

# Town of Southwick



## Boards, Commissions, And Committees Handbook

**Southwick Select Board**

**454 College Highway**

**Southwick, MA 01077**

**413-569-5995**

**Effective April 1, 2024**

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ACKNOWLEDGEMENT OF RECEIPT of the Town of Southwick  
Boards, Commissions, and Committees Handbook

**Please sign and return this page to the  
Town of Southwick Town Clerk's Office.**

**As a member of any Town of Southwick Board, Commission, or Committee, including any Sub-Committee, Council or Working Group, I hereby acknowledge that I have reviewed Southwick Boards, Commissions, Committees Handbook, and agree to uphold and abide by the provision of the handbook and conduct myself in accordance.**

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Signature

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email Address

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Main Contact Phone Number

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Board/Commission/Committee/Sub-Committee/Council

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Position

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Date

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## Introduction

Congratulations and thank you for volunteering for your board, commission, committee or council. You are about to undertake a very important role within the Town of Southwick. Boards, commissions, committees and councils may serve as planning and implementation bodies for the Town, as advisory units, and in some cases, as enforcement agencies for state statutes and local bylaws. Your participation, insights and engagement are an essential part of running an effective, efficient and responsive local government.

This handbook has been prepared by the Select Board and Chief Administrative Officer's office as a general informational aid to all Town boards, commissions, committees and councils. It provides a brief description of procedures and an introduction to the Open Meeting Law and the Conflict of Interest Law, important state statutes that govern the conduct of boards and commissions and their members.

Throughout this handbook, boards, commissions, committees, sub-committees and councils will be collectively referred to as "**boards and committees**".

Once notified of appointment (and before you can vote on any board or commission actions), you will be required to report to the Town Clerk's office to be sworn in. All elected and appointed officials must sign an acknowledgement of receipt of information on the state's Open Meeting Law. They must also complete state-mandated online ethics/conflict of interest training. This training is required every two years. For more information on the Open Meeting Law, Conflict of Interest and Ethics laws, please contact the Town Clerk's office. In-depth information can also be found at <http://www.mass.gov/ago/government-resources/open-meeting-law/>, and <https://www.mass.gov/orgs/state-ethics-commission>.

## Participation In Town Government

The Select Board actively encourages Southwick residents to participate in local government by volunteering to serve on boards and committees. Through service to the community, members have an opportunity to learn about the workings of our town and to support fellow members of our community. The Select Board recognizes that serving on boards and committees takes dedication and commitment. While expertise in the topics that a board may cover is beneficial, it is not essential to volunteer, nor to a member's ability to contribute and be productive. The most essential skills that you can bring to service are the ability to listen, learn and work collaboratively and respectfully with colleagues, and to act in the best interests of the public. We appreciate your volunteer service.

## Types Of Boards And Committees

Members are either elected or are appointed. The Select Board makes most appointments, while the Town Moderator appoints members of the Finance Committee, and some may be joint appointments of the Select Board and another board. The appointing authority has sole discretion to make appointments that it considers to be in the best interests of the town.

All boards and committees appointed by the Select Board must follow the general policies set by the Select Board.

Other boards and committees are encouraged to function in a manner which is consistent with these general policies.

**Appendix A** contains a listing of the current Town boards, commissions, committees and councils. This appendix identifies the board or commission, the MGL statutory reference, if applicable, the members, and their terms, as well as vacancies. The most current version is available online at <https://onboard.southwickma.org>.

## Statutory Boards And Committees

State statutes outline the powers and duties of statutory boards and committees, such as the Board of Assessors, Board of Health, Conservation Commission, Council on Aging, Historical Commission, the Planning Board and the Zoning Board of Appeals. The Town bylaws and appointing authorities may further define the work of these committees. See **Appendix A** for statutory references.

## Advisory Committees

The Select Board may, from time to time, create advisory boards or committees to aid the Select Board in the performance of its duties to the public.

The Select Board is the appointing authority for advisory committees and prepares the charge, sets the number of members and their terms, approves the membership and receives the reports and recommendations of the advisory committee.

Advisory committees may be temporary for short-term assignments or may have ongoing responsibilities.

All advisory committees serve at the discretion of the Select Board. The Select Board will typically show appointing preference to full-time Town residents. However, the Board maintains the right to appoint non-residents to advisory or ad hoc committees as appropriate to the mission of the committee.

The Select Board may also, from time to time, create advisory “ad hoc” committees assigned with specific responsibilities to study and make recommendations on particular topics, implement certain directives, or otherwise support the Select Board in the performance of its duties to the public.

## Ad Hoc Advisory Committees

When a committee is appointed on a temporary basis for the purpose of a specific goal, i.e., “ad hoc”, the members will serve until the Select Board determines the committee assignment has been completed.

## Important Reading and Resources

All board and committee members, associate members and alternate members should read the most recent Annual Town Report and Town general and zoning bylaws, as they apply to the position. Annual reports can be found at <https://www.southwickma.org/home/pages/town-documents>, and bylaws at <https://ecode360.com/SO1418>.

The Town website is also a valuable source of information for the boards and committees, and members should become familiar with the full content. Each board and committee have a landing page and links to important documents and information on the town website.

All board and committee members should review state laws pertaining to their board, commission, committee or council. For assistance in obtaining those State laws, please refer to the board or committee chairperson, or the Town Clerk or Chief Administrator’s offices. **Appendix A** also contains links to Massachusetts General Laws for more information.

## Members, Associate Members, And Alternate Members

The charge for most boards and committees specifies the number of full members and the number of alternate and/or associate members. Serving as an alternate or associate member is an excellent way to become familiar with the work of a particular board, commission or committee before taking on the responsibility of a full member.

The exact role of alternate and associate members varies by board and committee and committee members can familiarize themselves with those roles by looking at the state’s statutory regulations (see **Appendix A**), the Select Board charges for the individual committee, and consulting with the board or commission chair and/or past alternate or associate members.

## Appointment, Reappointment, Resignation, Removal

All appointments made by the Select Board are made by majority vote in an open, posted meeting.

Most terms begin on or around July 1 and end on June 30. Term length ranges from one to five years. Terms are staggered on the same board or committee to ensure continuity as new members are appointed.

Some advisory/ad hoc committees are formed to accomplish a specific task and then dissolved when the task is completed. Terms are generally not specified for these short-term advisory committees. A committee member is under no obligation to accept reappointment, nor is the appointing authority obligated to offer such reappointment.

Individuals interested in serving must submit a request in writing to the Select Board, or preferably, via the online application form found on the Select Board page on the town website. Likewise, appointed board and commission members whose terms are due to expire must inform the Select Board in advance whether they wish to be reappointed and must reapply to continue serving. This notification must be done preferably via the online application form, or by letter or email. (See Application Procedure for details.)

A board, commission or committee member who is no longer able to serve, or who moves out of town, should resign promptly so that the vacancy may be filled as soon as possible. Any resignation should be submitted in writing to the board or committee Chair, the Select Board **and** the Town Clerk, and include an effective date and reason (if other than personal). A resigning member may request an exit interview with the board chair or with a Select Board member, if desired.

If a board/committee member moves out of town but still believes they can *significantly* contribute to the board/committee, they should contact the board chairperson and the Select Board for consideration in continuing or completing their term.

If a member or alternate/associate member of an appointed board is absent for four consecutive meetings without approval by its board, the chair will alert the appointing authority.

The Select Board may elect to remove any of the members, including officers, of town boards or committees appointed by them prior to the member's term expiration, and appoint a replacement, if it is determined to be in the best interest of the board or committee and the town. The remaining term will be filled in the same manner as all other appointments.

Appointments to fill interim vacancies will cover the remaining term of the vacated position.

## Application Procedure for New Appointments and Reappointment

Interested residents may submit an application to serve on any appointed board, commission, committee, or council at any time. A letter of interest can be submitted or emailed directly to the Select Board office, or preferably, via the online application on the Select Board page of the Town website at <https://www.southwickma.org/select-board/webforms/select-board-appointed-board-commission-appointment-application>. Applications may be submitted to fill a current vacancy, or to serve upon the expiration of a current term-holder.

The Select Board reviews and considers all applications received and must vote on all appointments at the expiration of all current terms (generally, June 30th each year), or upon a vacancy. Vacancies will be made public as far in advance of appointment as practicable.

For more detailed information on the application and appointment process, please review the Select Board Protocols at

[https://www.southwickma.org/sites/g/files/vyh1if1241/f/uploads/sb\\_protocols.rev11.13.2023.pdf](https://www.southwickma.org/sites/g/files/vyh1if1241/f/uploads/sb_protocols.rev11.13.2023.pdf)

The most current list of vacancies can be found online at <https://onboard.southwickma.org/vacancies>

A listing of expiring terms can be found at <https://onboard.southwickma.org/expirations>

**Appendix B** includes the application form, Select Board Protocols for appointing members, as well as links to the most current vacancies and expiring positions.

## Orientation

Each newly appointed member of every board, commission, committee or council must be sworn in by the Town Clerk (**and must be sworn in annually after reappointments are made**). At the time of being sworn in, committee members will be given a copy of this handbook, including relevant policies, the Conflict of Interest Law and Open Meeting Law summaries, and any legislative updates to same. Members will sign to confirm receipt of these documents.

To make arrangements to be sworn in, or for questions related to swearing in, please contact the Town Clerk. **Please note that both newly appointed and reappointed members may not vote on any matters until duly sworn in.**

The Select Board recognizes that volunteers are not always experienced in the workings of municipal government. New members should contact their board or committee chairperson for an orientation to their role, general attendance and participation requirements and responsibilities, including normal meeting schedules, site visits and special events, if applicable. The chair should be able to provide information on how the board carries out its mission or purpose, the scope of the board or committee's authority, the organizational structure and other member roles, its annual budget and who decides how it is spent, and what major projects or objectives are being considered over the next few years. The chair will be able to provide direct guidance and orientation to the handbook, appendixes and references, should you have questions.

## Officer Roles And Responsibilities

Boards, commissions, committees, and councils shall elect a chairperson, vice-chairperson and a secretary or clerk annually. Newly formed boards or committees should elect these officers at their first meeting. Ongoing boards or committees should elect officers at the first meeting on or after their July term renewal, or if elected, at such time after Town Meeting is customary. There is no limit on the number of consecutive terms that a member may be elected as an officer, whether in the same or another officiating role.

It is the responsibility of the chairperson to notify the appointing authority and the Town Clerk of any changes in membership and officers.

There are limitations on officers. Absent direction from a majority of the board or committee, no board member, including its officers, may make comments at a meeting or to the media as if they were representing the entire board unless they were duly authorized to do so by a majority vote of the members.

No member of the board has any individual authority. The chairperson of a board, or any other designated member may, with the consent of a majority of its members, represent the entire board when requested to do so at public meetings.

The following are the basic duties of officers, but boards and committees may modify these duties to suit their particular needs.

### The Chairperson

- With the rest of the board, sets agenda and dates for meetings;
- Presides at all meetings and decides questions of order;
- Calls special meetings;
- Ensures that meetings and agendas are properly posted in accordance with the Open Meeting Law;
- Ensures that persons subject to discussion or action on the agenda are notified in advance;
- Exercises control over public meetings and hearings, ensures that proper decorum is maintained and that business is conducted in an orderly and appropriate manner;
- Signs official documents that require the chairperson's signature;
- With the consent of the majority of the board, represents the board before the Select Board, other town bodies, the public and the media, as required;
- Ensures that a summary of the board's actions of the previous year are submitted to the Select Board for inclusion in the Annual Town Report;
- If the board or committee has a budget, is responsible for the preparation and submission of said budget to the Finance Committee and Select Board annually.

The chairperson has the same rights as other members to offer resolutions, make or second motions, discuss questions, and vote thereon.

### Vice Chairperson

The vice chairperson acts for the chairperson whenever the latter is absent from meetings, and performs other duties as necessary or assigned, which may include recording the meeting and/or facilitating remote meetings, providing regular activity or routine funding reports, or other functions.

### Secretary or Clerk

In the absence of a staff secretary, the board or commission secretary or clerk is responsible for ensuring all agenda items are addressed during meetings, taking and transcribing the meeting's minutes, ensures that prior minutes are approved and filed with the Town Clerk in a timely manner, and that copies of documents and other exhibits used during meetings are provided and referenced in a list as addenda to the approved meeting minutes. The secretary/clerk may also be assigned to

record the meetings and/or facilitate remote meetings or provide routine funding reports. The secretary/clerk should also check for committee/board mail in the mailboxes at the Town Hall on a regular basis and retrieve comments submitted to the board on their town web page and/or approved social media sites, if applicable, for review by the Chair.

## Member Conduct, Participation and Evaluation

To ensure public confidence in government, members of all town boards, whether elected or appointed, are expected to maintain standards of professionalism in public interactions, including board meetings and private communications. They are expected to act with integrity and to treat town staff, other board members and the public with civility and respect, even when differences occur. (See Standards of Conduct section.)

It is important during meetings to stick to posted agendas and to keep discussions respectful. While it is up to the chair to maintain order, individual members must hold themselves to professional standards.

Some guidelines:

- Be well-informed concerning the duties of the board on which you serve.
- Keep in mind that you represent the Town of Southwick.
- Accept your role as one of public service, not a means to benefit personally, professionally or financially.
- Treat all staff as professionals, respecting the abilities, experience and dignity of each individual.
- Share information obtained on pending issues with other board members.
- In conducting official business, give the clear impression that you cannot be improperly influenced in performing your duties.
- Abide by state ethics rules, making every effort to avoid any appearance of conflict, and properly disclosing any potential conflict.
- Conduct public business in a manner that promotes open and transparent government.
- Never disclose confidential matters not legally subject to disclosure that come before the board in executive session.

