

ABINGTON BOARD OF SELECTMEN POLICIES AND PROCEDURES

I. PURPOSE

The Board of Selectmen of the Town of Abington, recognizing the need to codify the traditional and accepted working relationships among members of the Board, between the Board and the Town Manager, and among the Board and other Town boards, committees, officials, and citizens; as well as the need to consolidate Town policies and procedures, have undertaken to create operating procedures for the Board of Selectmen. Acceptance of the policies and procedures embodied herein shall supersede all previous policies and procedures accepted by past Boards of Selectmen. Unless otherwise noted, the term "Board" shall refer to the Abington Board of Selectmen. The term "MGLA" shall refer to the Massachusetts General Laws, as amended.

II. NATURE OF POLICIES AND PROCEDURES

These policies and procedures shall address those topics that cannot be dealt with elsewhere. Its content should be considered supplemental and subordinate to language embodied in State Statute and Town By-law. Subjects that are more appropriately addressed in statute, by-law, or regulation, shall not be included in this format, except in reference. The individual policies and procedures embodied herein are severable. If any of the policies or procedures is held to be unconstitutional or invalid, the remaining policies and procedures shall not be affected thereby.

III. PROCEDURE FOR ESTABLISHING POLICIES AND PROCEDURES

A policy may be initiated by a member of the Board, the Town Manager, a Town employee, or by a citizen of the Town; by requesting that the Chairman provide for discussion of the proposed policy in the agenda of a regular meeting of the Board. The individual initiating the discussion shall provide the Board with a written draft of the proposed policy for distribution to the Selectmen. The Board may schedule any hearing or meetings it deems necessary for discussion. The Board may distribute a draft for comment to appropriate officials as it deems necessary, and shall notify of the discussion any Town boards, committees, or employees who may be affected by the policy.

Unless otherwise voted by the Board, the Board shall not vote on a policy at the same meeting at which it is first introduced. A vote by three of the board's five members shall be required for the adoption of a new or amended Board policy. A new or revised policy adopted by the Board shall take effect immediately, and shall be carried out until it is rescinded or amended.

The Town Manager shall be responsible for the maintenance of all policies and procedures, for updating the Policy Manual with new and amended policies, and for ensuring that copies of the Board's policies and procedures are distributed to newly elected Board members. Copies of the Policy Manual shall be made available to the public at the Selectmen's Office.

IV. AUTHORITY AND ROLE OF THE BOARD OF SELECTMEN

The Board of Selectmen is an elected board and derives its authority and responsibilities from the statues of the Commonwealth of Massachusetts, and from the Charter and by-laws of the Town of Abington.

The Board is responsible for executive Town policy development and review. The Board works with the Town Manager on policy development, and oversees the Town Manager in his role as supervisor of town departments, as stipulated in the Charter.

The Board, through the Town Manager, is responsible for supervising the departments of general government that are not supervised by other elected Town boards. The Board will refrain from involvement in day-to-day operations. Concerns or questions regarding the operation of departments, and suggestions for improvements, should be addressed to the Town Manager at meetings of the Board.

No actions representing the Board shall be taken by a member or members of the Board without the prior consent of a majority of the Board. This shall be modified in the event of an emergency should immediate action be required, in which case the Chairman, Vice Chairman, or any Board member shall call an emergency session of the Board prior to the emergency action.

A Board member wishing an in-depth inquiry into a department's policies, procedures, or operations must make such a request during a regular Board meeting in open session and receive approval by the Board by consensus or Board vote. Requests by Board members for written legal opinions must be channeled through the Chairman and the Town Manager.

V. ROLE OF THE TOWN MANAGER

According to the Charter, the Board is responsible for appointing a Town Manager, who functions as the Town's Chief Administrative Officer. The primary responsibilities of the Town Manager are defined in the Charter.

The Town Manager must maintain a close working relationship with all members of the Board. He/she shall brief the Board of all important issues.

In order to provide the Town with continuity of management and the Town Manager with job security, the Board is committed to maintain an employment agreement with the Town Manager, as permitted by statute and stipulated in the Charter.

VI. DUTIES, RESPONSIBILITIES, AND OBLIGATIONS OF BOARD MEMBERS

A member of the Board, in relation to his/her responsibility to the community, shall:

- recognize that his/her primary role is to set policy, with responsibility for day to day administration resting with the Town Manager;
- recognize that he/she is a member of a team, and shall abide by all Board decisions once they are made;
- be well informed concerning the duties of a board member on both state and local levels;

- remember that he/she represents the entire community at all times;
- accept the office of Selectman as a means of unselfish public service, not to benefit personally or professionally from his/her Board activities;
- in all appointments, avoid political patronage by judging all candidates on merit, experience and qualifications only; and
- abide by the provisions established by the Commonwealth in MGLA Ch 268A as they apply to municipal officials, as well as the Abington Town Charter and By-Laws.

