

## Infrastructure & Energy Committee

**DRAFT Minutes, February 11, 2019**

### Infrastructure and Energy Committee Members in Attendance

Doyle, Peter - Chair	Alessi, Alison
Boyle, John	Gallus, Barry
Starr, Gordon	

### Others in Attendance

Britt Beedenbender, Town Council Liaison  
Paul C. Neary, Town Councilor  
Ruth J. Weil, Town Attorney  
Brian Florence, Building Commissioner  
P. Griffin Beaudoin, Interim Assistant Engineer  
Cindy Dabkowski, Administrative

19 FEB 26 AM 0:39

BARNSTABLE  
TOWN CLERK

### Call to order

A quorum being present the Chairman Peter Doyle called the Infrastructure & Energy Committee (IEC) meeting to order at 5:00 pm. The meeting was held in the DPW Conference Room located at 382 Falmouth Road Hyannis.

### Approval of Minutes:

Motion moved by Gordon Starr to approve the Minutes of the January 14, 2019 meeting of the Infrastructure and Energy Committee as written. Barry Gallus 2<sup>nd</sup> the motion. All in favor, motion carried.

### New Business

Ruth J. Weil, Town Attorney delivered a PowerPoint Presentation entitled Open Meeting Law: Balancing Government Transparency with Government Efficiency. See presentation attached. (Attachment 1)

Ruth J. Weil, Town Attorney handed out certification forms to member to fill out and return. See form attached. (Attachment 2)

Ruth J. Weil, Town Attorney handed out Public Body Checklist for Posting a Meeting Notice See form attached. (Attachment 3)

Brian Florence, Building Commissioner provides his thoughts of the stretch code section of the Green Community Act to the Infrastructure and Energy Committee Members. Brian Florence says

- The Green Communities Act can sound very attractive; the carrot is the funds that become available once a community achieves Green Community status.
- Adopting the stretch code is only one way that a community can achieve Green Community status. The 'stretch code' is an optional choice to the Massachusetts building energy code that allows cities and towns to choose a more energy efficient option.
- Adopting the Stretch Code may take some control away from citizens. The building department could no longer assist citizens with meeting energy code requirements.
- Third party agency involvement (HERS rater) could hold up certificate of occupancy for citizens.
- A second option would be to adopt a prescriptive code that is measurable.

- Town could adopt an ordinance that stays ahead of the Stretch Code.

Alison Alessi suggests committee discuss what they just heard at the next scheduled meeting.

Gordon Starr will look into the number of Massachusetts communities that have adopted the Stretch Code and report back to committee next meeting.

It is suggested that the Infrastructure and Energy Committee (IEC) ask a community that has gone through the process of becoming a Green Community in to share their story.

It is suggested that the IEC invite Green Communities Coordinator for the Southeast Region, Seth Pickering to a future meeting to inform the IEC.

P. Griffin Beaudoin, P.E., Senior Project Manager, Water & Sewer provided IEC members with an update on the Transfer Station remodel project.

- The project as designed is a 2 ½ million dollar project. In order to pay for this project it would be necessary to raise the sticker fee. There is not an appetite for raising fees at this time.

Barry Gallus states that the addition of signage at the Transfer Station is critical.

It is suggested that the IEC invite Solid Waste Division Supervisor, P.J. Kelliher to a future meeting to inform the IEC.

### **Upcoming Meetings**

February 25, 2019

March 4, 2019

March 18, 2019

April 1, 2019

### **Adjourn**

Motion moved by Barry Gallus to adjourn the meeting of the Infrastructure and Energy Committee at 6:30 PM, 2nd by John Boyle, the vote was passed unanimously.

### **Documents and Exhibits**

Agenda, February 11, 2019 Meeting

Draft minutes of January 14, 2019

Open Meeting Law: Balancing Government Transparency with Government Efficiency PowerPoint

Certificate of Receipt of Open Meeting Law Materials form

Public Body Checklist for Posting a Meeting Notice

Respectfully submitted by Cindy Dabkowski

# TOWN OF BARNSTABLE

NOTICE OF MEETINGS OF TOWN DEPARTMENT AND ALL TOWN BOARDS  
As Required by Chapter 28 of the Acts of 2009, amending MGL Chapter 30A