Anyone who feels that a board member is acting inconsistently with these standards may take any of the following actions:

- Speak privately with the board member about his/her behavior.
- Ask the chairperson of the board to speak with the individual.
- Speak to the Select Board liaison (if one is appointed) to the board in question.
- Bring the matter to the attention of the appointing authority.
- File a formal complaint in writing with the Chief Administrative Officer.
- File a formal complaint with the Select Board.

Board chairs and members are encouraged to assess from time to time how the group is functioning as a team. Any member who has concerns about the board's effectiveness is encouraged to speak to the chair, or the Select Board or Chief Administrative Officer so that issues can be resolved quickly.

A board or committee may adopt a Team Peer Review process to provide a meaningful evaluation tool for reappointment. A Team Peer Review may also be employed at any other time to address concerns regarding a member's contributions to the unit, and to enable accountability and corrective actions, if necessary. See **Appendix C** for guidelines and completed samples and download the forms here: [https://www.southwickma.org/sites/g/files/vyh1if1241/f/uploads/team\\_peer\\_review\\_member\\_form\\_instructions.pdf](https://www.southwickma.org/sites/g/files/vyh1if1241/f/uploads/team_peer_review_member_form_instructions.pdf);

## Open Meeting Requirement

Meetings of all town boards, commissions, committees and councils are subject to the Massachusetts Open Meeting Law. This law is based on the premise that the public is entitled to see the process of government decision making, and not simply its end result. All Town board and committee members must familiarize themselves with the Open Meeting Law.

Please do not ever hesitate to call the Chief Administrative Officer's office, or the Division of Open Government with your questions at <https://www.mass.gov/the-open-meeting-law>, via email at [openmeeting@state.ma.us](mailto:openmeeting@state.ma.us), or by phone at (617) 963-2540.

Follow this link for the full Open Meeting Law: <http://www.mass.gov/ago/government-resources/open-meeting-law/open-meeting-law-mgl-c-30a-18-25.html>

## Meeting Definition

A meeting occurs any time *a quorum (usually a simple majority)* of the members *convenes and discusses or considers* any public business or policy over which the board, commission or committee has some jurisdiction or advisory power. A quorum shall not meet in private for purposes of deciding or deliberating toward a decision on public business unless it does so in a valid Executive Session. (See the Open Meeting Law section about Executive Session).

Substantive discussions or deliberations on public business involving a quorum of members that occur *via email, by telephone, or by sequential communications* violate the Open Meeting Law. This includes individual conversations that occur in serial fashion in which a quorum of members participates, one by one, and discusses or deliberates. (Example: it is a violation for Member A to email or call Member B about a topic that is or will be before the board, and that email or conversation to then be shared with Members C and D., etc.)

"Meeting" does not include these common occurrences:

- An on-site inspection of a project or program, so long as the members do not deliberate;

- Attendance by a quorum of a public body at private or public gatherings, including a conference or training program or a media, social or other event, so long as the members do not deliberate;
- The Open Meeting Law does not apply to chance meetings; however, no chance or social meeting can be held to circumvent the open meeting requirements.
- Attendance by a quorum of a public body at a meeting of another public body that has complied with the notice requirements of the Open Meeting Law, so long as the visiting members communicate only by open participation in the meeting on those matters under discussion by the host body and do not deliberate;

Deliberation is defined as “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.”

A board, commission or committee may only conduct administrative business, via phone or email, such as scheduling meetings, setting agendas, and distributing reports or documents that may be discussed at a meeting, provided that no opinion of a member is expressed.

A board, commission or committee meeting must be held in an accessible public location even if there will be no vote or decision reached. Polling board members for a decision prior to an open meeting of the board or committee is illegal and in violation of the Open Meeting Law. Except in very specific cases spelled out in the law, these actions deprive the public and the press of the opportunity to attend and monitor the decision-making process.

## Meeting Scheduling and Logistics

Depending on a board, commission or committee’s workload, meetings may be held weekly, bimonthly, monthly, or more or less frequently. When possible, a regular meeting day, hour, and location should be established. Except in cases of emergency, boards and committees should not meet on weekends, major religious or official government holidays and on Election Day while the polls are open. In addition, boards and committees should not meet while Town Meeting is in session, except as necessary to participate in the proceedings of Town Meeting.

It is the responsibility of the board, commission or committee to provide a timely notice to the Town Clerk of the meetings with time, date, and location. Except for emergency meetings, all meetings must be posted at the Town Hall at least 48 hours in advance by the Town Clerk (Saturdays, Sundays and holidays excluded).

The board’s designated member must deliver the meeting agenda, approved minutes and meeting documents to the Town Clerk’s office to be stamped as the official agenda. The Town Clerk will post the agenda in the Clerk’s lobby and on the outside bulletin board at Town Hall, and provides a copy to the IT Clerk who posts agendas, approved minutes, and other documents to the town website.

In the case of emergencies, items not reasonably anticipated to be on the agenda 48 hours in advance may be added. But as soon as an emergency meeting is scheduled, notice must be posted. Although

not required by law, it may also be appropriate to notify the press and other observers of an emergency meeting.

Meetings must be held in a place that is open to the public and accessible to persons with disabilities. Boards and committees should meet in a public building of sufficient capacity for expected attendance; meetings shall not be held in private homes or restaurants. A board or committee may reserve a room in Town Hall by contacting the Select Board's Office.

When it may become necessary to meet in a location other than that indicated on the meeting notice – due to lack of space or inaccessibility of a room – a note must be placed on the exterior doors of the building and on the door of the room identified in the meeting notice, informing the public of the new meeting location.

## Posting A Meeting

The meeting notice must be posted with the Town Clerk 48 hours prior to the meeting (excluding holidays and weekends) and must follow a format that includes the location of the meeting (including address), the name of the board, commission or committee meeting, the date and time, whether in person, remote, or hybrid meeting format, and all remote/hybrid meeting joining information. If there are any amendments to the original agenda, *i.e.*, changes in the location, time, etc., the posting should follow the same procedure as detailed above to post a meeting. It is advisable that chairs review the Town website to make sure that the agenda, as submitted to the Town Clerk, has been posted to the website shortly after submission.

## The Agenda

Meeting agendas should outline the topics that will be discussed, and/or deliberated and voted upon. It should be reasonably accurate and with enough detail that the chair anticipates being discussed so that a resident or taxpayer would be able to determine whether or not they wish to attend a meeting. See **Appendix D** for sample Meeting Notices and detailed Agendas. A template of this notice is available from the Chief Administrator's office and the Town Clerk's office.

It is the responsibility of the chairperson to ensure that persons listed as the subject of a discussion, complaint, public hearing, or other procedural actions are notified of such in advance of the meeting or hearing so they may represent themselves or assign a representative. Posting of the agenda does not constitute notification to the subject party(ies). Reasonable efforts must be made to notify the party(ies) and documented in the event that contact could not be made.

Chairpersons are expected to exercise good judgment during meetings when hearing/discussing issues not on the agenda. As routine issues are addressed, likewise, new and/or potentially contentious issues may come up and should not be discussed at that meeting to allow for proper posting and public discussion.

## Quorum

Except as otherwise specified by law, a simple majority of the regular members (including vacancies) of the board or committee constitutes a quorum. A quorum must be present to call a meeting to order. In the absence of a quorum of regular members, the chairperson may designate an alternate or associate member to sit for the duration of the meeting. If a quorum cannot be achieved, even with an alternate or associate(s), the meeting must disband and no deliberations made.

A quorum must be present for deliberation and a decision requires the supporting vote of a majority of the members present and voting. A quorum is not met when a present member must recuse themselves from a vote due to a conflict (or other reasons). The chairperson may declare an alternate or associate member to be a voting member before deliberation on the matter and a decision requiring a vote. (See separate section on Recusal Process.)

## Minutes Of Meetings

As a governmental body, each board and committee shall maintain accurate minutes of its meetings to include, at a minimum, the date, time, place, committee members present or absent, the meeting agenda and all votes or actions taken at each meeting, including executive session, provided that the records of any executive session may remain secret as long as publication may defeat the lawful purposes of the executive session, but no longer.

The minutes need not be verbatim transcripts of a meeting, but **must be in writing** and reasonably reflect the discussion and actions taken, including a record of all votes. **Audio or video recordings may not be used as permanent records of a meeting.**

The minutes of each meeting shall become a public record and be available to the public once accepted by the committee. Draft, unapproved minutes of the body are also considered public records and must be released within 10 days if requested, even prior to the board or commission accepting them. All votes taken in executive sessions shall be by recorded roll call votes and shall become a part of the record of said executive sessions. No votes taken in open session shall be by secret ballot. Each board and committee shall vote to approve the minutes of their previous meeting at their next scheduled meeting, whenever possible, and issue the approved minutes to the Town Clerk within seven (7) working days of the approval vote.

## Conducting A Meeting

A board, commission or committee is encouraged to follow Robert's Rules of Order, <https://robertsrules.com/>, or the "in brief" version, [https://robertsrules.com/books/newly-revised-3<sup>rd</sup>-in-brief-edition/](https://robertsrules.com/books/newly-revised-3rd-in-brief-edition/).

Although many small committee discussions may seem too casual to be called debate, it is advisable for the committee to observe a minimum of generally accepted parliamentary procedures. Guidance

by the chairperson and adherence to customary parliamentary procedures or adopted rules of order can increase efficiency as well as maintain objectivity. Briefly, these procedures include:

- Members **MUST** have been sworn in to cast a vote, whether regular members or associate or alternate members who have been designated to vote.
- If a member is recused, he or she must leave the room while the matter causing the conflict is being discussed to avoid any appearance of exerting undue influence. For remote meetings, the member should turn off their camera and microphone and be muted by the host. (See page 25 for more information on the recusal process.)
- Decisions of the board or committee should be recorded by a member making a “motion” which clearly states what action the board will be voting on. In order for a “motion” to be acted upon, it must clearly be “seconded” by another member.
- In most instances, a decision is made by a simple majority vote of those board or committee members present and voting at the meeting.
- For REMOTE and/or HYBRID meetings, a roll call vote is required for the record.
- No votes taken in open session by a governmental body may be made by secret ballot.

Members of the public should be allowed to speak at a board, commission or committee meeting only with permission of the chairperson, and at the chairperson’s sole discretion. Members of the public must state their name and address to be recognized by the chair.

See **Appendix E**, Parliamentary Procedures For Meetings (Robert’s Rules abbreviated), for additional guidance.

In accordance with the law, any person may record a meeting with a tape recorder or any other means of audio reproduction and/or videotape equipment, however, he or she must announce the intention to do so and there can be no active interference with the conduct of the meeting.

## Public Hearing Process

Many boards and committees (such as the Select Board, the Planning Board and the Zoning Board of Appeals) are required by Massachusetts General Laws to conduct formal public hearings on some issues that come before them. Others may choose to conduct a public hearing on a matter before them in order to receive input from the community.

All formal public hearings must be conducted in accordance with Massachusetts General Laws and town laws. Such hearings will typically have requirements and time frames for advertising and posting public notice of the hearing, notifying abutters, and rendering and filing a decision. These requirements vary depending on the type of hearing. It is the responsibility of the chairperson to ensure that the requirements of the public hearing process are properly followed.

For all hearings, the chairperson or other designated person should state guidelines and time allowances at the outset of the hearing. Detailed minutes must be kept. All questions should be

directed to the chairperson who, in turn, may ask for a response from board or committee members, other town officials, staff or a member of the public.

It is the responsibility of the chairperson to maintain order and decorum at the hearing. In the interest of consistency and fairness, the chairperson may put restrictions on the nature, number, and frequency of an individual's comments and questions.

It is recommended that all public hearings follow a formal procedure. **Appendix F** outlines a recommended process.

## Executive Session of Meeting

Under the Open Meeting Law, an executive session, which is closed to the public, may only be called for very specific purposes, such as personnel matters, strategic contract negotiations, some preliminary employment or appointment interviews by screening committees, among others, and only if an open meeting may have detrimental effects on the bargaining, litigation, or negotiating position of the public body. All appointed boards are urged to consult with the Chief Administrative Officer if they have any questions about the process and/or permissibility of having an executive session.

The following steps must be taken prior to entering Executive Session:

- Open Session must be convened first;
- The presiding officer (ordinarily the chairperson) must give the purpose(s) of an Executive Session. The purpose(s) of the Executive Session must be one (or more) of the permitted purposes. See **Appendix G** for the full detail of permissible reasons to enter Executive Session. (Always feel free to seek advice from the Chief Administrative Officer if in question);
- The presiding officer must indicate whether the board of committee will reconvene after Executive Session;
- A majority roll call vote is needed to go into Executive Session;
- The vote of each member must be recorded on a roll call vote and recorded in the minutes.

## OTHER ADMINISTRATION AND RESOURCES

### Budgets, Purchasing and Payment Vouchers

The Town of Southwick is required to follow state law for procuring supplies and services, the construction and repair of public works, and for public building construction and repair projects. The Chief Administrative Officer is the designated Chief Procurement Officer responsible for assuring compliance and issuing guidance on purchases.

Those boards and committees responsible for administering a budget, grants, and gift accounts should make an appointment with the Town Accountant for instruction on the proper processing and submission of bills for payment and budget documentation.

