



TOWN OF PLYMOUTH

POLICY: POLICIES & PROCEDURES BOARD of SELECTMEN

BOS/95/01/R00

Approved: January 17, 1995

Effective: January 17, 1995

1.0 PURPOSE

The Board of Selectmen of the Town of Plymouth, recognizing the need to codify the traditional and accepted working relationships among the members of the Board, between the Board and the Town Manager, and between the Board and other Town Boards, committees, officials, employees, and citizens; and also recognizing the need to reduce to writing the Town's public policies and procedures, hereby undertake to create operating procedures for the Board of Selectmen.

2.0 POLICY GUIDELINES

NATURE OF POLICIES & 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 Manager. 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. Four votes of the five member Board is necessary for adoption at that same meeting.

The Town Manager shall be responsible for the maintenance of all policies and procedures.

AUTHORITY

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

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.

ROLE OF THE BOARD OF SELECTMEN

In accordance with the Town Charter; "The Board of Selectmen shall be the chief executive office of the town. It shall serve as the goal-setting, long range planning and policy making body of the town. It shall make recommendations on major courses of action to town meeting and adopt policy directives and guidelines for implementation by the officers, boards, committees, commissions, and employees of the town.

The Board of Selectmen shall have the power to enact rules and regulations to implement its policies.

Concerns and questions about the operation of departments, and suggestions for improvements should be addressed to the Town Manager. The responsibility for addressing these issues is thus carried out through the Town Manager. 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.

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 the responsibility of the Town Manager.
 - B. Realize that he or she is one of a team.
 - 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 Selectman as a means of unselfish service, not benefit personally or politically from his or her Board activities.
 - F. 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 his or her 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. Recognize that the Town Manager has full responsibility for discharging his or her dispositions and solutions to problems.
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. Not make statements or promises of how he or she will vote on matters that will come before the Board until he or she has had an opportunity to hear the pros and cons of the issue during a Board meeting.
 - C. Uphold the intent of executive session and respect the privileged communication that exists in executive session.
 - D. Make decisions only after all facts on a question have been presented and discussed.
 - E. Treat with respect the rights of all members of the Board despite differences of opinion.

ORGANIZATION OF THE BOARD

1. The Chairman shall be elected annually at the first regular meeting following the Annual Town Election. The Board at any time may remove the Chairman. A majority vote shall constitute an election. Nominations require no second. The immediate past Chairman shall preside as Chairman pro temp until the Chairman is elected. If there is no immediate past Chairman, the senior member in terms of current service shall serve as Chairman pro temp. In the case of members with the same amount of seniority, the member receiving more votes in the most recent election shall serve.
2. If a vacancy occurs in the office of Chairman, the Board shall elect a successor. The Board shall further appoint a Vice-Chairman under the same provisions stated for the Chairman.

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.
3. Call special meetings in accordance with the Open Meeting Law.
4. Arrange orientation for new members.
5. Represent the Board at meetings, conferences and other gatherings determined by the Board or delegated by the Chairman.
6. 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.
7. Make liaison assignments and assign overview responsibilities for projects and tasks to Board members unless otherwise determined by the Board.
8. The Chairman shall have the same rights as other members to offer motions and resolutions, to discuss questions and to vote thereon.

RESPONSIBILITIES OF THE VICE-CHAIRMAN

The Vice-Chairman of the Board shall act in the 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 primary function of the Clerk is to keep meeting minutes and prepare the weekly agenda.

REGULAR BOARD MEETINGS

Regular Board Meetings are held on Tuesday of each week. The Board shall not meet on days designated legal holidays. The Board may establish an alternative schedule by a majority vote.

SPECIAL MEETINGS

A meeting called for any time other than the regular meetings shall 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 who are available are notified.

WORKSHOP MEETINGS

The Board may conduct informal "workshops" from time to time as the situation warrants. At such meetings, which will be posted in accordance with the Open Meeting Law, no official action will be taken.

