

**POLICIES and PROCEDURES  
TOWN OF TEMPLETON  
BOARD OF SELECTMEN**

**PURPOSE**

The Board of Selectmen of the town of Templeton, recognizing the need to codify the traditional and accepted working relationships among the members of the Board, between the board and the Town Administrator, and between the Board and other boards, committees, officials and citizens, and also recognizing the need to systemize and reduce to writing the Town's policies and procedures, hereby undertake to create operating procedures of the Board of Selectmen.

**NATURE OF POLICIES and PROCEDURES:**

These policies and procedures shall contain items relating to topics that cannot be addressed elsewhere. Subjects that would more appropriately be addressed in a statute, by-law or regulation shall not be addressed in this format.

**PROCEDURE FOR ESTABLISHING POLICIES and PROCEDURES:**

Draft policies and procedures shall be placed on the agenda for any regularly scheduled meeting of the Board. Drafts shall be in writing, and may be introduced only by a member of the Board or the Town Administrator. Upon receipt of a draft, the Board may choose to discuss the policy immediately or schedule the discussion for a future meeting. The Board may schedule any hearings or meetings it deems necessary for discussion. The Board may distribute a draft for comment to appropriate officials as it deems necessary.

The Board shall not vote on a policy at the same meeting that it is first introduced. This rule may be waived if the Board unanimously votes that prompt action is necessary.

The Town Administrator shall be responsible for the maintenance of all policies and procedures, which shall be kept in a notebook available to the Board members and the public at the office of the Board of Selectmen.

**GOALS & OBJECTIVES:**

The Board of Selectmen will adopt goals and objectives each year.

**AUTHORITY:**

The Board of Selectmen is an elected Board and derives its authority and responsibilities from the statutes of the Commonwealth of Massachusetts and the by-laws of the Town of Templeton.

**ELECTION and QUALIFICATION:**

The Board shall consist of five duly elected members. Before assuming official duties, each newly elected member shall be sworn to faithful performance of official responsibilities by the Town Clerk or his or her designee.

**VACANCIES ON THE BOARD:**

When a vacancy occurs in the membership of the Board of Selectmen, the Board or its remaining members shall call a special town election to fill the unexpired term or terms in accordance with the Massachusetts General Laws, unless such a vacancy occurs within six (6) months of regular (annual) town election.

**ROLE OF THE BOARD OF SELECTMEN:**

The Board is responsible for policy development, review for compliance. The Board works with the Town Administrator on policy formulation.

The Board is responsible for supervising all departments of the general government other than school organizations of the town and the region. This responsibility is delegated to the Town Administrator and the Board will refrain from involvement in day to day operations. Concerns and questions about operation of departments, and suggestions for improvements should be addressed to the Town Administrator. The responsibility for addressing these issues is thus carried out through the Town Administrator. Selectmen may be called upon to resolve disputes that are unable to be resolved on the staff level. The Selectmen may follow up on concerns or issues addressing these approved policies.

**REMOTE PARTICIPATION:** As previously voted by the BOS, remote participation will follow the guidance presented within the Open Meeting Law Guide from the Attorney General. Reasons for remote participation are personal illness, personal disability, emergencies, military service or geographical distance such as private sector employment situations.

**ROLE OF THE TOWN ADMINISTRATOR:**

The Board appoints a Town Administrator who functions as the Town's Chief Administrative Officer. The primary duties of the Town Administrator shall be the day-to-day administration of the general government as outlined in the

position's job description. The Town Administrator shall also assist and work under the direction of the Selectmen in the formulation of policy. The Town Administrator must maintain a close working relationship with all members of the Board. He/she shall regularly brief the Board on all important issues.

In order to provide the Town with continuity of management and the Town Administrator with job security, the Selectmen are committed to maintaining an employment agreement with the Town Administrator, as permitted by statute.