The chair should make an appointment with the board or committee's Finance Committee liaison and/or Town Accountant for guidance on annual budget preparations and presentation.

## Annual Town Report

All appointed boards, commissions, committees and councils are required to file an annual report of activities for the Annual Town Report, due in January of each year (deadline to be announced each year by the Select Board/Chief Administrative Officer's office). The chairperson or another designated member should detail the body's membership, including any changes, and report on major accomplishments for the year and future plans.

## Use Of Town Facilities and Equipment

When scheduling and posting meetings at Town Hall, it is necessary to ensure that a meeting room to accommodate the board or committee and guests is available in advance. Contact the Chief Administrative Officer's administrative assistant for scheduling at 413-569-5995.

Each board, commission or committee is responsible for its own clerical work. However, with advance notice, the Select Board/Chief Administrator's office may provide some assistance in coordinating photocopying, mailings, and other services. Depending on services provided, and depending on whether or not a committee has a budget or a gift account, the Select Board/Chief Administrator's office may charge its expenses to that board/committee for such services as photocopies, use of supplies, mailings, etc.

Town equipment and facilities may only be used for official board or committee business. Most boards and committees are assigned a mail slot in the Town Hall that should be checked on a regular basis. Board, commission, committee or council mailing addresses should be Southwick Town Hall, 454 College Highway, Southwick, MA 01077.

The Town of Southwick Telecommunications Systems Policy details the proper use of town telephones, computers, electronic mail (email), and the internet. See **Appendix H** for the full Social Media And Telecommunications Systems Policy.

- If you wish to submit information on your board or committee activities, or to update your page(s) for the Town website, please submit the information to [IT@southwickma.gov](mailto:IT@southwickma.gov). For assistance with formatting, uploading, or other technical website assistance, please call 413-569-3992.

## Staff Support

Some boards and committees have a staff person who acts as secretary. In such cases, the staff person provides assistance, rather than taking on the duties that are expected of members. For instance, the staff administrative assistant may record minutes of meetings, prepare and circulate information for

meetings and perform other administrative duties. Please be aware that most staff persons have limited hours and boards and committees should not ask for more than can be reasonably accomplished in those hours.

## Use of Town Counsel

Town Counsel provides legal services to all Town departments, boards and committees upon request of the Select Board and/or Chief Administrative Officer. A board, commission or committee chairperson must make a request to the Select Board or Chief Administrative Officer for approval to use Town Counsel. Boards and committees may not contact Town Counsel directly without following this procedure.

The request for legal services is submitted to the Select Board/Chief Administrative Officer and must include the subject matter of the legal advice requested and any written materials to provide background information for the request. With certain exceptions, questions presented to and advice received from Town Counsel are ordinarily protected by the Town's attorney-client privilege. That information should be labeled as such and kept separately in the board, commission or committee's files to avoid inadvertent disclosure and waiver of the privilege.

## GENERAL CONDUCT

### Liaison With Select Board

Each year, the Select Board votes to assign each Select Board Member to be a liaison to certain key Town departments, boards and committees. The duty of the liaison is to maintain communication with the board, commission or committee, review its minutes, and keep updated on issues of concern.

The liaison is not expected to attend the meetings, but may do so; nor is the liaison an ex officio member. The Select Board recommends that the board, commission or committee chairperson report regularly to its liaison about its actions and plans so that the liaison can keep the Select Board updated.

### Open Meeting Law

The Open Meeting Law is designed to ensure that governmental activities are conducted in public to allow the community the opportunity to attend and monitor the decision-making processes, except in very specific situations. The full Open Meeting Law can be read here:

<http://www.mass.gov/ago/government-resources/open-meeting-law/open-meeting-law-mgl-c-30a-18-25.html>

A hard copy can be provided to you at the Town Clerk or Select Board office if you do not have access to a computer.

The Open Meeting Law applies to every meeting of a quorum (simple majority, including vacancies) of a governmental body if any public business over which the governmental body has jurisdiction is

discussed or considered. The Open Meeting Law does not apply to chance meetings or social meetings; however, no chance or social meeting can be held to circumvent the open meeting requirements.

The following is a summary of the lawful manner in which meetings of boards, commissions, committees, sub-committees and councils are to be conducted:

- The Open Meeting Law gives the public and the press the right to attend (although not necessarily to participate in) all committee meetings except those portions held in Executive Session;
- The law requires that notice of meetings be publicly posted at least 48 hours in advance (except in a case of emergency) and that minutes be taken;
- All meetings must have a quorum of members and be open to the public;
- No private meetings are permitted where a quorum of members discusses or deliberates about any matter over which the board, commission or committee has jurisdiction;
- An on-site inspection of a project or program is not considered to be a “meeting” so long as the members do not deliberate during the inspection. A board, commission or committee should not, during such an inspection, make any decisions or take any votes about matters within its jurisdiction. If a board or committee intends to make a decision or take a vote while on such a visit, then the visit would be considered a meeting and all Open Meeting Law requirements must be observed, such as proper meeting posting and taking of minutes.

## Public Records Law

Massachusetts General Laws, Chapter 66, Section 10 the Public Records Law, gives a right of public access to “public records”. Public records are defined by Chapter 4, Section 7, Clause 26 to include any document, regardless of physical form or characteristics, made or received by a public official or employee to serve a public purpose, unless subject to a statutory exemption. Government records generated, received or maintained electronically, including electronic mail, constitute “public records” under this standard. Retention and destruction of these records should follow the schedule specified by Massachusetts General Laws, Chapter 66, Section 8. No public records should be deleted or destroyed without first consulting with the Town Clerk. The Massachusetts Secretary of State’s Public Records Division also provides guidance on public records matters at <https://www.sec.state.ma.us/divisions/public-records/download/guide.pdf> Printed records should be filed with related files of the board, commission or committee.

## Electronic Mail (Email) Usage

It is important for all board and committee members to know that there is no distinction in the law between written and electronic records. As a result, it is likely that email messages written or received in the capacity of a board, committee or commission member are public records which must be made available for public inspection in the same manner as hard copy documents. Use of one’s own home

computer and personal email accounts may not exempt such communications depending on the context. In addition, the ease by which emails are sent and forwarded may facilitate the improper discussion of public policy issues. The discussion of public policy issues among a quorum of board or commission members via email is a violation of the Open Meeting Law. All electronic mail sent and received at a town-issued email address should be considered a public record and subject to inspection, disclosure and scheduled retention and disposition regulations. Employees, board, commission, council, committee and subcommittee members acting in their official capacity should have no expectation of privacy in their use of electronic mail as it relates to board and committee business. See **Appendix H** for the full Social Media And Telecommunications Systems Policy, including electronic mail (email).

It is important for boards and committees to be responsive to emails that are sent to them in their official capacity. It is advised that the chairperson or clerk be assigned this responsibility. Boards and committees need to be careful not to allow replies to citizens to become discussions among the members of the board/committee, as this is in violation of the Open Meeting Law.

## Social Media

Board, commission and committee members using social media platforms, including, but not limited to Facebook, Twitter, Instagram, YouTube, etc., should remember that their online persona reflects their character. Social media is not exempt from Open Meeting Law or Records Retention law. Town boards and commissions may seek authorization from the Select Board to host approved social media sites to share their news and events. Please see **Appendix H** for the full Social Media And Telecommunications policy.

All board and committee members (“Officials”) are expected and required to conduct themselves online in a manner consistent with the Town’s policies and standards of conduct, including for the purposes of individual members using public social media sites.

Officials must not reveal any confidential or privileged information about the Town, its employees, constituents, or its contractors.

Officials must not harass others in contravention of the Town’s policies, including computer use, harassment, and standards of conduct, regardless of the time, place, form, or manner in which the information is posted or transmitted.

Comments may be deemed to violate these policies even if the Town’s name or name(s) of any individual is not specifically referenced. Officials should be honest and accurate when posting information or news. Officials should not use social media to post rumors or conjecture about the Town, its employees, constituents, officials, suppliers, vendors, contractors, or any other entities or individuals. Officials may only express their personal opinions and should never represent themselves on social media as a spokesperson for the Town, unless specifically designated to do so. Officials must also recognize that posting content regarding town-related matters may result in a violation of the Open Meeting Law. For example, if three members of a five-member committee exchange comments

on a social media post regarding a town issue, this could be deemed “deliberation” and would be a violation of Open Meeting Law.

## Conflict Of Interest Law - Public Officials and Employees

If you hold a position with or perform services for a state, county, or town agency or entity, whether paid or unpaid, and whether on a full-time, part-time or intermittent basis, you are a public employee (or official), and are subject to the Conflict of Interest Law. Its purpose is to ensure that the **private financial interests** and **personal relationships** of public employees do not conflict with their public obligations and that public employees serve with integrity. The law also regulates the activities of public officials after their term of service is over.

All Town officials, including volunteer board, commission, committee, subcommittee and council members, must familiarize themselves with the Conflict of Interest Law and complete the **state-required training**. Any questions they may have should be directed to the Chief Administrator Officer, the Town Clerk, or the State Ethics Commission by calling their Attorney of the Day” at (617) 371-9500.

Contact the Town Clerk for instructions on staying current with your Conflict of Interest certification throughout your term, or for any necessary declaration forms.

## Conflict Of Interest Training and Guidelines

The term “public employee” includes both elected and appointed municipal employees, whether paid or unpaid, full-time or part-time. An unpaid volunteer board, commission, committee, subcommittee or council member is considered a public employee for purposes for the Conflict of Interest law.

To assist with compliance, the State Ethics Commission has posted an online training program on their website. This training **must be completed upon appointment** to a board, commission, committee, subcommittee or council, and the member must present the Town Clerk with a certificate of completion within one month of being appointed.

Chapter 268A of the Massachusetts General Laws governs your conduct as a public official and can be found at <https://www.mass.gov/info-details/gl-c-268a-the-conflict-of-interest-law-as-amended-by-c-194-acts-of-2011>.

The following overview of the Conflict of Interest Law is excerpted from the Ethics Commission’s website <http://www.mass.gov/ethics> and includes some of the general rules that you must follow. You could face civil and criminal penalties if you take any prohibited action. There are some exemptions to these rules, so you may wish to seek legal advice directly from the State Ethics Commission by calling (617) 371-9500, or Town Counsel (no permission of the Chief Administrative Officer is necessary in this instance) regarding how the law would apply to you in a particular situation.

In general, **you may NOT:**

- Ask for, or accept anything (regardless of its value), if it is offered in exchange for you agreeing to perform or not perform an official act;
- Ask for or accept anything worth \$50 or more from anyone with whom you have official dealings. If a prohibited gift is offered, you may refuse it or return it; you may donate it to a non-profit organization, provided you do not take the tax write-off; you may pay the giver the full value of the gift; or, in the case of certain types of gifts, it may be considered “a gift to your public employer”, provided it remains in the office and does not ever go home with you. You may not accept honoraria for a speech that is in any way related to your official duties;
- Hire, promote, supervise or otherwise participate in the employment of your immediate family or your spouse’s immediate family. For instance, you may not participate in the decision to hire, promote, discipline, or take other employment actions which will affect your immediate family members or your spouse’s immediate family;
- Take any type of official action which will affect the financial interests of your immediate family or your spouse’s immediate family. For instance, you may not participate in licensing or inspection processes involving a family member’s business;
- Take any official action affecting your own financial interest, or the financial interest of a business partner, private employer, or any organization for which you serve as an officer, director, or trustee. For instance, you may not participate in licensing, inspection, zoning or other issues that affect a company you own, or its competitors; if you serve on the board of a non-profit organization, you may not take any official action which would affect that organization, or its competitors;
- Have more than one job with the same municipality or county, or more than one job with the state, unless you qualify for an exemption;
- Have a financial interest in a contract with your public employer, except under special circumstances. For instance, if you are a Town employee, a company you own may not be a vendor to that town unless you meet specific criteria, the contract is awarded by a bid process, and you publicly disclose your financial interest;
- Represent anyone but your public employer in any matter in which your public employer has an interest. For instance, you may not contact other government agencies on behalf of a company, an association, a friend or even a charitable organization;
- Disclose confidential information, data or material which you gained or learned as a public employee;
- Take any action that could **create an appearance** of impropriety, or could cause an impartial observer **to believe your official actions are tainted with bias or favoritism**, unless you make a proper, public disclosure, including all relevant facts;
- Use your official position to obtain unwarranted privileges, or any type of special treatment, for yourself or anyone else. For instance, you may not approach your subordinates, vendors whose contracts you oversee, or people who are subject to your official authority to propose private business dealings;
- Use public resources for political or private purposes. Examples of “public resources” include office computers, phones, fax machines, postage machines, copiers, official cars, staff time, sick time, uniforms, and official seals;

- After leaving public service, take a job involving public contracts or any other particular matter in which you participated as a public employee.

Under the Conflict of Interest Law, a property owner is presumed to have a financial interest in matters affecting abutting and nearby properties. Therefore, if you are a defined abutter, a public official's financial interest may be established and may risk violating the Conflict of Interest Law. Unless you can clearly demonstrate that you do not have a financial interest, as a public employee, you should not take any action in an official capacity on matters affecting property that is near or directly abuts:

- your own property;
- property owned by a business partner;
- property owned by any immediate family members;
- property owned by a private employer, or prospective employer;
- property owned by any organization in which you are an officer, director, partner or trustee.

