



TOWN OF

PLYMOUTH

MASSACHUSETTS

Board and Committee Handbook

First Edition

Approved by the
Town of Plymouth Select Board

July 11, 2023

INTRODUCTION

Volunteer citizen participation is the backbone of local democratic government. This handbook has been developed to articulate standards concerning the day-to-day operations and procedures expected of volunteers, as well as to assist you and your committee in complying with necessary standards defined by law and by the appointing authority.

This handbook should help committee members focus their efforts on assigned tasks rather than on the technical details of procedure. Please keep in mind that the term “committee” is used generically through this booklet to be inclusive of elected and appointed committees, commissions, boards, etc. This handbook is intended to provide a guide for many of the aspects of serving on Town committees. While it will be especially useful to newly elected or appointed officials, it also provides a reference for experienced officials who may face new issues in the conduct of Town business.

GENERAL INFORMATION

Appointments: The Select Board, Moderator, School Committee, Planning Board, Town Manager, and Superintendent of Schools are the primary officials authorized to appoint municipal and school boards and committees. Newly appointed committee members will receive formal written notification of appointment, including term of office, from the appointing authority. Members will remain on a committee until officially replaced by another committee member due to action by the appointing authority or until formal resignation.

All appointees will receive materials from the Town Clerk and be required to affirm an oath of office unless otherwise instructed. ***Formal voting by a committee member may be conducted only after the member has duly affirmed an oath of office.*** Committee Liaison or citizens who assist committees, not officially appointed as members, do not have a right to vote in committee proceedings.

Upon appointment, each appointee will receive the guide to the Open Meeting Law, the summary of the [M.G.L. Chapter 268A](#) (State Ethics) as well as a link to the State Ethics training. Appointees are required to acknowledge receipt of the Open Meeting Law and the State Ethics summaries as well as take the State Ethics training within 30 days of the appointment. Acknowledgement of the open meeting law and ethics is required yearly, and the State Ethics training is required every other year.

All appointed citizens have an obligation to foster and preserve a sense of public trust and to comply with M.G.L. Chapter 268A (State Ethics) and Plymouth General Bylaws. Individuals must avoid becoming involved in matters that are directly affected by or affect their personal or professional interests; this should be followed even if there is a hint of conflict of interest. Each individual must make known personal issues that pertain to any matter of discussion to the committee [and file the appropriate disclosure with the Town Clerk](#)

The following procedures will avoid problems:

- Disclose interest to the appointed authority and the Town Clerk’s Office.
- Disclose interest and ask the secretary to note this disclosure in the minutes.
- Avoid participation in any discussion of the matter.
- Abstain from voting on the matter.

Officers: Committees may, at their discretion, establish various officers within each committee. Each major committee should, at minimum, elect a Chair, Vice-Chair, and Clerk. ***Committee officers should be elected annually with email notification made to the appointing authority and Town Clerk.***

The committee Clerk shall be responsible to keep accurate minutes of all meetings. These meetings will need to be approved by the committee at a subsequent meeting and forwarded to the Town Clerk for posting and public records requests in a timely basis.

Applications for Appointments: In filling vacancies, the goal of the appointing authorities is to find qualified and interested individuals who are broadly representative of the Town. Appointing authorities take into consideration all relevant factors and may consider applications and suggestions from many sources.

Applications for committee appointments will be accepted at the offices of the Town Manager and Select Board throughout the year and when vacancies for the committee have been advertised. Upon expiration of a member's term, or a member has resigned, the upcoming vacancy will be advertised, and applications will be accepted from interested citizens.

Sitting members with expiring terms will be notified and asked if they wish to continue serving on the committee. Committee reappointment is based upon the appointing authority's evaluation of the citizen's contribution to the committee, the desirability of widespread involvement and the changing needs of the committee and the Town. In cases where special training or expertise is required, longer periods of service may be appropriate. A committee member is under no obligation to accept appointment nor is the appointing authority obligated to offer reappointment. Appointing authorities may accept recommendations on reappointment from the Chair of any committee. Specific reasons for negative recommendations should be stated clearly. Term extensions will be considered by the appointing authority against new applications when making an appointment decision.

Resignations/Attendance: Appointed resigning members must submit their letter of resignation by email to the Town Clerk and to the appointing authority. Elected resigning members must submit their resignation in writing with an original signature. As a matter of courtesy, the resigning member should send a copy to the Committee Chair.

A formal letter of resignation is required for the appointing authority to act on filling open positions. Members are expected to attend every committee meeting. It is the responsibility of each committee Chair to discuss excessive absences with the member. If any problem is not resolved to the Chair's satisfaction, the problem should be delegated to the appointing authority for resolution. ([See Select Board on Vacancies of Boards and Committee etc...](#))

Political Activity: Citizens appointed to public committees are not subject to any restrictions concerning political activity.