#### BOARD ETHICS:

1. A member of the Board of Selectmen, in relation to his or her community should:
  - A. Realize that his or her basic function is to make policy, with administration delegated to the Town Administrator.
  - B. Realize that he or she is one of a team and should abide by all board decisions once they are made.
  - C. Be well informed concerning the duties of a board member on both local and state levels.
  - D. Remember that he or she represents the entire community at all times.
  - E. Accept the office of Selectmen as a means of unselfish service, not benefit personally or politically from his or her board or outside activities.
  - F. In all appointments, avoid political patronage by judging all candidates on merit, experience and qualifications only.
  - G. Abide by the ethics established by the state and not use the position to obtain inside information on matters which may benefit someone personally.
2. A member of the Board of Selectmen, in their relations with administrative officers of the Town should:
  - A. Endeavor to establish sound, clearly defined policies that will direct and support the administration for the benefit of the people of the community.
  - B. Recognize and support the administrative chain of command and refuse to act on complaints as an individual outside the administration.
  - C. Give the Town Administrator full responsibility for discharging his or her disposition and solution.
3. A member of the Board of Selectmen, in his or her relations with fellow board members, should:
  - A. Recognize that action at official legal meetings is binding and that he or she alone cannot bind the board outside of such meetings.
  - B. Uphold the intent of executive session and respect the privileged communications that exists in executive session.
  - C. Make decisions only after all facts on an issue have been presented and discussed.
  - D. Treat with respect the rights of all members of the board despite differences of opinion.

#### ORGANIZATION OF THE BOARD:

The Chairman shall be elected annually, following the Annual Town Election and preceding the Annual Town Meeting. A majority vote shall constitute an election. Nominations require a second. The Board shall further elect a Vice-Chairman and a Clerk under the same provisions as the Chairman. Any of the aforementioned officers may be removed by a majority vote of the Board.

Until the new officers are elected; the Board shall convene with the immediate past Chairman presiding as Chairman Pro-Tem until a new Chairman is elected. If there is no immediate past Chairman, the immediate past Vice-Chairman shall serve as Chairman Pro-Tem. In the absence of an immediate past Chairman and Vice-Chairman, the immediate past Clerk shall serve as Chairman Pro-Tem.

## RESPONSIBILITIES OF THE CHAIRMAN:

The Chairman of the Board shall:

1. Preside at all meetings of the Board. 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.
2. Sign official documents that require the signature of the Chairman. A vote may be taken for the Chairman to sign when needed.
3. Call special meetings in accordance with the Open Meeting Law.
4. Prepare agenda with the Town Administrator.
5. Arrange orientation for new members.
6. Represent the Board at meetings, conferences and other gatherings unless otherwise determined by the Board or delegated by the Chairman.

The Chairman shall have the same rights as other members to discuss questions and to vote thereon. In the absence of other offerings he/she may introduce motions, seconds to motions and resolutions.

## RESPONSIBILITIES OF THE VICE CHAIRMAN:

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

## RESPONSIBILITIES OF THE CLERK:

The Clerk shall attest to all public documents as may be required to conduct town's business.

## RESPONSIBILITIES OF ALL BOARD MEMBERS:

The Board members are responsible to pick up their meeting packets and be prepared for discussion of the items on the agenda.

## REGULAR BOARD MEETINGS:

The Board of Selectmen shall establish a schedule for each month during the reorganization period following the annual elections of the Town. This schedule will be re-voted on each year following adoption of this document. The Board will not meet on legal holidays.

## SPECIAL BOARD MEETINGS:

A meeting called for any time other than regular meetings will be known as a Special Meeting. The same rules as those established for regular meetings will apply. Special Meetings may be called provided that a majority of the Members agree to meet and all Board members are notified.

## EMERGENCY MEETINGS:

Emergency meetings may be convened when a sudden, generally unexpected occurrence or set of circumstances demanding immediate action takes place. The Chairman will have the authority to call emergency meetings of the Board.

## WORKING MEETINGS:

The Board may conduct informal "working sessions" from time to time as the situation warrants. At such meetings, this will be posted in accordance with Open Meeting Law, no final action will be taken. A synopsis of transactions of informal meetings will be made a part of the minutes of the following regular meeting.

## MEETING PROCEDURES:

Meetings are to be conducted in accordance with Robert's Rules of parliamentary procedure for small groups or boards, and the Open Meeting Law. It is the practice that application of such procedure be on a relatively informal basis, due to size of the group and the desirability of flexibility in the expression of opinion. Remembering that any one has a right to attend a public meeting, they do not have a right to speak unless recognized by the Chairman.