## Recusal Process

If a member believes that he or she may face a conflict of interest, the appearance of a conflict, or other reason that may justify recusal as to any particular matter, the member should contact the Select Board or Chief Administrative Officer's office. Some potential conflicts are cured by a simple disclosure form filed in advance; others cannot be waived and require recusal. It is important for the member to understand and follow the proper course of action before proceeding. The various disclosure forms can be obtained from the Town Clerk, or can be found on the State Ethics Commission's website at <http://www.mass.gov/ethics/disclosure-forms/municipal-employee-disclosure-forms/>

All completed forms must be filed with the Town Clerk, Select Board and Chief Administrative Officer's office, and one copy should be kept for the board, commission or committee's files.

If the board, commission or committee member is recused, he must leave the room while the matter causing the conflict is being discussed to avoid any appearance of exerting undue influence. For remote meetings, the member should turn off their camera and microphone and be muted by the host.

## Speaking For A Board, Commission Or Committee

An individual board member has a right to speak publicly as a private citizen but should not purport to represent the board, commission or committee or exercise the authority of the board, commission or committee except when specifically authorized by that body to do so. If members identify themselves as members when speaking as private citizens, it may be perceived that they speak for the board, commission or committee. Such a perception should be avoided. In addition, a recused board, commission or committee member should refrain from using this individual right of free speech to speak on matters on which a member has been recused in front of that member's board, commission or committee.

## Civil Discourse

The Select Board recognizes the importance of civil discourse at all levels of the government including those who volunteer their time and services on behalf of the Town. Members of boards and committees should conduct themselves so as to maintain public confidence in their local government and in the performance of the public trust. They should strive at every meeting to treat every person fairly and with respect. In turn, it is expected that those members of the community attending Town board or committee meetings will display respect to the public body, its members, and Town staff.

Professional respect does not preclude differences of opinion but requires respect for those differences and the people who express them; swearing, profanity, disparaging remarks, malicious gossip, slander, etc., both during a meeting and in other settings or media is behavior unbecoming of a Town official and will not be tolerated. It is expected that the Chair of all boards, commissions, and committees will hold his/her membership to this standard. Failure to adhere to this standard is grounds for removal by the Select Board from appointed boards.

## Campaign Finance Law

Massachusetts General Laws Chapter 55, the Campaign Finance Law, regulates political activity by public employees and the use of public buildings and resources in campaigns and ballot issues. If a board, commission or committee member receives a stipend of any amount, he or she is considered a public employee for the purpose of the Campaign Finance Law. This does not apply to elected officials. Public employees who take part in the political campaigns and the candidates and committees they support should be aware of this law. Public resources (government vehicles, office equipment and supplies and the paid time of public employees) may not be used for political campaign purposes, such as the election of a candidate or the passage or defeat of a ballot question. Soliciting or receiving campaign contributions in a government building is prohibited.

# Town of Southwick



## Boards, Commissions, And Committees Handbook

### Appendices

**Southwick Select Board**

**454 College Highway**

**Southwick, MA 01077**

**413-569-5995**

**Effective April 1, 2024**

## Appendix A: List of Boards, Commission, Committees, Subcommittees, Councils Type, Authority/Purpose, Member Composition and Terms

### Town of Southwick Boards, Commissions and Committees Click on link to see MGL authorization and statutory purpose and duties

as of 4/1/2024

<u>Board, Commission or Committee</u>		<u>Calculated Start Date</u>	<u>Calculated End Date</u>	<u>Appointed / Elected</u>
<b><u>Agricultural Commission MGL Ch40 §8L</u></b>		<a href="https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter40/Section8L">https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter40/Section8L</a>		
Zachary	Barnett	7/1/2022	6/30/2025	Appointed
Jennifer	Bernier	7/1/2023	6/30/2024	Appointed
Ronald	Cecchini	7/1/2022	6/30/2025	Appointed
Tammy	Ciak-Bissailon	7/1/2023	6/30/2024	Appointed
Daniel	Cook	7/1/2023	6/30/2026	Appointed
Maryssa	Cook-Obregon	7/1/2022	6/30/2025	Appointed
Thomas	Dziadosz	7/1/2023	6/30/2024	Appointed
Sage	Fury	7/1/2023	6/30/2026	Appointed
Burt	Hansen	7/1/2021	6/30/2024	Appointed
Angelina	Simone	7/1/2021	6/30/2024	Appointed
Jessica	Whitmore Parker	7/1/2023	6/30/2024	Appointed
<b>Animal Control</b>				
Lizanne	Bennett	7/1/2023	6/30/2024	Appointed
VACANT		7/1/2023	6/30/2024	Appointed
VACANT		7/1/2023	6/30/2024	Appointed
<b><u>Board of Appeals MGL Ch41 §81Z</u></b>		<a href="https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVIII/Chapter41/Section81Z">https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVIII/Chapter41/Section81Z</a>		
Paul	Gregoire	7/1/2022	6/30/2025	Appointed
William	Lis	7/1/2023	6/30/2026	Appointed
Christopher	Mastroianni	7/1/2021	6/30/2024	Appointed
Michael	Parent	7/1/2023	6/30/2024	Appointed
Dan	Tobias	7/1/2023	6/30/2024	Appointed
<b><u>Assessor, Director MGL Ch41 §25</u></b>		<a href="https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter41/Section25">https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter41/Section25</a>		
Sue	Gore	7/1/2023	6/30/2026	Appointed
<b><u>Board of Assessors MGL 41 §24</u></b>		<a href="https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter41/Section24">https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter41/Section24</a>		
Hollie	Hamelin	5/18/2021	5/20/2024	Elected
Dean	Horacek	5/17/2022	5/19/2025	Elected
Alan	Hoyt	5/16/2023	5/18/2026	Elected
<b><u>Board of Health MGL Ch111 §26</u></b>		<a href="https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXVII/Chapter111/Section26">https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXVII/Chapter111/Section26</a>		
Emily	Brzoska	5/17/2022	5/19/2025	Elected
Mikenzie	Cain	5/18/2021	5/20/2024	Elected
Terry	Putnam	5/16/2023	5/18/2026	Elected
<b><u>Board of Registrars MGL Ch51 §15</u></b>		<a href="https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVIII/Chapter51/Section15">https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVIII/Chapter51/Section15</a>		
Don	Morris	4/1/2022	3/31/2025	Appointed
Shirley	Morris	4/1/2023	3/31/2026	Appointed
Nancy	Zdun	4/1/2022	3/31/2024	Appointed
Jessica	Menzone	1/4/2024 Life Term		Appointed
<b>Capital Projects Expenditures Committee</b>				
Aleda	DeMaria	7/1/2023	6/30/2026	Appointed-FinComm
Douglas	Moglin	5/21/2022	5/20/2025	Appointed-Select Bd
Jeffrey	Turcotte	7/1/2021	6/30/2024	Appointed-Moderator
Joseph	Deedy	7/1/2023	6/30/2026	Appointed-FinComm
VACANT		7/1/2022	6/30/2025	Appointed-School Comm
VACANT			6/30/2026	Appointed-Select Bd
Karl	Stinehart	7/1/2018 Life Term		Appointed-Select Bd
<b>Cemetery Commission</b>				
Gene	Theroux	5/16/2023	5/18/2026	Elected
Harold	Odiorne	5/18/2021	5/20/2024	Elected
Norman	Boucher	5/17/2022	5/19/2025	Elected
VACANT				Appointed
Lisa	Anderson	7/2/2021 Life Term		Appointed

<u>Board, Commission or Committee</u>		<u>Calculated Start Date</u>	<u>Calculated End Date</u>	<u>Appointed / Elected</u>
<b>Community Emergency Response Team</b>				
Russell	Anderson	7/1/2023	6/30/2024	Appointed
Eric	Carroll	7/1/2023	6/30/2024	Appointed
Charles	Darling	7/1/2023	6/30/2024	Appointed
Charles	Dunlap	7/1/2023	6/30/2024	Appointed
Pauline	Dunlap	7/1/2023	6/30/2024	Appointed
Keith	Stromgren	7/1/2023	6/30/2024	Appointed
Iain	White	7/1/2023	6/30/2024	Appointed
<b>Community Preservation Commiss MGL Ch44B §5</b> <a href="https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter44B/Section5">https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter44B/Section5</a>				
Cassandra	Bach	7/1/2021	6/30/2024	Appointed-Historical Comm
Dennis	Clark	7/1/2021	6/30/2024	Appointed-Conserv Comm
Joanne	Horacek	5/17/2022	5/17/2027	Appointed-Housing Auth
Christopher	Pratt	5/17/2022	5/19/2025	Elected
Jeanne	Reed	5/18/2021	5/17/2024	Appointed-Park & Rec
David	Spina	5/17/2022	5/17/2027	Appointed-Plan Bd
Beth	Thomas	5/17/2022	5/19/2025	Elected
Bryan	Walker	5/18/2021	5/20/2024	Elected
John	Whalley	5/16/2023	5/18/2026	Elected
Sabrina	Pooler	7/1/2022 Life Term		Appointed
<b>Conservation Commission MGL Ch40 §8C</b> <a href="https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter40/Section8C">https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter40/Section8C</a>				
Norm	Cheever	7/1/2023	6/30/2026	Appointed
Dennis	Clark	7/1/2021	6/30/2024	Appointed
Mehmet	Mizanoglo	7/1/2023	6/30/2026	Appointed
Gerald	Patria	7/1/2021	6/30/2024	Appointed
Christopher	Pratt	7/1/2021	6/30/2024	Appointed
Andrew	Reardon	7/1/2022	6/30/2025	Appointed
Kevin	Solek	7/1/2022	6/30/2025	Appointed
Sabrina	Pooler	7/1/2022 Life Term		Appointed
<b>Constables</b>				
Kelly	Magni	5/17/2022	5/19/2025	Elected
William	Terry	5/17/2022	5/19/2025	Elected
<b>Council on Aging MGL Ch40 §8B</b> <a href="https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter40/Section8B">https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter40/Section8B</a>				
Elaine	Boucher	7/1/2021	6/30/2024	Appointed
Harriet	Fischer	7/1/2021	6/30/2024	Appointed
Donna	Foisy	7/1/2021	6/30/2024	Appointed
Harvey	Hollm	7/1/2022	6/30/2025	Appointed
Carol	Laughlin	7/1/2023	6/30/2026	Appointed
Paula	Leblanc	7/1/2023	6/30/2026	Appointed
Jack	Pocai	7/1/2021	6/30/2024	Appointed
Theresa	Rogers	7/1/2021	6/30/2024	Appointed
Carol	Smith	7/1/2023	6/30/2026	Appointed
Cara	Cartello	7/1/2022 Life Term		Appointed
<b>Cultural Council MGL Ch10 §58</b> <a href="https://malegislature.gov/Laws/GeneralLaws/PartI/TitleIII/Chapter10/Section58">https://malegislature.gov/Laws/GeneralLaws/PartI/TitleIII/Chapter10/Section58</a>				
Steve	Brudzinski	7/1/2022	6/30/2025	Appointed
Karen	Deyo	7/1/2020	6/30/2023	Appointed
Maria	Gallo	7/1/2022	6/30/2025	Appointed
Susan	Kochanski	7/1/2020	6/30/2023	Appointed
Bruce	Kulas	7/1/2021	6/30/2024	Appointed
Ellen	Miles	7/1/2021	6/30/2024	Appointed
Pauline	Thomas	7/1/2022	6/30/2023	Appointed
Cynthia	Warner	7/1/2021	6/30/2024	Appointed
Barbara	Westcott	7/1/2020	6/30/2023	Appointed
Laura	Zides-Lucier	7/1/2021	6/30/2024	Appointed
VACANT		7/1/2022	6/30/2025	Appointed
<b>Dickinson School Trustees</b>				
Patricia	Odiome	5/17/2022	5/19/2025	Elected
Dean	Rankin	5/18/2021	5/20/2024	Elected
Gene	Theroux	5/16/2023	5/18/2026	Elected