**NAME OF PUBLIC BODY - COMMITTEE, BOARD OR COMMISSION:**

**Infrastructure and Energy Committee**

**DATE OF MEETING:** February 11, 2019

**TIME:** 5:00 PM

**PLACE:** DPW Conference Room 382 Falmouth Road Hyannis

**TOPICS FOR DISCUSSION:**

Call to order

Act on minutes of January 28, 2019

Communication from Committee Members

Communications from Councilors and Staff

New Business

- Green Community Discussion
  - Brian Florence, Town of Barnstable Building Department
- DPW's P. Griffin Beaudoin, P.E. updates committee on Transfer Station Expansion / Remodel
- Infrastructure and Energy Committee webpage review
  - How do we use it advantageously?
  - Should we Invite IT?
  - Correct our description.
- Open Meeting law rules and regulations.
  - All members submit signed certificates and take ethics exam.

Old Business

- Short & Long term goals.
  - Discuss Peter's list

Matters not reasonably anticipated by the Chair

Next Meeting: February 25, 2019 5:00 PM DPW conference room

Adjournment

The list of matters, are those reasonably anticipated by the president/chair, which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law. It is possible that if it so votes, the sub-committee may go into executive session.

PERSONS INTERESTED ARE ADVISED THAT IN THE EVENT THAT ANY MATTER TAKEN UP AT THE MEETING THAT REMAINS UNFINISHED AT THE CLOSE OF THE MEETING, IT MAY BE PUT OFF TO A CONTINUED SESSION OF THIS MEETING WITH PROPER POSTING.

For your information the section of the M.G.L. that pertains to postings of meetings is as follows: Except in an emergency, in addition to any notice otherwise required by law, a public body shall post notice of every meeting at least 48 hours prior to such meeting, excluding Saturdays, Sundays and legal holidays. In an emergency, a public body shall post notice as soon as reasonably possible prior to such meeting. Notice shall be printed in a legible, easily understandable format and shall contain: the date, time and place of such meeting and a listing of topics that the chair reasonably anticipates will be discussed at the meeting. Meetings of a local public body, notice shall be filed with the municipal clerk, and posted in a manner conspicuously visible to the public at all hours in or on the municipal building in which the clerk's office is located.

Received Time Feb. 1. 2019 8:52AM No. 1277

Infrastructure & Energy Committee

Meeting Date: 2/11/19

Attachment # 1

19 FEB -1 A8:55

BARNSTABLE  
TOWN CLERK



## **Infrastructure & Energy Committee**

**Minutes, January 14, 2019**

### **Infrastructure and Energy Committee Members in Attendance**

Doyle, Peter - Chair  
Eichner, Ed - Vice Chair  
Alessi, Alison

Boyle, John  
Gallus, Barry  
Starr, Gordon

### **Others in Attendance**

Andy Clyburn, Assistant Town Manager  
James H. Crocker, Jr., Town Council President  
Britt Beedenbender, Town Council Liaison

P. Griffin Beaudoin, Interim Assistant Engineer  
Cindy Dabkowski, Administrative

### **Call to order**

A quorum being present the Chairman Peter Doyle called the Infrastructure & Energy Committee (IEC) meeting to order at 5:00 pm and asked that members and visitors introduce themselves.

### **New Business**

The Infrastructure and Energy Committee was Commissioned by Town Council. Town Council Liaison is Britt Beedenbender. The January 14, 2019 Initial organizational meeting is to lay ground work for year ahead and beyond.

James H. Crocker, Jr., Town Council President suggests

- Invite Ruth Weil in for training on process of posting/recording meetings/open meeting laws
- May want to look at Capital Investment Projects, may want to stay up with whatever is moving.

Britt Beedenbender, Town Council Liaison suggests committee

- Invite Mark Milne, Town of Barnstable Finance Director to an upcoming meeting to discuss fiscal policy and how the committee can make suggestions for the utilization of the fees coming in from renewable energy.

Andy Clyburn, Assistant Town Manager suggests "If the Committee wants to look at Town of Barnstable "Green Community Designation should first invite Town of Barnstable Building Commissioner to an IEC meeting to discuss Green Community Designation.

