



Open Meeting Law:

Balancing Government Transparency with Government Efficiency

Special Commission on State Institutions
September 6, 2023



Certification

CERTIFICATE OF RECEIPT OF OPEN MEETING LAW MATERIALS

I, _____, who qualified for the office of
(Name)

_____, on _____, certify pursuant
(Office) (Date)

to G.L. c. 30A, § 20(h), that I have received copies of the following Open Meeting Law materials:

- 1) the Open Meeting Law, G.L. c. 30A, §§ 18-25;
- 2) regulations promulgated by the Attorney General under G.L. c. 30A, § 25; and
- 3) educational materials promulgated by the Attorney General under G.L. c. 30A, § 19(b), explaining the Open Meeting Law and its application.

I have read and understand the requirements of the Open Meeting Law and the consequences of violating it. I further understand that the materials I have received may be revised or updated from time to time, and that I have a continuing obligation to implement any changes in the Open Meeting Law during my term of office.

(Name)

(Name of Public Body)

(Date)

Pursuant to G.L. c. 30A, § 20(h), an executed copy of this certificate shall be retained, according to the relevant records retention schedule, by the appointing authority, city or town clerk, or the executive director or other appropriate administrator of a state or regional body, or their designee.

Members must sign certification within two weeks of receipt:

- Read and understand requirements of the law and consequences for violating it
- Educational Materials:
 - OML Guide Book
 - Last 5 Years of OML Determinations



Open Meeting Law Basics

Notice of meetings must be posted

Meetings must be open to the public

Minutes must be kept

Complaint process



Public Body

Definition

A multi-member board, commission, committee or subcommittee ... however created, elected, appointed or otherwise constituted, established to serve a public purpose ... subcommittee shall include any multiple-member body created to advise or make recommendations to a public body.

Subcommittees

Subcommittees are themselves public bodies, and must comply with all provisions of the Open Meeting Law



Quorum and Deliberation

Quorum: a simple majority of the members of a public body, unless otherwise provided.

Deliberation: an oral or written communication through any medium, **including e-mail**, between or among a quorum of a public body on any public business within its jurisdiction.

“Deliberation” includes almost all communications, with limited exceptions for administrative matters such as scheduling meetings, and is not limited to decision-making or opinion communications.





Deliberation

Not deliberation:



- Agenda
- Scheduling




- Reports or documents



- Subquorum,
but not
subcommittee



Meeting



Definition: Deliberation by public body with respect to any matter within the body's jurisdiction

Includes:

- Regular board meetings
- Special meetings
- Retreats
- Workshops



Accessibility

Adequate, alternative access: Ability to clearly follow the proceedings of the public body while they are occurring

Reasonable efforts to accommodate crowds

Accessible to the disabled

Americans with Disabilities Act, federal Rehabilitation Act of 1973,
state constitutional provisions

The Attorney General's Civil Rights Division can assist -
Contact the Civil Rights Division at (617) 963-2939



Meeting Notices

Mendon-Upton Regional School District

RECEIVED

By Lauren Ferrucci at 3:21 pm, Oct 29, 2015

SCHOOL COMMITTEE MEETING AGENDA
Superintendent's Conference Room– Miscoe Hill Middle School
November 2, 2015
7:00 pm

RECEIVED

By Mendon Town Clerk at 9:48 am, Nov 02, 2015

- 7:00 pm Call to Order
Pledge of Allegiance
- 7:02 pm Approval of Agenda/Minutes
- Approval of Agenda
 - Approval of Open Session Minutes- October 19, 2015
- 7:05 pm Community Comments
- 7:20 pm Student Comments
- 7:25 pm Superintendent Comments
- Nipmuc 21st Century Learning Conference
 - Multihazard Emergency Planning Training of 10/21-22
 - FY16 Home Instruction Report
- 7:35 pm Subcommittee Updates
- Budget Subcommittee
 - Policy Subcommittee: First Reading of Revised Policy JKAA- Physical Restraint of Students & Policy EBC- Emergency Plans
- 7:40 pm Old Business
- School Committee Goals for 2015-16
- 7:45 pm New Business
- Spring 2015 MCAS Results
 - Approval of Miscoe Hill Middle School Improvement Plan- Principal Ann Meyer
- 8:10 pm Correspondence
- 8:12 pm Other matters not anticipated by the Committee within 48 hours of the posted meeting
- 8:13 pm Future Agenda Items
- MetroWest Adolescent Health Survey Results- November 16
 - Nipmuc AP & SAT Results- November 16
- 8:15 pm Roll call to executive session pursuant to (i) M.G.L. c 30A, Section 21(a), exemption #3, to discuss strategy with regard to collective bargaining with the Mendon-Upton Regional Teachers Association because doing so in open meeting would have a detrimental effect on the bargaining position of the Committee. (The Committee will not be returning to open session.)

The listing of matters are those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law. Also, the timeframe for each topic is a general guideline and may not be strictly adhered to.