<u>Board, Commission or Committee</u>		<u>Calculated Start Date</u>	<u>Calculated End Date</u>	<u>Appointed / Elected</u>
<b>District School Committee</b>				
Erika	Emmelmann	5/16/2023	5/18/2026	Elected
Russell	Fox	5/17/2022	5/19/2025	Elected
Ryan	Korobkov	5/16/2023	5/18/2026	Elected
Desfree	Melloni	5/17/2022	5/19/2025	Elected
Donald	Stevenson	5/18/2021	5/20/2024	Elected
<b>Economic Development Comm MGL Ch40 §8A</b>				
		<a href="https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter40/Section8A">https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter40/Section8A</a>		
Amber	Bach	7/1/2023	6/30/2028	Appointed
John (Jack)	Cote	7/1/2023	6/30/2027	Appointed
Greg	Deily	7/1/2023	6/30/2024	Appointed
Mark	Fulco	7/1/2023	6/30/2025	Appointed
Serena	Fuller	7/1/2023	6/30/2026	Appointed
Gene	Kube	7/1/2023	6/30/2026	Appointed
Craig	Samuelsen	7/1/2023	6/30/2028	Appointed
Pamela	Sclafani	7/1/2023	6/30/2025	Appointed
Inga	Washington	7/1/2023	6/30/2027	Appointed
<b>Finance Committee</b>				
Paul	Connolly	7/1/2023	6/30/2026	Appointed-Moderator
Joseph	Deedy	7/1/2022	6/30/2025	Appointed-Moderator
Karen	DeMalo	7/1/2023	6/30/2026	Appointed-Moderator
Aleda	DeMaria	7/1/2021	6/30/2024	Appointed-Moderator
Robert	Horacek	7/1/2022	6/30/2025	Appointed-Moderator
Sheri	Knowlton	7/1/2021	6/30/2024	Appointed-Moderator
David	Methe	7/1/2021	6/30/2024	Appointed-Moderator
Richard	Zalowski	7/1/2023	6/30/2026	Appointed-Moderator
<b>High Speed Internet Committee</b>				
Jessica	Bishop	7/1/2023	6/30/2024	Appointed
Bob	Boyd	7/1/2023	6/30/2024	Appointed
Christopher	Boyd	7/1/2023	6/30/2024	Appointed
Ian	Creswell	7/1/2023	6/30/2024	Appointed
Jim	Crowley	7/1/2023	6/30/2024	Appointed
Jason	Giguere	7/1/2023	6/30/2024	Appointed
James	Johnson	7/1/2023	6/30/2024	Appointed
Tom	Kolek	7/1/2023	6/30/2024	Appointed
Douglas	Moglin	7/1/2023	6/30/2024	Appointed
Ryan	Pease	7/1/2023	6/30/2024	Appointed
Marelene	Quinlan	7/1/2023	6/30/2024	Appointed
<b>Historical Commission MGL Ch40 §8D</b>				
		<a href="https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter40/Section8D">https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter40/Section8D</a>		
Cassandra	Bach	7/1/2022	6/30/2025	Appointed
Richard	Marcil	7/1/2021	6/30/2024	Appointed
Linda	McQuade	7/1/2023	6/30/2026	Appointed
Mark	Rankin	7/1/2021	6/30/2024	Appointed
Kirk	Sanders	7/1/2023	6/30/2026	Appointed
<b>Housing Authority MGL Ch 121B §3</b>				
		<a href="https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXVII/Chapter121B/Section3">https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXVII/Chapter121B/Section3</a>		
Glynis	DeVerry	5/21/2019	5/20/2024	Appointed
Jason	Grunwald	5/16/2023	5/15/2028	Elected
Joanne	Horacek	5/17/2022	5/17/2027	Elected
VACANT		5/18/2018	5/17/2023	Appointed-Governor
Kevin	Lafrance	5/19/2020	5/19/2025	Elected
<b>Lake Management</b>				
Deborah	Herath	7/1/2022	6/30/2025	Appointed
E. Michael	Coombs	7/1/2023	6/30/2026	Appointed
Eric	Mueller	7/1/2021	6/30/2024	Appointed
Malcolm	DeBay	7/1/2021	6/30/2024	Appointed
Michael	DeBay	7/1/2021	6/30/2024	Appointed
Norm	Cheever	7/1/2023	6/30/2026	Appointed
Paul	Murphy	7/1/2023	6/30/2026	Appointed
Richard	Grannells	7/1/2021	6/30/2024	Appointed
Rick	Wylot	7/1/2023	6/30/2024	Appointed

<u>Board, Commission or Committee</u>		<u>Calculated Start Date</u>	<u>Calculated End Date</u>	<u>Appointed / Elected</u>
Scott	Graves	7/1/2023	6/30/2026	Appointed
W.K.	Phillips	7/1/2023	6/30/2024	Appointed

**Lake Management Canal Commission**

E. Michael	Coombs	7/1/2023	6/30/2026	Appointed
Malcolm	DeBay	7/1/2021	6/30/2024	Appointed
Michael	DeBay	7/1/2021	6/30/2024	Appointed
Richard	Grannells	7/1/2021	6/30/2024	Appointed
Scott	Graves	7/1/2023	6/30/2026	Appointed
Deborah	Herath	7/1/2022	6/30/2025	Appointed
Eric	Mueller	7/1/2021	6/30/2024	Appointed
W.K.	Phillips	7/1/2023	6/30/2024	Appointed

**Library Board of Trustees MGL Ch78 §10**

<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXII/Chapter78/Section10>

Cynthia	Warner	5/17/2022	5/19/2025	Elected
Jennifer	Belden	5/18/2021	5/20/2024	Elected
Maria	Gallo	5/16/2023	5/18/2026	Elected
Michael	McMahon	5/16/2023	5/18/2026	Elected
Tammy	Ciak-Bissaillon	5/17/2022	5/19/2025	Elected
Tracy	Meczywor	5/18/2021	5/20/2024	Elected
VACANT		5/16/2023	5/18/2023	Elected

**Local Emergency Planning Committee**

Russell	Anderson	7/1/2023	6/30/2024	Appointed
Rhett	Bannish	7/1/2023	6/30/2024	Appointed
Jessica	Bishop	7/1/2023	6/30/2024	Appointed
Randal	Brown	7/1/2023	6/30/2024	Appointed
John	Cain	7/1/2023	6/30/2024	Appointed
Nadine	Cignoni	7/1/2023	6/30/2024	Appointed
Thomas	Hibert	7/1/2023	6/30/2024	Appointed
Cecil	Lewis	7/1/2023	6/30/2024	Appointed
James	Lynch	7/1/2023	6/30/2024	Appointed
Paul	Miles	7/1/2023	6/30/2024	Appointed
Jason	Perron	7/1/2023	6/30/2024	Appointed
Sabrina	Pooler	7/1/2023	6/30/2024	Appointed
Richard	Stefanowicz	7/1/2023	6/30/2024	Appointed
Karl	Stinehart	7/1/2023	6/30/2024	Appointed
VACANT	Sullivan	7/1/2023	6/30/2024	Appointed
Joshua	Towse	7/1/2023	6/30/2024	Appointed
Joseph	Turmel	7/1/2023	6/30/2024	Appointed
Jennifer	Willard	7/1/2023	6/30/2024	Appointed

**Parks & Recreation Commission**

David	DeiDolori	5/17/2022	5/19/2025	Elected
Richard	Harriman	5/18/2021	5/20/2024	Elected
Jeanne	Reed	5/18/2021	5/20/2024	Elected
Michael	Sheil	5/16/2023	5/18/2026	Elected
John	Whalley	5/16/2023	5/18/2026	Elected
Cara	Cartello	7/1/2022 Life Term		Appointed

**Pioneer Valley Planning Commission**

Jessica	Thornton	7/1/2023	6/30/2024	Appointed-Planning Bd
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**Planning Board MGL Ch41 §81A**

<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter41/Section81A>

Michael	Doherty	5/19/2020	5/19/2025	Elected
Diane	Juzba	7/1/2023	6/30/2024	Appointed
David	Spina	5/17/2022	5/17/2027	Elected
David	Sulton	5/21/2019	5/20/2024	Elected
Jessica	Thornton	5/16/2023	5/15/2028	Elected
Richard	Utzinger	5/18/2021	5/18/2026	Elected

<u>Board, Commission or Committee</u>		<u>Calculated Start Date</u>	<u>Calculated End Date</u>	<u>Appointed / Elected</u>
<b>Radio Amateur Civil Emergency Service (RACES)</b>				
Russell	Anderson	7/1/2023	6/30/2024	Appointed
Eric	Carroll	7/1/2023	6/30/2024	Appointed
Charles	Darling	7/1/2023	6/30/2024	Appointed
Charles	Dunlap	7/1/2023	6/30/2024	Appointed
Pauline	Dunlap	7/1/2023	6/30/2024	Appointed
Keith	Stromgren	7/1/2023	6/30/2024	Appointed
Iain	White	7/1/2023	6/30/2024	Appointed
<b>Select Board</b>				
Diane	Gale	5/16/2023	5/18/2026	Elected
Douglas	Moglin	5/18/2021	5/20/2024	Elected
Jason	Perron	5/17/2022	5/19/2025	Elected
<b>Sewer Implementation Committee</b>				
Freda	Brown	7/1/2023	6/30/2024	Appointed
Gerald	Patria	7/1/2023	6/30/2024	Appointed
Randal	Brown	7/1/2018 Life Term		Appointed
<b>Southwick Emergency Management Agency (SEMA)</b>				
Russell	Anderson	7/1/2023	6/30/2024	Appointed
Eric	Carroll	7/1/2023	6/30/2024	Appointed
Charles	Darling	7/1/2023	6/30/2024	Appointed
Charles	Dunlap	7/1/2023	6/30/2024	Appointed
Pauline	Dunlap	7/1/2023	6/30/2024	Appointed
Keith	Stromgren	7/1/2023	6/30/2024	Appointed
Iain	White	7/1/2023	6/30/2024	Appointed
<b>Town Moderator MGL Ch39 §14</b>				
		<a href="https://malegislature.gov/Laws/GeneralLaws/Part1/TitleVII/Chapter39/Section14">https://malegislature.gov/Laws/GeneralLaws/Part1/TitleVII/Chapter39/Section14</a>		
Celeste	St. Jacques	5/16/2023	5/18/2026	Elected
<b>Water Commissioners</b>				
John	Cain	5/16/2023	5/18/2026	Elected
Edward	Johnson	5/17/2022	5/19/2025	Elected
David	Meczywor	5/18/2021	5/20/2024	Elected

List of all Boards, Commissions, Committees, Departments: <https://onboard.southwickma.org/>

List of all current VACANCIES: <https://onboard.southwickma.org/vacancies>

List of all EXPIRATIONS: <https://onboard.southwickma.org/expirations>

## Appendix B: Appointment Process, Vacancies, Expiring Terms, Forms

### [Select Board Protocols - Appointment Process \(See Pages 5-6\)](#)

[https://www.southwickma.org/sites/g/files/vyhlif1241/f/uploads/sb\\_protocols.rev11.13.2023.pdf](https://www.southwickma.org/sites/g/files/vyhlif1241/f/uploads/sb_protocols.rev11.13.2023.pdf)

#### SELECT BOARD PROTOCOLS - APPOINTMENTS:

(Reference pp 5-6)

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 by June 30th 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 people, vacancies will be made public as far in advance of appointment as practicable. Vacancies will be posted on the Town website, and could be advertised in the local paper as well as on Cable TV, and approved social media sites. Appointments will be based on merit and qualifications rather than political merit.

The Chief Administrative Officer/Administrative Assistant will provide the Board by June 1st a list of the appointment vacancies and/or expiring appointments to be filled by the Board.

If a vacancy occurs or is expected within 30 days on a Board, Commission or Committee appointed by the Select Board, the following procedures will also be used to fill the vacancy. Appointments to fill interim vacancies will be for the remaining term of the vacated position. (It is the responsibility of the chairperson of the Board, Commission or Committee to notify the Select Board and Town Clerk of all vacancies.)

1. The vacancies and expiring appointments will be announced during the Select Board reports at the next regularly scheduled Select Board meeting; notice of the vacancy along with a deadline for the submission of applications to fill the position(s) will be sent to the Town Clerk, local media outlets, posted on the Town's website and posted on the cable access bulletin board and may be posted on approved social media sites.
2. Individuals who wish to be considered to fill the vacancy must complete a Letter of Interest with all requests being delivered to the Administrative Assistant or Chief Administrative Officer either in writing or preferably on the Board and Commission Application form on the Town website or by email. The Letter of Interest should contain all their contact information including a telephone number and an email address, the name of the board(s) they are interested in joining, why they are interested and provide a brief personal background/outline or resume.
3. The Chief Administrative Officer's office will distribute copies of the Applicant's Letter of Interest to all Select Board and to the Chairperson of the prospective Board, Commission or Committee for their review and/or recommendation. The Select Board will schedule time on the agenda of a subsequent meeting to act on the applications it has received.
4. New applicants seeking to serve will be given the same consideration as members seeking reappointment. The Select Board will request an interview to meet all new Applicant(s) (interviews may be requested by the Select Board, but are not required, for re-appointments). All interviews/appointments will appear on the agenda of a regularly scheduled Select Board meeting. It is the responsibility of the office of the Select Board

to notify the Applicant(s) and Chairperson of the prospective Board, Commission or Committee of the time and place of the interview/appointment.

5. The Select Board will review/discuss all nominees in public session, make the appointment(s) and notify the following parties of their selection: all Applicant(s), the Board, Commission or Committee to which they are appointed, and the Town Clerk. All appointments shall run until June 30th in the year that the term expires unless otherwise noted at the time of appointment or in the case of an elected office which shall expire at the time of the next town election.

6. Reappointments will be based on an evaluation of the members' contribution, the desirability of widespread citizen involvement and the changing needs of the committee and the Town. Members are not obligated to accept reappointments, nor is the Select Board obligated to offer such reappointments.

7. Subject to Massachusetts General Law, the Select Board, may elect to remove and/or replace a member appointed by the Select Board prior to their term expiration if it is determined to be in the best interest of the Board, Commission, or Committee and the Town. The remaining term will be filled in the manner above for other vacancies.