Ed Eichner states that his area of interest is water. He suggests the committee

- look at what they can do to assist with water discussions
  - Water issue at airport Water Well

- Well off of Willow St. continuous problem
- Portable filtration installed
- Fire academy training area

Gordon Starr asks how the committee can help with

- Vineyard Wind, Britt Beedenbender suggests education: Really surprised people haven't come forward may be citizens not aware and will come forward when road gets torn up or have been paying attention and watching for Town Council meeting and are informed adequately. Several concerns voiced, but appear to be misinformation.
- Committee spreading information is important to getting residents on board with important issues and changing consumer habits

IEC Members should make a list of Topics, Issues, and Projects for the committee get involved in.

- Contractual obligation for money
- Workshop about stretch code
- HERs Rater workshop
- Vineyard Wind/Income
- Solid Waste Division Update
- Energy Coordinator or other energy Staff

#### Short term goals

- Workshop on green communities
- Building inspector not on board, find out why (February 11, 2019)
- Cape Light Compact at a meeting in near future
- HERS Rater February 11, 2019
- Seth Pickering – SE Coordinator February 11, 2019
- Mark Milne in for financial discussion

#### Long term goals

- Town of Barnstable - Green Community Designation
- Energy Coordinator position funding

Dan Santos provided 1hr 15 min presentation on sewerage in Town of Barnstable this is our time line, this is where we are. Cindy will send link to video and get Dan's power point presentation out to members.

Cindy and Peter will research Selectman's Conference Room Find spaces and time slots Cindy and Peter Doyle work on schedule M, T, W sometime

#### Upcoming Meetings

- February 11, 2019 meeting Building Commissioner-Green Community, Town Attorney-Open Meeting Law, DPW Staff- Transfer Station Update
- March 2019 meeting Mark Milne
- April 2019 meeting Cape Light Compact

P. Griffin Beaudoin, Interim Assistant Town Engineer will future meetings

P. Griffin Beaudoin will provide an update on Transfer Station Expansion I Planning at the February 11, 2019 meeting

#### Adjourn

Upon a motion to adjourn the meeting at 6:15 PM by Ed Eichner, 2nd by Barry Gallus, the vote was passed unanimously.

#### Documents and Exhibits

Agenda, January 14, 2019 Meeting

Respectfully submitted by Cindy Dabkowski

## Open Meeting Law: Balancing Government Transparency with Government Efficiency

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### Purpose of Open Meeting Law

- Recognizes the necessary balance between government accountability and government efficiency.
- Ensures transparency by public bodies by requiring:
  - Notice
  - Open Deliberations
  - Public Access
- Allows government to efficiently and effectively manage its operations by:
  - Providing for certain deliberations to take place in executive session
  - Maintaining confidentiality of certain records of executive session

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## OML Basics

- 1) Notice must be timely posted for meetings
- 2) Meetings must be open to the public, unless the public body enters into executive session
- 3) Minutes must be kept for open and executive sessions
- 4) Complaint process
- 5) Public body member certification

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## Public Body

### Definition

A multi-member board, commission, committee or sub-committee however created, elected, appointed or otherwise constituted, established to serve a public purpose . . .

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Examples: Public Bodies

- **Local:** Town Council; all town boards, committees and commissions appointed by the Town Council.

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Examples:  
Not Public Bodies

- **State:** State Senate; House of Representatives; Judicial Nominating Commission; Massachusetts Municipal Association
- **Local:** Civic associations; Republican/Democratic Town Committees; private non-profit groups

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Deliberation  
&  
Quorum

- **Definition**

An oral or written communication through any medium, including electronic mail, between or among a quorum of a public body on any public business within its jurisdiction.

- **Quorum:**

A simple majority of the members of the public body, unless otherwise provided in a general order or special law, executive order or other authorizing provision

In a recent determination by the AG's office a violation of the OML was found where an e-mail was sent by one member to all members of the public body expressing an opinion to all members of a body.

## Exclusion

- Excludes
  - Distribution of meeting agenda, scheduling or procedural information
  - Distribution of reports or documents to be discussed
    - Distributor can not express opinion of member of public body

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## Meeting

### Definition

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

- Excludes:
  - On-site inspection **provided** no deliberation
  - Attendance by a quorum at an event **provided** no deliberation
  - Attendance by a quorum at meeting of another public body **provided** no deliberation