www.mursd.org

Date of meeting

Time of meeting

Place of meeting

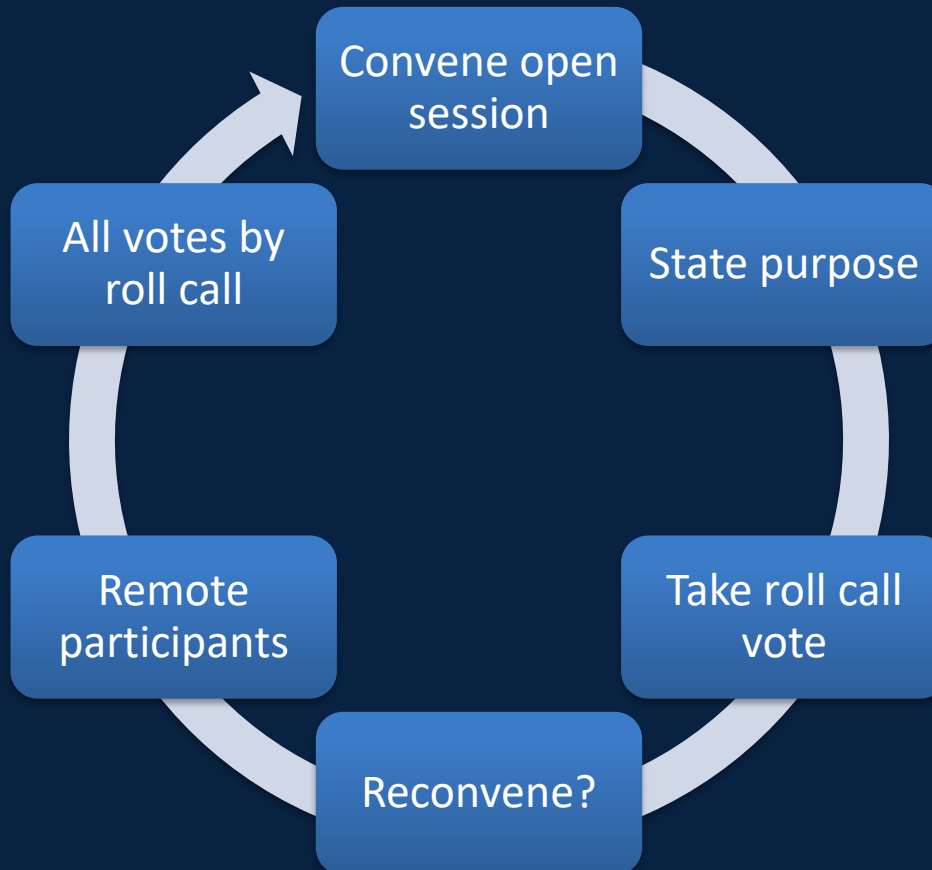
List of topics reasonably anticipated

Date and time of notice posting



Executive Session

Procedural requirements for entering executive session





Meeting Minutes

BOARD OF HEALTH MONTHLY MEETING
Monday, December 2, 2013
2 School St, Baldwinville, MA

Present members: Richard Trifilo, Donald Tourigny, and E. Jane Crocker
Absentees:
Health Director: Phil Leger
Administrative Assistant: Dianna Morrison

- Meeting called to order at 6:00 p.m. by Chairman Trifilo
- **Chairman's Report** – Mr. Trifilo stated he will not be running in the May election.
- **Member's Report** –
- **Review minutes of October 3, 2013** – Mr. Tourigny made the motion to accept minutes of the November 7 meeting, with one correction. Add "s" to the word appear in the Emergency Call Down Response List under new business. Ms. Crocker seconded the motion, passing unanimously.

Old Business:

1. **Budget Update** – Mr. Leger presented to the BOH the budget for FY'15 for approval. Mr. Leger further states that the salary line items do include a 1.5 cola increase as well as a step raise for eligible employees to take effect on their anniversary date. With the exception of Animal Inspector Stipend at \$1500.00 and Animal Inspector Expense at \$500.00, the rest of the budget request is for level funding. There was a brief discussion of funding the needed repair to Well 6 at the Landfill in the spring. Mr. Tourigny informed Mr. Leger that there is a funding source available from the Landfill Closure Account. Mr. Leger will speak to Sewer Department to see if possible to use their camera to scope Well 6. Mr. Tourigny motioned to accept the budget as presented and Ms. Crocker seconded the motion, motion passing unanimously.
2. **Office Update** – Ms. Morrison informed the BOH that the 40 hour work week has begun and going well. Ms. Morrison further stated that the barn inspections have progressed, with only three barns left for inspection. Mr. Leger informed the BOH that Dunkin Donuts construction is moving rapidly. The Asian restaurant still working on a solution for the grease trap. Reno's Pizza in East Templeton will be using an active grease trap.
3. **Region 2 EP Coalition Update** – Mr. Leger stated that the region had a facilitated meeting today regarding HMCC Functions. The drive is to centralize informational and resource coordination. Region 2 has already implemented some of the necessary changes needed. This also could mean less grant funding for hard goods.
4. **MPHN Update** – Mr. Leger informed the BOH that all 11 towns have signed the IMA making the grant writing an easier task as 11 towns in one network is impressive.
5. **Housing Update** – Mr. Leger stated that there were 2 housing cases this month both have been resolved and will be followed up.

New Business:

1. **Former Lily Chemical Response Outcome Update** – Mr. Leger informed the BOH that the site is still being monitored, with very low risk level of contamination. The site is now out of the Zone 2 delineation for the town wells.

Other Business:

Adjournment:

A motion was made by Mr. Tourigny to adjourn at 7:29 pm, seconded by Ms. Crocker. The motion passed unanimously.

Clerk's signature: _____

Date approved: 01/13/2014

- Minutes must state the date, time, place of the meeting, and list of members present or absent

- Minutes must include:

- A summary of discussion of each topic

- Decisions made and actions taken, including a record of all votes - Secret ballots prohibited; roll call votes recorded accordingly

- List of documents and other exhibits used by the body at the meeting, including by remote participants



Resources

Attorney General's Open Meeting Law Website

<http://www.mass.gov/ago/openmeeting>

- Open Meeting Law: G.L. c. 30A, §§ 18-25
- Regulations: 940 CMR 29.00
- Guide
- FAQs
- Checklists
- Determination Letters



Contact Information

Office of Attorney General
Division of Open Government
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openmeeting@mass.gov
(617) 963-2540