## Current Board, Commission, Committee and Council Vacancies

Go to <https://onboard.southwickma.org/vacancies>

## Board, Commission, Committee and Council Expiring Terms

Go to <https://onboard.southwickma.org/expirations>

## Appointment and Reappointment Application

Go to <https://www.southwickma.org/select-board/webforms/select-board-appointed-board-commission-appointment-application>

<p>Home » Boards &amp; Committees » Select Board</p> <h3>Select Board Appointed - Board &amp; Commission Appointment Application</h3> <p><b>First Name *</b> <input type="text"/></p> <p><b>Last Name *</b> <input type="text"/></p> <p><b>Phone Number *</b> <input type="text" value="xx-xxx-xxxx"/> <small>Please enter your phone number, including area code. ex: 413-555-1212</small></p> <p><b>E-Mail *</b> <input type="text"/> <small>Enter your e-mail address</small></p> <p><b>Street Address *</b> <input type="text"/></p> <p><b>City *</b> <input type="text" value="Southwick"/></p> <p><b>State *</b> <input type="text"/></p> <p><b>Board or Commission *</b></p> <p><b>Member/Associate *</b></p> <p><input checked="" type="radio"/> Member/Commissioner</p> <p><input type="radio"/> Associate</p> <p><small>Some commissions have Members and Associate Members. Commissions with associate members are Agricultural Commission, Board of Appeals, LMC, and LMC Canal. Please select the appropriate position being applied for.</small></p> <p><b>Are you currently appointed to this board or commission? *</b></p>	<p><input type="radio"/> YES</p> <p><input type="radio"/> NO</p> <p><b>Alternate Board or Commission</b> <small>Do you have an alternate choice of Board or Commission if there are more applicants than positions for your original application? You can hold down the ctrl key and select multiple boards/commissions.</small></p> <p><b>Please enter any comments that you would like included with this application/form</b></p> <div style="border: 1px solid black; height: 40px;"></div> <p><small>Enter any comments that you would like to be included with your application. Please note that any comments will be included in the review process and are subject to public disclosure.</small></p> <p><b>Please attach a letter of interest or resume as appropriate</b></p> <p><input type="button" value="Browse..."/> No file selected. <small>Files must be less than 5 MB. Allowed file types: txt pdf doc docx ppt pptx.</small></p> <p><b>Other document to be included with this application</b></p> <p><input type="button" value="Browse..."/> No file selected. <small>Please upload any other file or photo that will be included with your application. Files must be less than 5 MB. Allowed file types: gif jpeg png bmp eps tif pict psd txt rtf pdf doc docx ppt pptx xls xlsx.</small></p> <p><input type="checkbox"/> I'm not a robot <small>reCAPTCHA Privacy - Terms</small></p> <p><b>Log in to post comments</b></p>
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# Appendix C: Team Peer Review Form, Instructions and Score Sheet

Go to

[https://www.southwickma.org/sites/g/files/vyhlf1241/f/uploads/team\\_peer\\_review\\_member\\_form\\_instruction\\_s.pdf](https://www.southwickma.org/sites/g/files/vyhlf1241/f/uploads/team_peer_review_member_form_instruction_s.pdf)

### TOWN OF SOUTHWICK

### Team Peer Review (TPR) Process and Instructions

Member Being Reviewed: \_\_\_\_\_

Results Submitted To (Chair, or Vice Chair): \_\_\_\_\_

Board, Commission or Committee: \_\_\_\_\_

Reason for Review: \_\_\_ Term Expiration or \_\_\_ Interim Request (choose one)

Date Completed \_\_\_\_\_

Rank Value	Very Good	Good	Acceptable	Needs Improvement	Not Acceptable
5	4	3	2	1	
Place an X in the appropriate column to indicate your ranking					
1. Attendance record - attends at least 90% of scheduled meetings					
2. Knowledge obtained of subject matters					
3. Prepared and participates in meeting discussions					
4. Independent research brought to the commission					
5. Willingness to take on assignments					
6. Goes on site visits and/or field trips, if necessary					
7. Respectful of other members					
8. Professional with other boards, commissions, town employees					
9. Respectful interactions with the public, if applicable					
10. Optional: Add other topics that may be relevant to the specific commission's goals and objectives (specify):					

## TOWN OF SOUTHWICK

### Team Peer Review (TPR) Process and Instructions

For those boards, commissions, committees, sub-committees and councils adopting a Team Peer Review process.

The Team Peer Review is a way for the board or commission members to evaluate an individual's contributions towards the organization's service goals and objectives. It is a standardized evaluation tool used for all members of the same commission. The criteria to be evaluated may be further customized by individual commissions based on the duties, goals and objectives of each.

In late April to early May, commission members shall anonymously complete a standardized Team Peer Review (TPR) form for each member whose term is expiring (including an acting chairperson). The TPR shall be completed online and submitted anonymously to the chairperson for summation. In the case of the Chairperson's expiring term, the forms shall be submitted to the Vice Chair for tallying.

For end-of-term evaluation, the Chair provides an aggregated TPR scoring recap to the Select Board. If the member scores a favorable review, the member is automatically endorsed for reappointment to the Select Board. In the event of a less than acceptable TPR, based on standardized scoring, the Chair (or Vice Chair), while not obligated to do so, may meet with the member privately to discuss improvements or may choose to make a recommendation to the Select Board to not reappoint the member and to post a vacancy.

The Select Board will use its discretion in considering the TPR and Chair's recommendations in reappointing members.

A Team Peer Review may also be employed at any other time to address concerns regarding a member's contributions to the unit, and to enable accountability and corrective actions, if so warranted. A member may (anonymously) request the Team Peer Review be added as an agenda item for discussion. If approved by the chair, the request must then be discussed and duly voted upon by the voting members in public session. Members will then be allowed to anonymously complete the online Team Peer Review. The results will be directed to the chair (or vice-chair) to tally and will follow the same procedure for reappointments.

The standardized Team Peer Review is completed individually and anonymously by all members of the board, commission, committee, sub-committee or council. Areas of review may be customized to the individual board or commission, but all members must be evaluated on the same matters. Scoring is based on levels of acceptable performance, ranked 1-5. All responses are aggregated and compared to score range.

**Calculation of Scoring:** Each evaluation topic shall be tallied by adding the total number of responses per rating, then multiplying by the score value. The sum per topic is divided by the number of respondents for that topic. For example, 7 TPRs are received. Evaluation topic number 1 received a total value of 29 from all respondents. Divide 29 by 7 to arrive at 4.1, the topic average score. All topics are totaled then divided by the total number of topics, arriving at the aggregate average score of all topics.

The Team Peer Review Score Sheet (auto-calculating) can be downloaded from the left drop down menu on the Select Board page, here:

The screenshot shows the Southwick Massachusetts website. The left-hand navigation menu includes: Recorded Meetings, Applications & Permits, Board & Commission Appointment Information, Select Board Appointed - Board & Commission Appointment Application, Team Peer Review Form Instructions, Team Peer Review Scoring Form - Download Only, Holiday Closings, and Questions or Comments. The main content area is titled 'Select Board' and includes a link for 'Board members' and an 'About' section describing the Select Board's role as the Chief Executive Officer of the Town.

**TOWN OF SOUTHWICK** **Team Peer Review (TPR) Score Sheet and Instructions** **Effective 4/1/24**

**Calculation of Scoring:** Each evaluation topic shall be tallied by adding the total number of responses per rating, then multiplying by the score value. The sum per topic is divided by the number of respondents for that topic. For example, 7 TPRs are received. Evaluation topic number 1 received a total value of 29 from all respondents. Divide 29 by 7 to arrive at 4.1, the topic average score. All topics are totaled then divided by the total number of topics, arriving at the aggregate average score of all topics.

**Scoring:** Enter the total number of responses received and the total number of each score from all respondents into the **highlighted cells**. The total score will be automatically calculated. Compare the calculated score to the Score Range.

Member Being Reviewed: \_\_\_\_\_ Compiled Results By (Chair, or Vice Chair): \_\_\_\_\_

Board, Commission or Committee: \_\_\_\_\_ Reason for Review: \_\_\_ Term Expiration or \_\_\_ Interim Request (choose one)

Date Completed \_\_\_\_\_

Scoring Range	Rank					A: Total Rank Per Topic	Avg Range Per Topic (A Divided by B)						
	4.3-5.0	3.5-4.2	2.7-3.4	1.9-2.6	1.0-1.8								
Value	Very Good	Good	Acceptable	Needs Improvement	Not Acceptable	B: # Responses							
5	4	3	2	1	Z								
<b>ENTER NUMBER OF TOPICS RANKED</b> Place the number of total responses received in each column													
1. Attendance record - attends at least 90% of scheduled meetings	1	5	6	24	0	0	0	0	0	0	7	29.0	4.1
2. Knowledge obtained of subject matters	1	5	6	24	0	0	0	0	0	0	7	29.0	4.1
3. Prepared and participates in meeting discussions	1	5	6	24	0	0	0	0	0	0	7	29.0	4.1
4. Independent research brought to the commission	0	0	4	16	3	9	0	0	0	0	7	25.0	3.6
5. Willingness to take on assignments	0	0	5	20	2	6	0	0	0	0	7	26.0	3.7
6. Goes on site visits and/or field trips, if necessary	0	0	4	16	2	6	1	2	0	0	7	24.0	3.4
7. Respectful of other members	0	0	4	16	1	3	2	4	0	0	7	23.0	3.3
8. Professional with other boards, commissions, town employees	0	0	4	16	2	6	1	2	0	0	7	24.0	3.4
9. Respectful interactions with the public, if applicable	0	0	2	8	5	15	0	0	0	0	7	23.0	3.3
<b>AGGREGATED TOTALS</b>	3	15	41	164	15	45	4	8	0	0		232	33.1
<b>SCORING RANGE</b>	4.3-5.0	3.5-4.2	2.7-3.4	1.9-2.6	1.0-1.8							Aggregate / # topics	3.7

# Appendix D: Sample Meeting Posting and Agenda for In-Person, Hybrid and Remote Meetings

## Sample IN PERSON Only

DANIEL J. KELLY PHM Managing Agent	SOUTHWICK HOUSING AUTHORITY 12 DEPOT STREET SOUTHWICK, MASSACHUSETTS 01077 TEL. (413)569-3161 FAX (413)569-1426	
December 14, 2023		
<b><u>NOTICE OF REGULAR MEETING</u></b>		
Notice is hereby given in accordance with Section 23A of Chapter 39 of General Laws that a meeting of the SOUTHWICK HOUSING AUTHORITY will be held in person only at 5:30 o'clock P.M. on Tuesday, December 19, 2023, at the Authority office in the town of Southwick.		
Agenda items expected to be discussed:		
Public Participation Committee Reports (Treasurer, Accounting, Modernization) concerning all projects. Bill Payments Made (400, 689) Incoming Communications – Executive Office of Housing and Livable Communities – Property Insurance Old Business – Tenant Update; Modernization Update; Board Training (EOHLC); Community Preservation Project/States Road New Business – Meeting Date		
SOUTHWICK HOUSING AUTHORITY		
BY: 		
Joanne Horacek Chairperson		
SOUTHWICK TOWN CLERK RCVD 2023DEC14PM10:14		



# Town of Southwick Planning Board



## MEETING AGENDA

Tuesday, November 28, 2023

7:00 p.m.

**Hybrid Meeting: In-person, Southwick Town Hall, 454 College Highway, Southwick MA  
and also open for participation via Zoom (Per Chapter 2, Acts of 2023)**

Notice: In the event the Town Hall is closed due to inclement weather or any other emergency, the Hybrid Format shall switch to remote meeting (Zoom only) for the posted meeting. In the event of any technical difficulties, we will ensure a recorded tape of the proceedings is placed on the Town Web page at [www.southwickma.org](http://www.southwickma.org).

### Join Zoom Meeting:

<https://southwickma.zoom.us/j/84395488794?pwd=d1VzNFdzckhPd3h1b2ZOdTU1UDdoUT09>

(Copy and paste the above address into your web browser if the link fails)

**Meeting ID: 843 9548 8794**

**Passcode: 783132**

**Telephone Access: (929) 205-6099**

**7:00 pm Town Planner's Report**

**7:05 pm Public Comment**

**7:10 pm 662 A College Highway (Map 65, Parcel 26 - Industrial Restricted Zone) – Proposed Self-Storage Facility: Special Permit, Site Plan Approval, and Stormwater Management Permit – *Continued Public Hearing***

**7:15 pm 250 College Highway (Map 133, Parcel 14 – Residential 40 Zone) Proposed Renovation/Reconstruction of a Preexisting Nonconforming Multifamily Dwelling: Special Permit & Site Plan Approval Application – *Public Hearing***

**Discussion: Potential Future Expansion of the Sodom Mountain Campground, 233 So. Loomis Street & Legal Opinion Letter**

### **Routine Business:**

- *Written Decision and Vote: 520 College Highway Mixed-Use Special Permit*
- *Written Decision and Vote: 159 Berkshire Avenue Stormwater Mgt. Permit*
- *Planning Board Member Comments*
- *Minutes Approval: November 7, 2023*

**The Next Regularly Scheduled Meeting is December 12, 2023**

cc: Town Clerk, Board of Selectmen, Conservation Commission, Historical Commission, Board of Health, Highway/Water Department, EDC, Park & Recreation, Fire Department, Finance Committee, Safety Officer



COMMONWEALTH OF MASSACHUSETTS

# Town of Southwick

454 COLLEGE HIGHWAY, SOUTHWICK, MA 01077

## Community Preservation Committee

Telephone (413) 569-5995 - Fax (413) 569-5001

<https://www.southwickma.org/community-preservation-committee>



SOUTHWICK TOWN CLERK  
RCVD 2020MAY 5 PM 1:48

### MEETING AGENDA

Amendment 1

Wednesday May 6, 2020

6:30 p.m. CPC Annual Public Informational Meeting

7:00 p.m. Community Preservation Committee Meeting

#### REMOTE PARTICIPATION

Join Zoom Meeting

Meeting ID: 841 4917 4983

<https://us02web.zoom.us/j/84149174983>

One tap mobile+19292056099,,84149174983# US (New York)

+13017158592,,84149174983# US (Germantown)

Find your local number: <https://southwickma.zoom.us/j/khrrEmzz>

**6:30p.m. Public Informational Hearing: General Overview of CPA / Completed Projects 2019 / Audience Participation**

**7:00p.m. Open Meeting / Announce Community Preservation Committee Meeting, Date & Time / Committee Roll Call Attendance / Review Remote Procedures**

- Public comments
- Review and sign minutes.
- Review and vote on new project applications in order of submittal dates.