MEETINGS

[All public meetings must adhere to the Open Meeting Law, MGL Chapter 30A, Section 18-25](#)

Open Meeting Law: The Commonwealth of Massachusetts has a very strict set of regulations governing the right of citizens to attend governmental meetings. The Open Meeting Law (M.G.L. Chapter 30A,

Sections 18-25) ([see Open Meeting Law Guide & Materials](#)) requires that all meetings of state and local governmental bodies be open to the public, with certain exceptions, and for the keeping of minutes. 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.

By definition, a public meeting occurs at any time a quorum of the committee gets together to deliberate or consider any public business or policy over which the committee has some jurisdiction or advisory power. No action of the committee is valid or binding unless ratified by the affirmative vote of the majority of the members voting. If a five-member committee has three members present (which is a quorum), then a 2-1 vote is a valid, majority vote. Some by-laws or state statute may specify situations (i.e. Board of Appeals) in which the vote of a majority of the entire membership is required.

The Open Meeting Law does not contravene other laws, such as the Privacy Act. Any person, after informing the Chair, may record a meeting with a tape recorder or any other means of sonic reproduction and/or videotape equipment 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 Chair.

Time, Place, and Frequency: Each committee should establish a regular meeting schedule. Meetings should be frequent enough to ensure that the committee's charge is successfully met. Meetings must be held in a place which is accessible to the public and accessible to the disabled in accordance with the Americans with Disabilities Act (ADA). Committees are urged to meet in a public building. The committee may arrange for a meeting location by contacting the Town Manager's Office, for rooms within the Town Hall.

Meeting Notices and Agenda: A meeting notice must be prepared and sent to/notifying all of the committee's members as well as emailed to meetings@plymouth-ma.gov for public posting (at least 48-hour advance notice is required by law). The posting should include the date, time, and location as well as the agenda listing all topics that the committee reasonably anticipates will be discussed at the meeting. ([See Meeting, Agenda, and Minutes Submission Procedure etc...](#))

It is the responsibility of the sender to confirm receipt & posting by the Town Clerk's Office to ensure compliance with the 48-hour OML posting requirement. Agenda postings need to be emailed by 3 pm Monday – Thursday and 11 am on Fridays.

Agendas will be posted on the Town's website for all meetings and a printed copy will be available at the Town Clerk's Office.

Recordkeeping & Minutes: State law requires a committee keep accurate written records of its public meetings and vote to approve all minutes. The records of each regular meeting are public information. Minutes must include record of the date, time and place of the meeting, the members present and absent, documents discussed at the meeting, and any actions taken at each meeting, including executive sessions. In addition, minutes should include the following:

- Assignments to committee members.
- Statements of topics discussed, etc.
- Exact wording of all motions.
- All votes, and abstentions, must be recorded.
- Votes in executive session must be recorded by roll call.

Minutes may include summaries of discussions and a schedule of future meetings. Once minutes are accepted by committee vote they become the official record of the meeting and become a permanent public record. Any secretarial notes or shorthand, if not destroyed once the official minutes are accepted, are considered a public document under the public records law.

The committee Chair, or designee, must maintain a paper copy and an electronic version of all approved minutes for public record. The Chair must submit committee minutes in electronic format, to the Town Clerk for public access and permanent retention/ archiving to: meetings@plymouth-ma.gov.

Any hybrid/virtual meeting is required to be recorded. It is recommended the Chair requests a VIRTUAL MEETING link from the Town of Plymouth to ensure the recording can be accessed. It is the opinion of the Secretary of State that any video or audio proceedings, once made, are public records (unless done in executive session) and may be subject to disclosure despite the adoption of official minutes.

Conduct of Meetings & Quorum Requirement: The Chair directs the meeting, and the rulings of the Chair must be followed. Meetings should be conducted according to generally accepted rules of procedure consistent with Town by-laws.

A quorum of a committee is necessary to conduct of business. This quorum must at a minimum be over half of total committee membership (50% membership plus one), with total membership including any vacant seats on the committee.

Executive Session: An Executive Session is closed to the public. The committee must first convene in an Open Session for which notice has been posted and the Executive Session listed as an agenda item. More information regarding Executive Sessions can be found here: [General Law - Part I, Title III, Chapter 30A, Section 21 \(malegislature.gov\)](#)

TOWN MEETINGS

Town Meetings occur at various times of the year. If a relevant article is on the warrant or if the committee's charge specifies a report to Town Meeting, the committee should prepare information for Town Meeting. Please [see Select Board Policy](#), for more information regarding the submission process and deadlines for warrant articles.

Budget Requests: The Town's fiscal year runs from July 1st to June 30th of the following year. The Town Meeting votes annually on appropriations for all departments, boards and committees. It is imperative that committees plan early and submit budget requests in accordance with the budget schedule prepared each year by the Town Manager. Detailed budget data and backup information is essential to justify budget requests. Sound preparation in anticipation of the budget review process is expected.