As a member of the Board, a Selectman shall:

- endeavor to establish sound, clearly defined policies which will direct and support the administration for the benefit of the people of the Town;
- recognize and support the administrative chain of command and refuse to act on complaints as an individual outside the administration;
- give the Town Manager full responsibility for discharging his/her decisions and solutions;
- not make statements or promises of how he/she will vote on matters that will come before the Board until he/she has had an opportunity to hear the pros and cons of the issue at a Board meeting;
- make decisions only after all facts on a question have been presented or discussed;
- uphold the intent of executive session and respect the privileged communication that exists therein; and
- treat with respect the rights of all members of the Board despite differences of opinion.

VII. ORGANIZATION OF THE BOARD AND ELECTION OF OFFICES

Officers of the Board (Chairman and Vice Chairman) shall be elected annually at a meeting of the Board to be scheduled for the first regular meeting following the Town Election. The election of offices is by majority vote. If a vacancy occurs among any of the officers of the Board, the Board shall elect a successor at its next regular meeting. Nominations of officers shall require both a nomination and a second.

The Board may at any time by majority vote to remove the Chairman or any of the officers. In the event that the Chairman is not re-elected, the Vice Chairman shall serve as Chairman pro tem until the new officers of the Board are elected.

VIII. RESPONSIBILITIES OF THE OFFICERS OF THE BOARD

The Chairman shall:

- preside at all meetings of the Board at which he/she is present. In doing so, he/she shall maintain order in the meeting room, recognize speakers, call for votes, and preside over the discussion of agenda items;
- sign official documents that require the signature of the Chairman, following a vote of the Board;

- call special meetings of the Board in accordance with the Open Meeting Law; prepare meeting agendas with the Town Manager;
- represent the Board at meetings, conferences, and other gatherings unless otherwise determined by the Board or delegated by the Chairman;
- serve as spokesman of the Board at Town Meetings and present the Board's position unless otherwise determined by the Board or delegated by the Chairman;
- make liaison assignments, as appropriate, and assign overview responsibilities for projects and tasks to Board members unless otherwise determined by the Board; and
- arrange for the orientation of new members, unless otherwise noted;
- ensure that the Board maintains a legal and open level of communication;
- submit to the Town Manager the Annual Report of the Board of Selectmen for inclusion in the Annual Town Report.

The Chairman shall have the same rights as other members to offer and second motions and resolutions, to discuss questions, and to vote thereon.

The Vice Chairman shall act in the place of the Chairman during his/her absence at Board meetings. Should the Chairman leave office, the Vice Chairman shall assume the duties of Chairman until the Board elects a new Chairman.

IX. MEETINGS OF THE BOARD

Board meetings are generally held on the 2nd and 4th Monday of each month. The Board shall not hold meetings on days which are designated legal holidays. The Town Manager is responsible for the posting of all Board meetings in compliance with Open Meeting Law. Board meetings shall begin at 6:30 p.m. and shall adjourn no later than 10:00 p.m. unless a majority of the Board votes to continue the meeting at that time.

Special meetings shall be called by the Chairman, in consultation with the Town Manager, and with the informal consent of a majority of Board members.

X. MEETING PROCEDURES

Board meetings shall be conducted in accordance with generally accepted rules of parliamentary procedure and the Open Meeting Law. It is the practice that application of said procedure may be on a relatively informal basis.

A quorum shall consist of three members of the Board. Actions and decisions shall be by motion, second, and vote. Split votes will be identified by name in the meeting minutes.

The Town Manager or his or her designee shall attend meetings in order to keep the Board informed and advised, and to recommend in all matters that fall within the jurisdiction of his/her office. He/she shall carry out the actions of the Board as they relate to the conduct and administration of Town affairs under his/her jurisdiction.

XI. BOARD MEETINGS: EXECUTIVE SESSIONS

Where practicable, executive sessions shall be scheduled at the end of the open meeting of the Board. Executive sessions may also be scheduled at times convenient to the Board and in accordance with the Mass. Open Meeting Law. Only items clearly allowed under the Open Meeting Law shall be included in executive session. Prior to calling for a motion to adjourn into executive session, the Chairman shall state the reasons for which an executive session is sought. The Chairman shall also state whether or not the Board will reconvene in open session. A majority of the members present and voting must vote to enter executive session by roll call vote.