**Applications:**

1. Old Cemetery-Applicant: Friends of Southwick Old Cemetery 4/15/2020
  2. New Cemetery-Applicant: Cemetery Commission 4/18/2020
  3. Recreations Signage-Applicant: Town Of Southwick 4/22/2020
  4. Right to Farm Signage-Applicant: Southwick Agricultural Commission 4/29/2020
- Discuss and review wording of any warrant articles required for upcoming Town Meeting (June 16, 2020) due to be submitted to the Select Board that pertain to CPC Funding.
  - Review any previously Town Meeting approved projects were not acted on and vote to return funds into appropriate accounts.

**Old Business**

Community Preservation Coalition dues 2020

**New Business**

Meeting Notices: Pursuant to the Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Meeting Law, G.L. c.30A, 18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the Community Preservation Committee will be conducted via remote participation to the greatest extent possible. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on the office of the AG Web page at <https://www.mass.gov/guides/resources-during-covid-19#open-meeting-law>. No in-person attendance of members of the public will be permitted. The Town will persevere to install conference call capabilities for other parties to listen in and participate accordingly. If not possible we will post on the town's website an audio recording as soon as possible after the meeting.

CC: Town Clerk - Selectboard - Historical Commission - Board of Assessors - Board of Appeals - Building Inspector - Water Department - Department of Public Works - Economic Development Committee - Agricultural Commission - Planning Board - Safety Officer - Park and Recreation - Conservation Commission - Board of Health - Fire Department

## **Parliamentary Procedure for Meetings**

*Robert's Rules of Order* is the standard for facilitating discussions and group decision-making. Copies of the rules are available at most bookstores. Although they may seem long and involved, having an agreed-upon set of rules makes meetings run easier. *Robert's Rules* will help your group have better meetings, not make them more difficult. Your group is free to modify them or find another suitable process that encourages fairness and participation, unless your bylaws state otherwise.

Here are the basic elements of *Robert's Rules*, used by most organizations:

1. **Motion:** To introduce a new piece of business or propose a decision or action, a motion must be made by a group member ("I move that.....") A second motion must then also be made (raise your hand and say, "I second it.") After limited discussion the group then votes on the motion. A majority vote is required for the motion to pass (or quorum as specified in your bylaws.)
2. **Postpone Indefinitely:** This tactic is used to kill a motion. When passed, the motion cannot be reintroduced at that meeting. It may be brought up again at a later date. This is made as a motion ("I move to postpone indefinitely..."). A second is required. A majority vote is required to postpone the motion under consideration.
3. **Amend:** This is the process used to change a motion under consideration. Perhaps you like the idea proposed but not exactly as offered. Raise your hand and make the following motion: "I move to amend the motion on the floor." This also requires a second. After the motion to amend is seconded, a majority vote is needed to decide whether the amendment is accepted. Then a vote is taken on the amended motion. In some organizations, a "friendly amendment" is made. If the person who made the original motion agrees with the suggested changes, the amended motion may be voted on without a separate vote to approve the amendment.
4. **Commit:** This is used to place a motion in committee. It requires a second. A majority vote must rule to carry it. At the next meeting the committee is required to prepare a report on the motion committed. If an appropriate committee exists, the motion goes to that committee. If not, a new committee is established.
5. **Question:** To end a debate immediately, the question is called (say "I call the question") and needs a second. A vote is held immediately (no further discussion is allowed). A two-thirds vote is required for passage. If it is passed, the motion on the floor is voted on immediately.
6. **Table:** To table a discussion is to lay aside the business at hand in such a manner that it will be considered later in the meeting or at another time ("I make a motion to table this discussion until the next meeting. In the meantime, we will get more information so we can better discuss the issue.") A second is needed and a majority vote required to table the item being discussed.
7. **Adjourn:** A motion is made to end the meeting. A second motion is required. A majority vote is then required for the meeting to be adjourned (ended).

**Note:** If more than one motion is proposed, the most recent takes precedence over the ones preceding it. For example if #6, a motion to table the discussion, is proposed, it must be voted on before #3, a motion to amend, can be decided

In a smaller meeting, like a committee or board meeting, often only four motions are used:

- To introduce (motion.)
- To change a motion (amend.)
- To adopt (accept a report without discussion.)
- To adjourn (end the meeting.)

Remember, these processes are designed to ensure that everyone has a chance to participate and to share ideas in an orderly manner. Parliamentary procedure should not be used to prevent discussion of important issues.

Board and committee chairpersons and other leaders may want to get some training in meeting facilitation and in using parliamentary procedure. Additional information on meeting processes, dealing with difficult people, and using *Robert's Rules* is available from district office staff and community resources such as the League of Women Voters, United Way and other technical assistance providers. Parliamentary Procedure at a Glance, by O. Garfield Jones, is an excellent and useful guide for neighborhood association chairs.

## Tips in Parliamentary Procedure

The following summary will help you determine when to use the actions described in *Robert's Rules*.

- **A main motion must be moved, seconded, and stated by the chair before it can be discussed.**
- **If you want to move, second, or speak to a motion,** *stand and address the chair.*
- **If you approve the motion as is,** *vote for it.*
- **If you disapprove the motion,** *vote against it.*
- **If you approve the idea of the motion but want to change it,** *amend it or submit a substitute for it.*
- **If you want advice or information to help you make your decision,** *move to refer the motion to an appropriate quorum or committee with instructions to report back.*
- **If you feel they can handle it better than the assembly,** *move to refer the motion to a quorum or committee with power to act.*
- **If you feel that there the pending question(s) should be delayed so more urgent business can be considered,** *move to lay the motion on the table.*
- **If you want time to think the motion over,** *move that consideration be deferred to a certain time.*
- **If you think that further discussion is unnecessary,** *move the previous question.*
- **If you think that the assembly should give further consideration to a motion referred to a quorum or committee,** *move the motion be recalled.*
- **If you think that the assembly should give further consideration to a matter already voted upon,** *move that it be reconsidered.*
- **If you do not agree with a decision rendered by the chair,** *appeal the decision to the assembly.*
- **If you think that a matter introduced is not germane to the matter at hand,** *a point of order may be raised.*
- **If you think that too much time is being consumed by speakers,** *you can move a time limit on such speeches.*
- **If a motion has several parts, and you wish to vote differently on these parts,** *move to divide the motion.*

## PARLIAMENTARY PROCEDURE AT A GLANCE

TO DO THIS	YOU SAY THIS	MAY YOU INTERRUPT SPEAKER	MUST YOU BE SECONDED	IS MOTION DEBATABLE	WHAT VOTE REQUIRED
Adjourn meeting*	I move that we adjourn	No	Yes	No	Majority
Recess meeting	I move that we recess until...	No	Yes	No	Majority
Complain about noise, room temperature, etc.*	Point of privilege	Yes	No	No	No vote
Suspend further consideration of something*	I move we table it	No	Yes	No	Majority
End debate	I move the previous question	No	Yes	No	2/3 vote
Postpone consideration of something	I move we postpone this matter until...	No	Yes	Yes	Majority
Have something studied further	I move we refer this matter to committee	No	Yes	Yes	Majority
Amend a motion	I move this motion be amended by...	No	Yes	Yes	Majority
Introduce business (a primary motion)	I move that...	No	Yes	Yes	Majority
Object to procedure or personal affront*	Point of order	Yes	No	No	No vote, Chair decides
Request information	Point of information	Yes	No	No	No vote
Ask for actual count to verify voice vote	I call for a division of the house	No	No	No	No vote
Object consideration of undiplomatic vote*	I object to consideration of this question	Yes	No	No	2/3 vote
Take up a matter previously tabled*	I move to take from the table...	No	Yes	No	Majority
Reconsider something already disposed of*	I move we reconsider our action relative to...	Yes	Yes	Yes	Majority
Consider something already out of its schedule*	I move we suspend the rules and consider	No	Yes	No	2/3 vote
Vote on a ruling by the Chair	I appeal the Chair's decision	Yes	Yes	Yes	Majority

\*Not amendable

## PARLIAMENTARY PROCEDURE AT A GLANCE

		Debatable	Amendable	Can Be Reconsidered	Requires 2/3 Vote
Privileged Motions	Fix Time at Which to Adjourn	No	Yes	No	No
	Adjourn	No	No	Yes	No
	Question of Privilege	No	Yes	Yes	No
	Call for Order of Day	No	No	Yes	No
Incidental Motions	Appeal	Yes	No	Yes	No
	Objection to Consideration of a Question	No	No	Yes	Yes
	Point of Information	No	No	No	No
	Point of Order	No	No	No	No
	Read Papers	No	No	Yes	No
	Suspend the Rules	No	No	No	Yes
	Withdraw a Motion	No	No	Yes	No
Subsidiary Motions	Lay on the Table	No	No	Yes	No
	The Previous Question (close debate)	No	No	Yes	Yes
	Limit or Extend Debate	No	Yes	Yes	Yes
	Postpone to a Definite Time	Yes	Yes	Yes	No
	Refer to Committee	Yes	Yes	Yes	No
	Amend the Amendment	Yes	No	No	No
	Amendment	Yes	Yes	Yes	No
	Postpone Indefinitely	Yes	No	Yes	No
Main Motion	Main or Procedural Motion	Yes	Yes	Yes	No

This table presents the motions in order of precedence. Each motion takes precedence over (i.e. can be considered ahead of) the motions listed below it. No motion can supersede (i.e. be considered before) any of the motions listed above it.

**PLEASE NOTE:** many organizations use only the Main Motion and Subsidiary Motions, handling other matters on an informal basis.

## **IN THE MEETING**

### ***TO INTRODUCE A MOTION:***

Stand when no one else has the floor.

Address the Chair by the proper title.

Wait until the chair recognizes you.

- Now that you have the floor and can proceed with your motion say "I move that...", state your motion clearly and sit down.
- Another member may second your motion. A second merely implies that the seconder agrees that the motion should come before the assembly and not that he/she is in favor of the motion.
- If there is no second, the Chair says, "The motion is not before you at this time." The motion is not lost, as there has been no vote taken.
- If there is a second, the Chair states the question by saying "It has been moved and seconded that ... (state the motion). . . , is there any discussion?"

### ***DEBATE OR DISCUSSING THE MOTION:***

- The member who made the motion is entitled to speak first.
- Every member has the right to speak in debate.
- The Chair should alternate between those "for" the motion and those "against" the motion.
- The discussion should be related to the pending motion.
- Avoid using a person's name in debate.
- All questions should be directed to the Chair.
- Unless there is a special rule providing otherwise, a member is limited to speak once to a motion.
- Asking a question or a brief suggestion is not counted in debate.
- A person may speak a second time in debate with the assembly's permission.

### ***VOTING ON A MOTION:***

- Before a vote is taken, the Chair puts the question by saying "Those in favor of the motion that ... (repeat the motion)... say "Aye." Those opposed say "No." Wait, then say "The motion is carried," or "The motion is lost."
- Some motions require a 2/3 vote. A 2/3 vote is obtained by standing
- If a member is in doubt about the vote, he may call out "division." A division is a demand for a standing vote.
- A majority vote is more than half of the votes cast by persons legally entitled to vote.
- A 2/3 vote means at least 2/3 of the votes cast by persons legally entitled to vote.
- A tie vote is a lost vote, since it is not a majority.

## Appendix F: Recommended Public Hearing Procedure

Some boards and committees have statutory requirements for public hearings. This process may be used in addition to the legal requirements or may be used for committees that don't have statutory hearing definitions.

1. The chairperson states guidelines and procedures including time limits and decorum.
2. Where necessary, chairperson states background information.
3. In the case of a Select Board's Dog Hearing, the chairperson will swear in all witnesses prior to giving testimony.
4. Petitioner(s) makes presentation.
5. Information is presented from Town officials and other boards or committees.
6. Board or committee members question petitioner.
7. The public directs questions and comments through the chairperson.
8. The hearing may be continued to another session with a specific date, time and place announced at the hearing.
9. Once all facts, testimony, and opinions have been heard, the chairperson closes the public hearing.
10. The board or committee begins deliberation in an Open Meeting session. Motions may be made and votes may be taken at the board or committee's discretion.
11. The board or committee ultimately votes a decision on the application.

Decisions must be based on the testimony and evidence submitted, written or spoken. Irrelevant, immaterial and information based on emotions are not appropriate evidence upon which to base a decision.

The decision usually has a set deadline. A decision usually entails a vote of approval, disapproval, or approval with conditions. Conditions and a rationale for the decision should be clearly spelled out and be based on information given at the hearing, State law, Town reports and studies, and other Town planning documents. Decisions may not be arbitrary and capricious or based on legally untenable grounds.

