or records retention.

4.11 Quorum

A committee should establish a quorum necessary for conducting business. This quorum must be greater than fifty percent (50%) of committee membership. This may deviate depending on the criteria used to establish the committee. State statute may dictate the quorum. If you have any questions, you should contact the Town Administrator.

5.0 FINANCES

5.1 Committee Budgets

If a committee anticipates a need to expend funds, it can request a budget for the next fiscal year in accordance with Article XXIII of the General Bylaws. In the fall of each year, each committee should determine the necessary budget for committee operations over the next Fiscal Year, which begins July 1st. The budget figures, with appropriate narrative, are due on the date to be set by the Town Administrator who shall inform all committees. If funds are needed during a fiscal year for unforeseen emergency or extraordinary purposes, the committee may make a request to the Finance Committee for a transfer from the Reserve Fund after reviewing current budget status with the Town Accountant and following general review by the Town Administrator.

Committees which operate under appropriations voted under Special Articles at Town Meeting should check their balances with the Accountant’s Office to make sure that they will have sufficient funds to continue their operations.

Requests for an appropriation to cover the cost of Capital Outlay should be submitted on the appropriate forms to the Town Administrator. A Capital Outlay item is any item in excess of $10,000 having a life expectancy of five years or more.

5.2 Source of Funds

A. Town Meeting Committees (standing committees of the Town Meeting and study committees established by the Town Meeting).

1. Budget – Town Meeting will decide what sums, if any, shall be appropriated; provides modest sums for general office supplies, postage and clerical assistance; requires authorization of a majority of the committee, and sign off by the Town Administrator/Chief Procurement Officer as appropriate, before funds can be released.

2. Special Articles – provide large sums for specific projects resulting from recommendations of particular committees. These funds may be disbursed by majority vote of the committee, with sign off by the Town Administrator/Chief Procurement Officer, as appropriate.

B. Permanent Appointed Committees
1. Individual elements of the budget provide the funds for the ongoing activities of the committee. These may be disbursed by majority vote of the committee, with sign off by the Town Administrator/Chief Procurement Officer, as appropriate.

2. Special Articles- See above.

5.3 Disbursements

After a vote of approval, bills, or schedules of departmental bills payable, should be signed by a majority of the members of the committee, department head, or committee designee, and submitted to the Town Accountant’s office for processing and payment. When authorization by the Town Administrator/Chief Procurement Officer is required, his/her signature should be added to the bill before submission for payment. The Town Accountant will review the specific paperwork needed to process bills.

5.4 Purchases

Purchase orders must be completed for all purchases of supplies, equipment or services with a dollar value of $1,000 or more. Purchase orders must be signed by the Chairperson or designee and then submitted to the Town Accountant’s Office for signature and certification of available funds.

All purchases shall be in accordance with Chapter 30B the Uniform Procurement Law, Chapter 30, 39m and/or Ch 149. Contact the office of the Board of Selectmen/Town Administrator for proper applicable laws.

5.5 Written Proposals

In addition, MGL Chapter 30B states that all purchases for $5,000 or more will also require a written proposal from the recommended vendor and written contract and award by the Town Administrator/Chief Procurement Officer. A copy of the written proposal and/or contract and award must be filed with the Town Accountant.

5.6 Public Bidding Requirements

All purchases exceeding $25,000 are subject to the public bidding law. These purchases must be coordinated through the Town Administrator/Chief Procurement Officer’s Office. Steps must be taken to secure prices or bids from sufficient producers or dealers in such equipment or supplies, or from persons in a position to furnish such services in order to enable the Town to avail itself of the lowest obtainable prices. The lowest bid shall be accepted, provided that the bidder is financially responsible and the bid is reasonable and complies with any conditions imposed and it is in the best interest of the Town. The Town reserves the right to reject any or all bids.

No contract or purchase shall be so divided as to bring the amount below $25,000 for the purpose of evading the law.