MEETING PROCEDURES

Meetings are to be conducted in accordance with generally accepted rules of parliamentary procedure and the Open Meeting Law. It is the practice that application of such procedure be on a relatively informal basis, due to the size of the group and the desirability of flexibility in the expression of opinion. Robert's Rule of Order is used as a guide in matters requiring clarification of definition.

A quorum shall consist of three members of the Board. As a practical courtesy, action on critical or controversial matters, such as the adoption of policy or committee appointments shall be taken, whenever practicable, with the full Board in attendance. Actions and decisions shall be made by motion, second and vote. Split votes will be identified by name.

The Town Manager or Assistant Town Manager is expected to be in attendance at all meetings of the Board. The Town Manager shall attend in order to keep the Board informed and advised and recommend in all matters that fall within the jurisdiction of his 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.

EXECUTIVE SESSION

If practicable, Executive Sessions, other than a few minutes in duration, will be scheduled only at the end of the open meeting. Only items clearly allowed under the Open Meeting Law shall be included in Executive Session. The mover must specify in the motion to enter Executive Session the reason the session is sought.

A majority of the members present must vote to enter Executive Session by roll call vote. The Chairman must state whether or not the Board will reconvene into open session.

AGENDA PROCEDURES

The responsibility for coordinating and planning the weekly agenda is that of the Town Manager. The Chairman and the Town Manager may place items on the agenda. The Town Manager, in consultation with the Chairman, shall schedule a realistic time period for each appointment, interview, conference or other scheduled item of business.

All items for the agenda must be submitted to the Town Manager by 4:00 p.m. on the Thursday preceding the meeting. Items of emergency or strictly routine nature that develop after closing of the agenda may be considered under "New business".

Agenda items normally include:

1. Call Meeting to Order
2. Town Manager's report
3. Licenses, permits, administrative notes, and pending business
4. Public comment
5. Action Items
6. Working Session
7. Letters, correspondence
8. New Business
9. Adjournment

Members of the Board, staff, Town Manager, the public or other town departments who prepare background material for the meeting should make an effort to have such material available for Thursday afternoon. If background information 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 shall be available to the public and the press at the Selectmen's office the Monday morning of the meeting date and shall be posted at the Town Office bulletin Board that same morning. All important correspondence, reports and other

pertinent background materials shall be forwarded with the agenda to Board members.

If the meeting has not yet concluded, the Board shall adjourn meetings automatically at 11PM and no additional business can be brought up after that time. A motion is required to continue beyond that time, and only to conclude the item being discussed.

Issues raised during the "Public Comment" portion of the meeting are to be referred to staff or the responsible board for investigation and the appropriate action. The Board shall not vote on an issue at the same meeting that it is first introduced. The Board is not expected nor encouraged to respond to issues that are raised until they can be thoroughly investigated. If an important issue is raised that obviously needs the action of the Board of Selectmen, it should be scheduled as an agenda item as expeditiously as possible. This rule may be waived if the Board unanimously votes that prompt action is necessary. Four votes of the five member Board is necessary for adoption at that meeting.

MINUTES

The Selectmen's secretary is responsible for preparing minutes of all Board meetings.

Minutes shall contain a full statement of all actions taken by the Board and of the disposition of all proposals for action. Minutes shall be recorded in a Minutes Book which shall be bound when filled to capacity. Minutes of Executive Sessions shall be separately kept and recorded in accordance with the above procedures. Minutes (other than of executive sessions) are open for public inspection.

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 are made July 1st of each year. In the case of appointments, no second to the nomination or motion will be required prior to Board action.

Whenever possible the Board will seek variety in backgrounds, interests, ages, sex 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 public as far in advance of appointment as practicable. Vacancies could be advertised in the local paper as well as on Cable TV. Appointments should be based on merit and qualifications rather than political merit.

The Selectmen's Secretary will:

- A. Provide on May 15th a list of the appointment vacancies to be filled by the Board.

- B. Notify the Chairman of the appropriate Board or committee requesting recommendations regarding reappointment or the filling of vacancies.
- C. Notify incumbents and request their statements of availability regarding reappointment. Incumbents may elect to submit their intentions in writing and waive the reinterview process if there is no substantially new information for the Board to consider.

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.