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## Meeting Notices

- Except in an emergency, a public body must post notice of meeting at least 48 hours in advance, excluding Saturdays, Sundays, and legal holidays
- Notice must include:
  - Date
  - Time
  - Place of meeting; and
  - Listing of topics the chair reasonably anticipates will be discussed at the meeting. Topics should give enough specificity so that the public will understand what will be discussed.
  - If the notice is revised, the revised notice must record the date and time the original notice was posted, as well as the date and time of the revision.
- "Emergency" is a sudden, generally unexpected occurrence or set of circumstances demanding immediate action.
- In an emergency, a public body shall post notice as soon as reasonably possible prior to a meeting

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## Meeting Notices: Local Public Bodies

- Local public body must file notice with municipal clerk
- Notice must be posted in a manner conspicuously visible to the public, including persons with disabilities, at all hours in or on the municipal building where the clerk's office is located
- Posting options
  - Municipal website – Official agenda clocked in

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### Notice Posting: Common Concerns

- Public bodies are encouraged to update the notice when made aware of **new** topic within the 48 hour period before the meeting.
- Chairs should not post notices so far in advance that there is a high likelihood that new topics will arise.
- Chairs are encouraged to work with municipal clerks to enable sufficient time for posting.
- Meeting cancellations do not require 48 hours notice.
- Meetings that are continued, or cancelled and rescheduled, must comply with all notice requirements of the Open Meeting Law.
- Other laws may apply (such as notice for public hearings)

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### Notice Posting: Common Concerns

- If a website becomes unavailable, the website must be restored within 6 business hours of discovery of the outage; otherwise meetings occurring within 48 hours of the outage must be cancelled and re-noticed.
- Meetings must be accessible to the disabled
  - Americans with Disabilities Act, Federal Rehabilitation Act of 1973, state constitutional provisions
  - Civil Rights Division of the Attorney General's Office can assist
    - Contact the Civil Rights Division at (617)963-2939

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## Public Participation

- Public may attend open session of meeting
- Public may not address public body without permission of chair or otherwise disrupt meeting
- Public may make audio or video recording of open session upon notification to chair and subject to reasonable requirements
- Chair must inform other attendees of recording at beginning of meeting

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## Executive Session

- OML allows public bodies to conduct closed, or executive, meetings in certain circumstances. Always contact the Town Attorney's office before posting an Executive Session on an agenda
- Public bodies must follow OML requirements for executive session:
  - Convene open session prior to going into executive session
  - State publicly the purpose(s) for the executive session
  - Conduct roll call vote to enter executive session and obtain a majority of members
  - Announce whether open session will reconvene after
  - Maintain minutes of and documents from executive session
  - Discuss only matters for which executive session is lawfully called
  - Conduct roll call votes of all votes taken during executive session

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## Purposes for Executive Session

1. Discuss reputation, character, health, discipline, charges, complaints, but not professional competence of individual
2. Conduct strategy sessions in preparation for negotiations, to conduct collective bargaining sessions or contract negotiations, with nonunion personnel
3. Discuss strategy for collective bargaining or litigation\*
4. Security personnel or devices
5. Criminal misconduct
6. Acquisition of real property
7. Comply with law or grant-in-aid requirement
8. Preliminary screening for employment\*
9. Confer with mediator on litigation or decision
10. Trade secrets in the course of activities conducted by a public body as an energy supplier

\*If holding an open meeting would have a detrimental effect and the chair so declares on record beforehand.

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## Meeting Minutes

- 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 are explicitly prohibited
  - List of documents and other exhibits used by the body at the meeting, including by remote participants
  - Name(s) of any member who participated remotely and the reason under 940 CMR 29.10(5) for his or her remote participation

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## Meeting Records Overview

- Meeting minutes shall be created and approved in a timely manner for both open and executive sessions
- Public bodies are required to approve meeting minutes in a timely manner. Public bodies that approve meeting minutes within the next three meetings, or 30 days, whichever occurs latest, will have approved minutes in a timely manner. While this timeframe is not a rigid requirement, as a public body may show good cause for further delay, it should help encourage public bodies to develop a schedule for prompt creation and approval of meeting minutes.
- Documents and exhibits used by public body must be retained by the public body but *do not* need to be physically stored with the meeting minutes

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## Meeting Records Overview

- Minutes of open session must be provided upon request within 10 days, whether in draft or final form
- Executive session records must be disclosed once publication will no longer defeat the purpose for having entered into executive session, unless exempt from disclosure because of attorney-client privilege
- Secretary of State's municipal records retention schedule