5.7 Contract

The Town Administrator/Chief Procurement Officer is required to award all contracts for the Town. Committees should submit to the Chief Procurement Officer copies of all specifications for his/her review and approval. By law, a copy of all approved contracts must be filed with the Town Accountant.
6.0 REPORTING PROCEDURES

6.1 Appointing Authority

The Board of Selectmen recommends that the Chairperson report regularly to the appointing agency about the committee’s actions and plans. If needed, the Chairperson may request a meeting with the appointing agency to report progress. A written request for an appointment with the appointing agency should be made as far in advance of the necessary meeting date as possible. This request should detail the items to be discussed.

6.2 Liaison with Board of Selectmen

The Town Administrator may serve on a committee or act as a liaison between the committee and the Board of Selectmen. The Town Administrator may chair the first meeting of a newly established committee, explain the charge, and preside over the election of a Chairperson who will then take over the meeting. Once a Chairperson is elected, the Town Administrator, if formally appointed as a member, serves as a regular voting member of the committee subject to the same rules of conduct as all other members.

6.3 Liaison with Town Administrator

The Town Administrator may delegate a staff member, usually a Department Head, to serve as a liaison to a committee or all committees if desired. The staff member may be formally appointed to a committee by the appointing agency. The responsibility of the staff member is to provide technical support and information to the Town Administrator. He/she keeps the Town Administrator informed of the committee’s work and any items of significance which may come up. Request for legal assistance from Town Counsel should be directed to the Town Administrator’s office.

6.4 Public Information Meetings

The success of a committee’s endeavors often depends on effective communications with the public. The committee should hold public meetings and hearings when needed both to inform citizens of work in progress and to gain public reaction and response.

6.5 Town Meeting

An article to accept committee reports is always included in the Warrant for the Town Meeting. The committee should make these reports clear and concise, keeping in mind that the large volume of articles addressed at Town Meeting. The Moderator should be informed in advance of any such intended reports.

Written reports to the Town Meeting may be distributed by placing sufficient copies on the precinct tables outside the door of the meeting place.

The Town’s Bylaws note the Annual Reporting requirements.

6.6 Warrant Articles

All Warrant articles for the Annual Town Meeting shall be submitted in writing to the Board of Selectmen any time prior to the established annual deadline. Early submission is preferable. Articles for any other Special Town Meetings may be submitted at any time in anticipation of the next special town meeting until the date on which the Selectmen announce that the Warrant will be closed. Articles submitted in advance of town
meetings will be kept on file until the appropriate time. Full documentation of the background, reasons for the proposed articles, and suggested wording should accompany the article request. The Board of Selectmen reserves the right to determine what articles will be placed before any town meeting.

The Board of Selectmen shall prepare the Warrant for all Town Meetings. Articles may be submitted, in writing, in the following forms:

1. By an elected official or by a member of an elected board or committee, with the approval of the Board of Selectmen.
2. By an appointed committee or board, acting by a majority vote of its members, with the approval of the Board of Selectmen.
3. Any person or agency authorized through the bylaws or in any other legal manner, with the approval of the Board of Selectmen.
4. A written petition to the Board of Selectmen signed by any ten voters of the Town of inclusion of any article in the Warrant for the Annual Town Meeting, and a petition signed by at least one hundred registered voters for inclusion of an article in the Warrant for any Special Town Meeting.

6.7 Town Reports

All committees are expected to file an annual report of committee operations which will appear in the annual Town Report. The report should explain the major accomplishments of the committee over the fiscal year and highlight plans for the ensuing year. The report is due December 15 and should be submitted to the Selectmen/Town Administrator’s Office.

6.8 Use of Town Counsel or Special Counsel

No employee, committee member or vote of the Committee shall independently contact Town Counsel or contract with or engage Special Counsel without the prior approval of the Town Administrator or Board of Selectmen. All requests for contact with Town Counsel or Special Counsel are to be made to the Town Administrator and expenditure of funds will not be authorized unless and until prior approval has been given.