ADVISORY COMMITTEES TO 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 committee agendas and minutes. The Board will discharge committees upon the 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 such advisory committees. The Board will normally not appoint an 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 an appointment as practicable.

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 to:

- A. Set town-wide goals and priorities

- B. Identify and anticipate major problems and work together towards their resolution
- C. Develop a process for dealing with state and county government

Therefore, as the executive board historically responsible for the overall leadership and coordination of town affairs, the Selectmen will:

1. Regularly schedule meetings with the chairmen of major boards and committees to carry out functions A-C listed above. One meeting shall, if possible, be held between the annual election and the start of town meeting for the purpose of reviewing the warrant and expediting town meeting.
2. Schedule meetings of the Selectmen, finance committees and school committee with Plymouth's State Legislators to discuss legislative issues which affect Plymouth.
3. Appoint members of the Board of selectmen to act in the liaison role with various committees of the Board.

RELATIONS WITH CITIZENS

1. An individual citizen or group of citizens may request an appointment before the Board by contacting the Town Manager, stating precisely the reason for the appearance and the action desired and naming a spokesperson for the group. Participants will be given the opportunity to make a reasonable presentation through the spokesperson and to express opinions and ask for pertinent information. Background data shall be prepared by the boards and departments concerned prior to the appointment insofar as possible, so that all parties involved can have a reasonable understanding of the subject matter. Citizens are encouraged to have written materials submitted in advance for the Board's meeting packet.
2. Persons who will be directly affected by proposed Board discussion and/or action will be notified by the Selectman's Secretary of the date and time of the meeting at which the matter will be discussed or acted upon by the Board.
3. 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.

4. All citizen questions and complaints are to be answered promptly. Questions and concerns relating solely to the Office of Selectman shall be answered promptly by the Chairman, after consulting with the Board. Answers may be delegated to the Town Manager at the discretion of the Chairman. Those needing prompt attention by the Board should be referred to the Chairman for inclusion in the next meeting agenda
5. All other questions and complaints are to be referred to the Selectman's Office for action or recommendations. IN those instances where common sense dictates that the Board member receiving the complaint deal directly with a department head, the Board member shall inform the Town Manager of the issue and its disposition.

HEARINGS BEFORE THE BOARD

Hearings before the Board of Selectmen generally shall be conducted in accordance with the following procedures. Variations may be necessary to comply with statutory requirements applicable to particular matters. Written material to be presented to the board during a hearing must be submitted to the board in advance whenever possible. The procedure for conducting hearings is hereinafter outlined:

1. Notice: The Selectmen's 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.
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. Where appropriate, the Chairman will outline the procedure to be followed. All questions will be addressed by the Chair.
4. The order of presentation will be;
 - a. Presentation by 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 making a statement after the statement is

finished. Questions will be accepted from members of the Board first.

5. The Board may permit persons not desiring to speak to record themselves as in favor or against the proposal. At the discretion of the Board as 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 MEETING

Annual Town Meeting - The Town Meeting warrant is the Selectmen's warrant by statute. The Selectmen may insert articles in the warrant on their own initiative or by written petition signed by ten (10) registered voters for the Annual Town Meeting.

Special Town Meeting - The Selectmen may call a Special Town Meeting when a deferment of the particular matter(s) proposed for inclusion on the warrant for the Special 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 two hundred (200) registered voters.

The Selectmen may insert articles in the warrant on their own initiative by vote of the board or by written petition signed by one hundred (100) registered voters for Special Town Meeting.

Notwithstanding the above, the interest of economy of operations and impositions on the 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, officials, and staff as appropriate. It is strongly recommended that the Moderator and the Town Clerk be consulted for each Town Meeting.

3.0 APPLICABILITY

The Board of Selectmen

4.0 QUESTIONS

Please contact the Selectmen's Office at (508) 830-4000 if you have any questions.

Signed by

PETER PAULDING - SELECTMAN
JOSEPH ANUSEWICZ - SELECTMAN
BRIAN A. ALOSI - SELECTMAN

EUGENE T. LANE - SELECTMAN
LINDA C. TEAGAN - SELECTMAN