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## Certification

- OML materials must be distributed to all public body members upon taking oath of office or, if none is required, before entering performance of office
  - Local Public Bodies: Municipal clerk
  - Regional, District, County or State Bodies: Appointing authority, executive director, or other administrator or designee
- Members must sign certification within two weeks of receipt
  - Read and understand requirements of law and consequences for violating it
- Person distributing materials also keeps certifications

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## Complaint Process

### Step 1: The Complainant

- Complaint shall be filed in writing with the public body within 30 days of the alleged violation, or if it could not reasonably have been known at the time, then within 30 days of the date the complainant reasonably should have discovered the alleged violation
- Complaint Form, found at the Division of Open Government website, completed and sent to chair of public body

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## Complaint Process

### Step 2: The Public Body

- Chair of the public body shall disseminate the complaint to the members of the public body. The public body has 14 business days in which to respond and inform Division of Open Government of remedial action taken
- Public body must meet to discuss complaint.
- Public body may request from the Director an extension of time to respond for good cause

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## Complaint Process

### Step 3: The AGO

- If the complainant is not satisfied with the resolution of the complaint by the public body, he/she may file the complaint with the Division of Open Government 30 days after the complaint is filed with the public body.
- To be considered timely, complaints must be filed with the AGO within 90 days of the date of the original alleged violation.
- Public body may request mediation with a complainant who has filed five or more complaints in the past 12 months.

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## Complaint Process

### Steps 4-10: The DOG

- Step 4: Acknowledgment
- Step 5: Request for documents and interviews
- Step 6: Has there been a violation?
- Step 7: Was the violation intentional?
- Step 8: Was the action taken by the public body adequate?
- Step 9: Resolution
  - Informal
  - Formal
  - Order
- Step 10: Public body appeal

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## Alternative Complaint Process

- Attorney General or 3 or more registered voters may initiate a civil action to enforce the Open Meeting Law

Step 1: Complaint must be must filed in Suffolk Superior Court for state public bodies

-For all other public bodies, must file in superior court in any county in which the public body acts or meets

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## Remedies

- Compel immediate and future compliance
- Compel attendance at training
- Compel public release of minutes or other materials
- Nullify any action taken in violation of the Open Meeting Law
- Reinstate an employee and make whole
- Impose a civil penalty of up to \$1,000 on a public body for each intentional violation
- Other appropriate relief

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## Review

- 1) Notice must be posted for meetings
  - 48 hours in advance, except for emergency
  - Include date, time, place, and sufficiently detailed list of topics chair reasonably anticipates will be discussed
- 2) Meetings must be open to the public, unless public body enters executive session
  - Discussion must fit within one of 10 purposes for executive session
- 3) Minutes must be kept for open and executive sessions
  - Must include summary of discussion for each topic
  - Must contain a list of documents & exhibits used at the meeting
- 4) Public body member certification
- 5) Complaint process
  - Must be filed with public body first
  - Alternative complaint process in Superior Court

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**CERTIFICATE OF RECEIPT OF OPEN MEETING LAW MATERIALS**

I, \_\_\_\_\_, who qualified as a member of the  
(Name)

\_\_\_\_\_, on \_\_\_\_\_, certify pursuant  
(Public Body) (Date)

to G.L. c. 30A, § 20(h) and 940 CMR 29.04, that I have received and reviewed copies of the following Open Meeting Law materials:

- 1) the Open Meeting Law, G.L. c. 30A, §§ 18-25;
- 2) the Attorney General's Regulations, 940 CMR 29.00–29.11;
- 3) the Attorney General's Open Meeting Law Guide, explaining the Open Meeting Law and its application; and
- 4) if applicable, a copy of each Open Meeting Law determination issued by the Attorney General within the last five (5) years to the public body of which I am a member and in which the Attorney General found a violation of the Open Meeting Law.