7.0 MISCELLANEOUS

7.1 Inter-Committee Meetings

There are no regularly scheduled joint meetings of all town boards or committees. Special meetings should be requested and scheduled as needs arise and attendance requests should be tailored to the meeting purpose. The Town Administrator’s office should be notified in advance.

7.2 Dissolution

When the committee has completed its assigned goals, the committee can request formal dissolution from the establishing agency or Town Meeting by filing a “Final Report” with its source of origin. Upon dissolution, the committee should deliver to the Town Clerk all records deemed by it to be appropriate for inclusion in the permanent records.

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APPENDIX A

TOWN OF KINGSTON
Office of the Board of Selectmen
Town House
26 Evergreen Street
Kingston, Massachusetts 02364

ATTENDANCE POLICY

Any appointed official who serves on a multiple member board or commission shall attend all sessions of the board or commission to which the person has been appointed. An official who misses three meetings within a six month period regardless of whether such absences occur during overlapping terms of office, shall be subject to removal from office for failure to discharge the duties of the office to which the official has been appointed.

Nothing in this policy shall be construed as to remove an official from office, if, in the opinion of the Board of Selectmen, that the reasons for absence have sufficient merit and the official is expected to return to his/her duties.

Amended Policy Adopted by the Board of Selectmen on November 16, 2004
APPENDIX B

OPEN MEETING LAW

CHECKLIST FOR CHAIRS AND BOARD AND COMMITTEE MEMBERS

• Meeting Notice must be posted at least 48 hours prior to the meeting, excluding Saturdays, Sundays and legal holidays.

• In emergency situations, the 48 hour notice period may be waived however every effort should be made to update the Meeting Notice whenever possible.

• Notice must include the agenda for the meeting and any other matters that the Chair reasonably believes will be discussed at the meeting.

• Notice must be visible to the public “at all times.” This has been interpreted as meaning 24 hours a day, 7 days a week.

• The Chair must announce at the beginning of each meeting if the meeting is being tape recorded or video taped by either the Board/Committee or a member of the audience.

• All exhibits presented at the meeting are public records and they become part of the record for the hearing.

• Meeting minutes must reflect all actions taken by the Board/Committee.

• Meeting minutes must include a list of exhibits presented at the meeting.

• Executive Sessions may only be held in accordance with the exceptions found in the Law (see attached). The Chair must announce all subjects that may be revealed during the executive session and whether the Board/Commission will reconvene in public at the close of the executive session.

• Emails are likely to lead to deliberations outside of a public meeting. Emails should therefore be utilized only to distribute meeting materials and to convey logistical meeting information to the Board/Committee Members.
A meeting notice template is available via email from the office of the Town Clerk. Send requests for the template to mmlurzy@kingstonmass.org and/or sloring@kingstonmass.org.

Guidelines for Meeting Notice Template:

- Opens in Word (any version 97-2007)
- Fields are gray on screen only (color will not print)
- TAB through the fields (DO NOT use the enter key except in the AGENDA area)
- For AUTHORIZED SIGNATURE, you may type your name and position (Ex: Jane Smith, Clerk) or you may use your electronic signature
- TAB to the field in the AGENDA area and type your first line
- You can then use the enter key to create new lines, single or double spaced
- Please submit electronically if possible (electronic postings can easily be uploaded to the MEETING CALENDAR on the town’s website)
- This form may be printed and filled out by hand and faxed or delivered to Town Clerk’s Office (781-585-0542)
- 2-part Meeting Notice forms are available in the Town Clerk’s Office
- This document is 5.5”x8.5”. It will print on half of an 8.5”x11” sheet of paper. This size will best accommodate the posting board. You may also adjust your printer settings and print directly on half sheets.
- Press F1 for on screen help if needed
- We will no longer be able to accept telephone postings

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This meeting notice is being posted on the Official Town House Bulletin Board, pursuant to General Law Chapter 30A, Section 20. Said notice and agenda must be filed in the Office of the Town Clerk at least 48 HOURS prior to such meeting. Such filing and posting shall be the responsibility of the officer calling such meeting.