## QUORUM:

A quorum will consist of three members of the Board. As a practical courtesy, action on controversial matters, the adoption of policy or appointments shall be taken, whenever practicable, with the full Board in attendance. Actions

and decisions shall be by motion, second, discussion and vote. All votes to be recorded by roll call.

The Town Administrator is expected to be in attendance at all meetings of the Board. The Town Administrator will attend in order to keep the Board informed and advise and recommend in all matters that fall within the jurisdiction of his office. He/she will carry out the actions of the Board as they relate to the conduct and administration of the Town affairs under his jurisdiction.

EXECUTIVE SESSION:

If practicable, Executive Sessions, other than a few minutes in duration, will be scheduled only at the end of or beginning of the open meeting. Only items allowed under the Open Meeting Law will be included in Executive Session. The mover must specify in the motion to enter into Executive Session the reason the session is sought. A majority of the members present must vote to enter into Executive Session by roll call vote. Executive Session should only occur when all members are present. The Chairman must state whether the Board will reconvene into open session.

AGENDA PROCEDURES:

The responsibility for coordinating and planning the meeting agenda is that of the Town Administrator. Each of the Board members and the Town Administrator may place items on the agenda. The Town Administrator, in consultation with the Chairman, will schedule a realistic time period for each appointment, interview, conference or other schedule of business.

All items for the agenda will be submitted to the Town Administrator by Wednesday preceding the next scheduled meeting to allow time to arrange, produce and post the agenda while giving all Board members time to prepare for the meeting. Items of emergency or strictly routine that develop after closing the agenda may be considered under "topics not anticipated by the Chairman 48 hours in advance"

Agenda items normally include:

1. Reading of the Agenda
2. Public Comment
3. Town Administrator Report
4. Scheduled Business
5. Topics not Reasonably Anticipated by the Chairman 48 Hours in Advance
6. Selectman Reports/Future Agenda Items
7. Adjournment

Members of the Board, staff, Town Administrator or others who prepare background material for the meeting should make an effort to have such material available for the Tuesday afternoon preceding the meeting. If background information is not provided or is insufficient or complicated or if complex memos or motions are presented at the meeting which were not in the Board's meeting packet, any member should feel free to request the tabling of the item to allow careful study of the material presented or the motion proposed.

The agenda will be available to the public and the press at the Selectmen's Office 48 hours in advance of the meeting date, as per the Open Meeting Law, and will be posted on the Town website before the meeting.

The Board shall not begin discussion of or act on an agenda item after 10:00 PM of a regularly scheduled meeting. This policy may be waived by a majority vote of the members present.

MINUTES:

The Secretary to the Board of Selectmen shall record open meetings of the Board by tape recorder or other approved method. The Secretary shall draft minutes from tapes/notes. Minutes circulated to members of the Board on or before any Friday shall be in order for approval at the next regular meeting of the Board. By unanimous consent, minor corrections may be made to the minutes without advance circulation of such corrections.

Minutes shall contain a full statement of all actions taken by the Board and of the disposition of all proposals for action. Minutes of Executive Sessions shall be separately kept and recorded in accordance with the above procedures. Minutes (other than of Executive Session) are open for public inspection. Copies of all approved open session minutes shall be posted on the Town Website for viewing and recorded with the Town Clerk.

APPOINTMENTS:

The Board makes numerous appointments each year. Appointments are generally made for one or three years in length. In no case may appointments be made for more than three years unless specifically allowed by State Law. Appointments generally should be made by mid June. Whenever possible the Board will seek variety in backgrounds, interests, ages, gender and geographic areas of residents so that a true cross section of the community will be reflected. In order to attract qualified and interested persons' vacancies will be made as far in

advance of appointment as practical and shall be advertised in a local newspaper, Town Website & Cable TV.

Appointments will be made on merit and qualifications rather than political merit. No person is entitled by reason of incumbency to be reappointed.

The Town Administrator will:

1. Provide on the first Board of Selectmen meeting following Annual Elections (according to expiration date of term) a list of the appointment vacancies to be filled by the Board.
2. Notify the Chairman of the appropriate Board or Committee requesting recommendations regarding reappointment or the filling of vacancies.
3. Notify incumbents and request their statements of availability regarding reappointment. Such notification shall include a statement "no person is entitled to be reappointed because of incumbency." The Selectmen may meet with potential new appointees at an open meeting before making a final decision on the appointment. Appointments will normally be made only when all members of the Board are present. Appointments will be made by a majority vote of the Selectmen.