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 to 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.*

Infrastructure & Energy Committee  
Meeting Date: 2/11/19  
Attachment # 3

## Public Body Checklist for Posting a Meeting Notice

Issued by the Attorney General's Division of Open Government – September 25, 2017

### Notice Contents

- ☐ The notice contains the date, time, and location of the meeting. G.L. c. 30A, § 20(b).
- ☐ If the meeting is a joint meeting of several public bodies, the names of all bodies meeting are listed at the top of the notice.
- ☐ The notice contains all of the topics that the chair reasonably anticipates will be discussed at the meeting. The topics are sufficiently specific to reasonably advise the public of the issues to be discussed at the meeting, including executive session topics. G.L. c. 30A § 20(b); 940 CMR 29.03(1)(b).
- ☐ The notice is printed in a legible, easily understandable format. G.L. c. 30A, § 20(b).
- ☐ The date and time that the notice is posted is conspicuously recorded on or with the notice. 940 CMR 29.03(1)(d). If the notice is amended within 48 hours of a meeting, not including Saturdays, Sundays, and legal holidays, then the date and time that the meeting notice is amended must also be conspicuously recorded on or with the notice. 940 CMR 29.03(1)(d).

### Notice Publication

- ☐ The notice is published at least 48 hours before the meeting, not including Saturdays, Sundays and legal holidays. G.L. c. 30A, § 20(b).
- ☐ The notice is posted with the proper authority:
  - Local public bodies – Filed with the municipal clerk, who must post it in a location conspicuously visible to the public at all hours in or on the municipal building where the clerk's office is located, or to the municipal website if adopted by the municipality as the official method of posting notices. G.L. c. 30A, § 20(c); 940 CMR 29.03.
  - State public bodies – Posted to a website, and a copy sent to the Secretary of State's Regulations Division. G.L. c. 30A, §20(c).
  - Regional public bodies – Posted in every municipality within the region, unless the public body has adopted an alternative notice posting method. G.L. c. 30A, § 20(c); 940 CMR 29.03.
  - County public bodies – Filed with the office of the county commissioners and a copy of the notice is publicly posted in a manner conspicuously visible to the public at all hours in such place or places as the county commissioners shall designate for the purpose, unless the county has adopted its website as the official method for posting notices. G.L. c. 30A, § 20(c); 940 CMR 29.03.

**Note that this checklist is intended as an educational guide, and does not constitute proof of compliance with the Open Meeting Law. These checklists are updated periodically, so please check that you are using the most current version. For questions, please contact the Attorney General's Division of Open Government at 617-963-2540 or via email at [openmeeting@state.ma.us](mailto:openmeeting@state.ma.us). For more information on the Open Meeting Law, please visit [www.mass.gov/ago/openmeeting](http://www.mass.gov/ago/openmeeting).**

## Public Body Checklist for Creating and Approving Meeting Minutes

Issued by the Attorney General's Division of Open Government – September 25, 2017

- ☐ Minutes must accurately set forth the date, time, place of the meeting, and a list of the members present or absent. G.L. c. 30A, § 22(a).
- ☐ Minutes must include an accurate summary of the discussion of each subject. See G.L. c. 30A, § 22(a). The summary does not need to be a transcript, but should provide enough detail so that a member of the public who did not attend the meeting could read the minutes and understand what occurred and how the public body arrived at its decisions.
- ☐ The minutes must include a record of all the decisions made and the actions taken at each meeting, including a record of all votes. G.L. c. 30A, § 22(a).
- ☐ The minutes must include a list of all of the documents and other exhibits used by the public body during the meeting. G.L. c. 30A, § 22(a). Documents and exhibits used at the meeting are part of the official record of the session, but do not need to be physically attached to the minutes. See G.L. c. 30A, §§ 22(d), (e).
- ☐ If one or more public body members participated remotely in the meeting, the minutes must include the name(s) of the individual(s) participating remotely. 940 CMR 29.10(7)(b).
- ☐ If one or more public body members participated remotely in the meeting, the minutes must record all votes as roll call votes. 940 CMR 29.10(7)(c).
- ☐ Executive session minutes must record all votes as roll call votes. G.L. c. 30A, § 22(b).
- ☐ The minutes must be approved in a timely manner. G.L. c. 30A, § 22(c). A “timely manner” will generally be considered to be within the next **three** public body meetings or within **30 days**, whichever is later, unless the public body can show good cause for further delay. 940 CMR 29.11(2).

**Note that this checklist is intended as an educational guide, and does not constitute proof of compliance with the Open Meeting Law. Checklists are updated periodically, so please confirm that you are using the most current version. For questions, please contact the Attorney General's Division of Open Government at 617-963-2540 or via email at [openmeeting@state.ma.us](mailto:openmeeting@state.ma.us). For more information on the Open Meeting Law, please visit [www.mass.gov/ago/openmeeting](http://www.mass.gov/ago/openmeeting).**