XII. AGENDA PROCEDURES

The Town Manager bears primary responsibility for coordinating and planning the agenda for regular meetings of the Board. The Chairman, in consultation with the Town Manager, shall approve the agenda. In order for items to be considered for the agenda, they must be submitted to the Town Manager or Board Chair by 4:00 p.m. on the Thursday preceding the meeting. Items added to the agenda after this time will be considered out of necessity or due to being routine in nature.

Members of the Board, staff, the Town Manager, or others who prepare background materials for the meeting should have such material available for Board members by Friday at noon. If background information is insufficient or complicated or if complex memos or motions are presented at the meeting, which were not included in the Board's meeting packet, any Board member may request that the relevant item be tabled to allow Board members time for careful study of the material.

The agenda shall be available to the public and the press at the Selectmen's Office by 12:00 noon on the Friday before the meeting, and shall be posted on the Town bulletin board inside and outside of Town Hall, as well as the Town website that same day. Copies of the minutes of previous meetings and all important correspondence, reports and other pertinent background materials shall be sent electronically to each board member.

XIII. MEETING MINUTES

The Town Manager shall ensure that open meetings of the Board are recorded. The Town Manager shall ensure that minutes are drafted and made available to Board members in a timely manner, not to exceed twenty-one (21) days from the meeting date.

Minutes circulated to members of the Board on or before the agenda is set for the subsequent meeting shall be considered at that meeting. Changes in the text of minutes shall be reviewed and agreed upon by a majority of voting Board members. The Town Manager shall periodically review and present for the Board's vote the minutes of meetings held in Executive Session. The Board shall release minutes of Executive Session at the earliest opportunity without compromising the nature of the matter discussed therein.

Minutes shall contain all actions taken by the Board and of the disposition of all proposals for action. Minutes of Board meetings held in Executive Session shall be kept separately and

recorded in accordance with the procedures dictated above. Minutes (other than those of meetings in Executive Session which the Board has not voted to release) shall be open for public inspection.

XIV. RELATIONS WITH OTHER TOWN BOARDS AND COMMITTEES

The Board is aware that coordination and cooperation is needed among the Town's major boards, committees, and commissions not only in the day-to-day operations of government, but also to set town-wide goals and priorities; identify and anticipate major problems, while working together toward their resolution; and develop a process for dealing with State and Federal government.

The Town Manager is responsible for inter-board communications in day-to-day operations of Government. The Town Manager shall develop a process for the exchange of information and the provision of advice and recommendations among the boards, committees and commissions with common interest; which shall include but not be limited by the exchange of minutes, the establishment of a central repository for data, studies, reports, and the invitation to chairmen of appropriate boards and committees to meetings of the Board on matters relevant to those boards or committees.

XV. RELATIONS WITH CITIZENS

In recognizing that it both represents and is accountable to the residents of the Town, it is the policy of the Board to make every effort to strengthen communications with citizens. The Board will act to increase citizen participation, encourage citizen input into government decisions, and to keep residents informed of all actions contemplated or taken by the Board which will affect them.

XVII. PERSONNEL ISSUES

Dual municipal employee status: The Board, in accordance with MGLA Ch 268A, S 20B, may designate "dual municipal employee" status for Town employees who seek to hold a second Town position. The designation applies to paid Town employees, both full- and part-time. The Board and those holding positions seeking dual municipal employee status must be familiar with the state statutes regulating conflicts of interest. In accordance with state statutes, the following provisions must be met:

- Service is outside normal working hours.
- Service is not part of the regular job, and the second employment is for not more than 500 hours in a calendar year.
- The head of the relevant department must file with the Town Clerk, with a copy to the Board, written certification that no employee of his department is available to furnish the services undertaken by the Town employee seeking "dual" employment.
- The Board must approve the appointment.

The Board will consider any requests for dual municipal employee status without prejudice. The Board shall grant dual municipal employee status only if there is a substantial benefit, financial or otherwise, to the Town. Said status would allow the applicant to provide any product or service to the department commission, committee, or board to which he/she is regularly associated.

As authorized in state statutes, the Board reserves the right to terminate its approval for any and all employees granted such status. A list of such approvals will be maintained on a current basis by the Selectmen's office and provided to each Board member.

Termination/resignation of department head: Upon the termination or resignation of any department head, an audit will be performed of the records of the respective department including, but not limited to, all financial matters. Depending upon the department involved, the Board shall determine if said audit shall be done by the Town Accountant, Town Manager, and outside audit agency, or otherwise. A report of the audit will be presented to the Board in adequate detail and with summary conclusions to verify the condition of the department.