VACANCIES OCCURRING IN THE MIDDLE OF TERM OR RESULT OF RESIGNATION:

Vacancies shall be filled by a vote of the Board of Selectmen following written notification to the Town Administrator from the affected Board, Committee or Commission within one month of said vacancy. The Town Administrator will in turn ensure advertisement for openings and schedule such with the Board of Selectmen for discussion on appointment to unexpired term. After proper advertisement of the opening, Selectmen will interview potential candidate (s) in Open Meeting. The Chairman will allow each member of the Board to ask questions of the candidate (s) and make further comment. The Chairman will then allow members of the affected subject Board, Committee or Commission to comment on the candidate (s). The Chairman of the Board of Selectmen will then conduct a roll call vote for a replacement candidate (s) to fill said vacancy (s). Advisory Committee will follow Town by-law and other elected boards will follow MGL and procedures for vacancies on their boards.

COMMITTEES OF THE BOARD OF SELECTMEN:

The Board may appoint standing or ad hoc advisory committees to aid on matters under the Board's jurisdiction. The use of such advisory committees provides greater expertise and more widespread citizen participation in the operation of government.

Charges to advisory committees shall be in writing and shall include the work to be undertaken, the time in which it is to be accomplished, and the procedures for reporting to the Selectmen. Each committee must report in writing at least annually to the Selectmen. The Selectmen's Office shall be sent copies of all committees' agendas and minutes. The Board will discharge committees upon completion of their work.

The charges and membership of standing advisory committees shall be reviewed periodically, at least annually, to assess the necessity and desirability of continuing the committee. Reappointments will be based on an evaluation of the member's contribution, the desirability of widespread citizen involvement and the changing needs of the committee and the town.

It is the policy of the Selectmen to appoint qualified citizens representing all sections of the Town to all such advisory committees. The Board will normally appoint no individual to more than one standing advisory committee at any one time.

In order to attract qualified and interested persons, vacancies will be made public as far in advance of appointments as practicable and no person shall be entitled to reappointment because of incumbency in office.

RELATIONS WITH OTHER TOWN BOARDS, COMMITTEES AND COMMISSIONS:

The Board of Selectmen 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:

1. Set Town wide goals and priorities
2. Identify and anticipate major problems and working toward their resolution.
3. Develop a process for dealing with other governments, Cities, Towns, State, Federal.

As the executive Board historically responsible for the overall leadership and coordination of town affairs, the Selectmen will:

Regularly schedule meetings with the Chairman of major Boards, Committees and Commissions to carry out functions 1-3 as listed on page 5 above. One meeting shall, if possible, be held before the start of Town Meeting for the purpose of reviewing the warrant and expediting Town Meeting.

Regularly schedule meetings of the Selectmen, the Advisory and School Committees with State Legislators, (if possible), to discuss legislative issues which affect the Town of Templeton.

The Town Administrator is responsible for inter-board communication in the day-to-day operations of Town government. The Town Administrator shall develop a process for exchange of information and the provision for advice and recommendations among Boards, Committees and Commissions with common interest. This shall include but not be limited to the exchange of minutes, the establishment of a central repository for data, studies and reports and the appointment of members or staff of Boards, Committees and Commissions as liaison with one another around common projects such as housing needs, revitalization of the Common, etc.

Appoint certain members of the Board of Selectmen to act in the liaison role defined above.

#### RELATIONS WITH CITIZENS:

The Board of Selectmen recognizes that it both represents and is accountable to all citizens of the Town of Templeton. It is the Board's policy to make every effort to strengthen communication with citizens. Measures will be instituted to increase citizen participation, encourage citizen input into governmental decisions and to keep citizens informed of all actions contemplated or taken by the Board and the Town Meeting which will affect them, the residents of Templeton. To this end the following steps will be taken:

1. Persons who will be directly affected by proposed Board discussions and/or action will be notified by the Town Administrator and his/her designee of the date and timing at which the matter will be discussed or acted upon by the Board.
2. An individual citizen or group of citizens may request an appointment before the Board by contacting the Town Administrator, stating precisely the reason for the appearance and the desired action and naming a spokesman for the group. Participants shall be given the opportunity to make reasonable presentation through the spokesman and to express opinions and ask pertinent information. Background data shall be prepared by the Boards and Departments concerned prior to the appointment insofar as possible, so all parties involved can have a reasonable understanding of the subject matter. Citizens are encouraged to have written materials submitted for the Board's meeting packet.
3. The above does not apply to the Public Comment portion of Regular Select Board Meetings at which time any citizen of the Town may appear to discuss his or her concerns with the Board, allowing a 10-minute time limit to each individual. However, it shall be the policy of the Board to take no formal votes during this period. If votes are deemed necessary as a result of items brought to the Board, these items shall be introduced in the agenda of the next regularly scheduled meeting of the Select Board.
4. If the Board is considering matters of citizen concern at a regular meeting, the public will be allowed to ask questions or make statements relative to the matter under consideration at the discretion of the Chairman or upon request of any member of the Board.
5. Routine matters relating to sundry administrative matters not requiring a public hearing may be acted upon by the Chairman and the Town Administrator subject to ratification by the Board of such action at its next regularly scheduled meeting.
6. All citizen questions and complaints are to be answered promptly. Questions and concerns relating solely to the Office of Selectmen shall be answered promptly by the Chairman, after consulting with the Board, or at the discretion of the Chairman or the Town Administrator.
7. All other questions and all complaints are to be referred to the Selectmen's Office for action or recommendations. In emergencies or like instances where common sense dictates that the Board member receiving the complaint deals directly with a department head, the Board member will inform the Town Administrator in writing of the issue and its disposition.

#### HEARINGS BEFORE THE BOARD:

Hearings before the Board of Selectmen generally will be conducted in accordance with the following procedures. Variations may be necessary to comply with statutory requirements applicable to particular matters.

1. Notice: The Secretary will advertise the hearing and notify interested persons, such as abutters, as required by statute or as directed by the Chairman in the absence of statutory requirements. Notice shall be at the expense of the person or entity required to have such a hearing. Expenses for the hearing shall include, but not limited to, publishing of notices, postage, photocopying of documents, and research by the Selectmen's Office staff.
2. Hearings will be held in Open Session unless otherwise voted by the Board in compliance with the Open Meeting Law.
3. The Chairman will announce the nature and purpose of the hearing, identify the particular matter and recite the notice given.
4. The order of presentation will be:
  - a) Presentation by the proposer
  - b) Receipt of recommendations from any Town agency or officer
  - c) Statements by proponents
  - d) Statements by opponents
  - e) Rebuttal statements by proponents and opponents
  - f) Where appropriate, questions may be asked of any person (s) making a statement after the statement is finished. Questions will be accepted first from members of the Board.
5. The Board may permit persons not desiring to speak to record themselves in favor or against the proposal (s) by letter, submitted to the Board from the public shall be noted. At the discretion of the Board, a show of hands may be taken.
6. At the conclusion of the hearing the Board may render its decision or take the matter under advisement, announcing the intended date of decision.

#### TOWN MEETINGS:

1. Annual Town Meeting: There shall be an Annual Town Meeting in May each year for the consideration of all Town business which is to be posted properly prior to the meeting. The Annual Town Meeting Warrant is the Selectmen's by statute. The Selectmen may insert articles in the warrant; within the time frame the warrant is open, on their own initiative or by written petition signed by the proper number of registered voters for the Annual Town Meeting.
2. Special Town Meeting: The Selectmen will call a Special Town Meeting when deferment of the particular matter (s) proposed for inclusion on the Warrant for the Annual Town Meeting will not serve the interest of the Town. The Selectmen must call a Special Town Meeting if they receive a written request, signed by at least 200 hundred registered voters of Templeton. It is the practice of the Town of Templeton to address major issues at the Annual Town Meeting versus a Special Town Meeting.
3. Notwithstanding the above, in the interest of economy of operations and imposition on the taxpayers and voters, the Selectmen shall strive to limit the calling of Special Town Meetings to the minimum necessary as is otherwise in the Town's best interest. In determining whether to call a Special Town Meeting, the Selectmen may consult with other Town Committees, Boards, Commissions, staff and other Officials as is appropriate. It is advisable to contact the Town Moderator and Town Council for consultation prior to each Town Meeting.