## Appendix G: Permissible Purposes For Convening Into Executive Session

1. To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline, dismissal of, or complaints or charges brought against a public officer, employee, staff member or individual. The individual to be discussed in such executive session shall be notified in writing by the public body at least 48 hours prior to the proposed executive session; provided, however, that notification may be waived upon written agreement of the parties. A public body shall hold an open session if the individual involved requests that the session be open. If an executive session is held, such individual shall have the following rights:

- i. to be present at such executive session during deliberations which involve that individual;
- ii. to have counsel or a representative of his own choosing present and attending for the purpose of advising the individual and not for the purpose of active participation in the executive session;
- iii. to speak on his own behalf; and
- iv. to cause an independent record to be created of said executive session by audio-recording or transcription, at the individual's expense.

The rights of an individual set forth in this paragraph are in addition to the rights that he may have from any other source, including, but not limited to, rights under any laws or collective bargaining agreements and the exercise or non-exercise of the individual rights under this section shall not be construed as a waiver of any rights of the individual.

2. To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel;
3. To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares;
4. To discuss the deployment of security personnel or devices, or strategies with respect thereto;
5. To investigate charges of criminal misconduct or to consider the filing of criminal complaints;
6. To consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body;
7. To comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements;
8. To consider or interview applicants for employment or appointment by a preliminary screening committee if the chair declares that an open meeting will have a detrimental effect in obtaining qualified applicants; provided, however, that this clause shall not apply to any meeting, including meetings of a preliminary screening committee, to consider and interview applicants who have passed a prior preliminary screening;

9. To meet or confer with a mediator, as defined in section 23C of chapter 233, with respect to any litigation or decision on any public business within its jurisdiction involving another party, group or entity, provided that:
  - i. any decision to participate in mediation shall be made in an open session and the parties, issues involved and purpose of the mediation shall be disclosed; and
  - ii. no action shall be taken by any public body with respect to those issues which are the subject of the mediation without deliberation and approval for such action at an open session;or
10. To discuss trade secrets or confidential, competitively-sensitive or other proprietary information provided in the course of activities conducted by a governmental body as an energy supplier under a license granted by the department of public utilities pursuant to section 1F of chapter 164, in the course of activities conducted as a municipal aggregator under section 134 of said chapter 164 or in the course of activities conducted by a cooperative consisting of governmental entities organized pursuant to section 136 of said chapter 164, when such governmental body, municipal aggregator or cooperative determines that such disclosure will adversely affect its ability to conduct business in relation to other entities making, selling or distributing electric power and energy.

## Appendix H: Town of Southwick Social Media and Telecommunications Policy

Go to: [https://www.southwickma.org/sites/g/files/vyhlif1241/f/uploads/socialmedia-telecom\\_policy2024\\_0.pdf](https://www.southwickma.org/sites/g/files/vyhlif1241/f/uploads/socialmedia-telecom_policy2024_0.pdf)

### **TOWN OF SOUTHWICK SOCIAL MEDIA POLICY AND TELECOMMUNICATIONS POLICIES FOR APPOINTED AND ELECTED BOARD/COMMITTEE MEMBERS**

#### **I. SOCIAL MEDIA POLICY:**

A. Introduction: The Town of Town of Southwick (the “Town”) depends upon an environment of tolerance and respect for the achievement of its goals in serving the citizens of the Town.

B. Purpose: The purpose of this policy is to provide notice to appointed and elected board and committee members that their use of social media must conform to the law and this policy. This policy is designed to promote and govern the professional and personal use of social media in a responsible manner and to avoid uses that can: (1) breach confidentiality by revealing protected information about the Town, its citizens, or its employees; (2) expose the Town to liability for behavior that may be harassing, offensive, or maliciously false; or (3) interfere with productivity and/or ability to perform the duties and responsibilities as employees of the Town.

#### **II. Definitions:**

1. The Town: Town of Southwick.
2. Official: An individual who holds office in the Town, whether elected or appointed.
3. Social Media: Online forums in which individuals participate in the exchange of ideas, messages, and content, including but not limited to, blogs, microblogs, and social networking sites (e.g., Facebook, LinkedIn, Twitter).
4. Electronic Media: All forms of electronic communication, transmission, or storage, including but not limited to, websites and any content contained therein or related thereto.

#### **III. General Provisions:**

A. Officials may maintain and use personal web pages and websites, blogs, microblogs, social networking sites and other forms of social media while off-duty, their status as Officials of the Town requires that the content of any postings on those social media sites or other web pages not be in violation of existing Town bylaws, policies, directives, rules, or regulations. The Town’s image as a professional organization comprised of professionals is critical to maintaining the respect of its constituents. Although the Town recognizes that Officials may choose to express themselves by posting personal information upon electronic media sites through personal websites, social networking sites, blogs, microblogs, chat rooms, or other electronic means or by making comments upon electronic sites hosted by other persons, groups or organizations, this right of expression should not interfere with the operation of the Town. That is, although the Town acknowledges its Officials have the First Amendment right to free speech, the right is not absolute and extends only to matters of public concern. Therefore, Officials should exercise caution with respect to comments they post, particularly those concerning the Town and the business of the Town.

B. This section describes acceptable and unacceptable uses of all social media by Town Officials. Officials should use their best personal judgment when using any form of social media and must ensure that their use does not violate this or any other Town policy.

1. Use of social media is also subject to the Town's Telecommunications Systems Policy, Sexual Harassment Policy, and Harassment of Individuals in Protected Classes Policy, as well as the Town's other policies and standards of conduct, rules, regulations, and by-laws. Comments on social media outlets may be deemed to violate this Policy even if the Town's name or the name(s) of any individual is not specifically referenced if it is clear that the comment is a violation of any of the other Town policies.

2. If Officials access and/or use external social media platforms outside of their capacity as a Town official, they shall not create or utilize an identity, signature, logo, or other imagery that appears as though they are representing the Town

3. All Officials are expected and required to conduct themselves in a manner consistent with the Town's policies and standards of conduct.

4. Officials must not reveal any confidential or privileged information about the Town, its constituents, or its contractors. Officials must be particularly careful to protect against the inadvertent disclosure of confidential information.

5. Officials must not harass others in contravention of the Town's Telecommunications Systems Policy, regardless of the time, place, form, or manner in which the information is posted or transmitted. Comments may be deemed to violate this policy even if the Town's name or the name(s) of any individual is not specifically referenced.

6. Officials should be honest and accurate when posting information or news, and if they have made a mistake, it must be corrected quickly. Officials should not post any rumors they believe could be false or information they know to be false about the Town, its employees, constituents, officials, suppliers, vendors, contractors, or any other entities or individuals.

7. Officials may express only their personal opinions and should never represent themselves as a spokesperson for the Town, their board or committee unless designated to do so. If the Town is a subject of the content created by an Official, the Official should be clear and open about the fact that they are an Official of the Town and should make it clear that their personal views do not represent those of the Town, or its employees, officials, suppliers, vendors or any other agent of the Town unless designated to do so. Officials who publish blogs or other online posts related to their role with the Town should make clear that they are not speaking on behalf of the Town (unless designated to do so). Further, an Official's decision to express their personal opinions does not alleviate their responsibility as an Official to take appropriate action under the circumstances, which may include, but not be limited to taking action themselves or reporting an issue to a supervisor.

8. Officials must also recognize that posting content regarding Town-related matters may result in the violation of the open meeting law. Officials should consult the Open Meeting Law Guide provided to them by the Town Clerk's Office for more information. Town Counsel may also be consulted subject to the prior approval of the Town's Chief Administrative Officer.

9. The Open Meeting Law requires that all meetings of a public body are to be open to the public at all times unless otherwise exempted. Elected or appointed Officials of any Town public body should refrain from using Town or private social media sites to discuss the business of the public body or from taking action by the public body in violation of the Open Meeting Law. Members of public bodies should refrain from commenting on or responding to inquiries related to quasi-judicial matters within the subject matter jurisdiction of their respective public bodies.

10. The information posted by the Town on its social media sites will supplement and not replace required notices and standard methods of providing warnings, postings, and notifications required to be made regarding public meetings and hearings under Massachusetts law, unless otherwise permitted by law.

11. The Public Records Law and e-discovery laws apply to electronic mail and social media content. Any content created with a Town email address or maintained in a Town social media site, including a list of subscribers, posted communication, and communication submitted for posting, may be considered a public record. Accordingly, such content must be lawful and in accordance with this policy, and be able to be managed, stored and retrieved to comply with these laws.

12. Officials are prohibited from using social media to engage in any activity that constitutes a conflict of interest.

13. Officials are expressly prohibited from using social media to engage in any activity or conduct that violates federal, state, or local law (e.g., software or data piracy, child pornography, etc.).

14. Officials are generally not authorized to provide employee references and are prohibited from using any review or recommendation feature or system on a social media site (e.g. LinkedIn) to post reviews or other comments about employees.

15. Officials must be mindful that residents, property owners and others appearing before Town boards or committees come from all walks of life. Public comments, in any forum, that contain racial slurs, express bigotry toward a group based on their race, religion, national origin, sexual orientation, gender, gender identity or any other legally protected classification shall be considered conduct unbecoming a Town Official and shall constitute good cause for removal for any appointed official.

16. The Town encourages anyone who uses social media in contravention of this policy to be honest and admit the error as soon as it occurs. Although errors cannot always be erased, prompt notification can make a significant difference in the Town's ability to correct or remedy the issue.

17. Beyond the above general provisions, appointed and elected board/committee members are strongly encouraged to consider the impact of their statements before making them. The Town strives to be professional in its operations and processes. Posts that suggest a likelihood of more or less favorable treatment toward any individual or group of individuals, e.g. based upon age, gender, national origin, or sexual orientation reflects poorly on the individual making an inappropriate statement as well as the Town and its citizens. Further, comments suggesting such treatment can expose the Town to liability and legal costs. All are strongly encouraged to carefully consider their comments before posting them.

#### **IV. Complaints or Problems of Misuse:**

Should anyone receive or become aware of a violation of this policy, they can report the violation to the Chief Administrative Officer, who can be reached at the Town Offices located at 454 College Highway, Southwick, MA 01077, (413) 569-5995.

The Town prohibits taking action against anyone for reporting a possible violation of this policy or for cooperating in an investigation.

#### **V. Questions:**

Anyone who is unsure whether a particular posting or contribution to online social media violates this policy is encouraged to ask the Town Chief Administrative Officer.

#### **VI. Discipline:**

Violation of this policy may constitute good cause for disciplinary action leading up to and including removal of appointed Officials under the Town bylaws. Elected officials may be subject to a request for their resignation, public censure or reprimand, or a recall petition in accordance with the Town bylaws. A failure to enforce this policy does not constitute a subsequent waiver of any violation of this policy. This policy shall be read and interpreted in conjunction with all other Town policies and procedures.

### **TELECOMMUNICATIONS SYSTEM POLICY FOR APPOINTED AND ELECTED OFFICIALS**

To ensure proper use of the Town of Southwick's telecommunications systems including the telephones, computers, electronic mail (email), facsimile machines and the internet, the Town has established a policy. This policy is designed to prevent misuse of these systems and to protect the Town from illegal use of these systems by its employees, officials, and others.

This policy applies to all full-time, part-time, and intermittent Town employees, as well as grant-funded position employees. This policy also applies to contractors, consultants, temporary employees, and interns. In addition, this policy applies to volunteers and non-employees, including but not limited to appointed and elected Officials of Town Boards, Commissions, and Committees of the Town of Southwick, and including those users affiliated with third parties who access the Town of Southwick computer networks.

*Note:* Throughout this policy, the words "user" and "employee" will be used to collectively refer to all such individuals indicated above. This policy also applies to all computer and data communication systems (telecommunication systems) used at, owned by, and/or administered by the Town of Southwick.

All Town users are required to read and comply with this policy. Failure to comply with the provisions of this policy may result in disciplinary action ranging from limiting an employee's privileges to use any telecommunication systems and further disciplinary action up to and including termination. Regarding non-employees, failure to comply with the provisions of this policy may result in the denial of access to the computer networks, legal action, and/or notification to the proper authorities.

This policy will be reviewed annually and may be updated or amended at any time at the discretion of the Select Board.

The following activities are strictly prohibited:

- Any illegal activity, including, but not limited to, the transmission of copyrighted, trademarked, patented, trade secret material or the participation in any type of criminal activity.
- Any inappropriate activity, including but not limited to the transmission or inquiry of obscene, defamatory, discriminatory, or threatening material.
- Any attempts to tamper with or violate the computer security systems implemented by the Town of Southwick or the use of the Town's telecommunication system to tamper with other institutions, organizations, companies, or individuals.
- Disseminating confidential or other non-public information to unauthorized parties.
- Instant messaging software, movies, music sharing software or other peer to peer data sharing software are prohibited. This includes AOL, Facebook, Twitter, or any other website instant messaging.

The following types of email activities are expressly prohibited:

- Transmission of global or mass mailings unless related to Town business or unless prior authorization has been received from the Chief Administrative Officer or their designee.
- Transmission of chain letters or virus alerts.
- Transmission of any email containing abusive, harassing, discriminatory, or sexually explicit language or content.
- Transmission of deceptively labeled emails, to include any email that carries a misleading subject line, is anonymous, is attributed to another person, or which identifies its true sender incorrectly.
- Inclusion of C.O.R.I. information within any email, except where the recipient's email address has been previously confirmed to be a legitimate and secure reception point.
- Any other transmissions or inclusions that violate federal, state, or local law.

Employees of the Town and Town Officials have a right to have personal web pages or social networking sites. Use of the Town of Southwick's computers or equipment for the purposes of social networking is prohibited, along with accessing social networking sites from any other peripheral device while on duty or working. Employees and Town Officials are prohibited from posting, transmitting and/or disseminating any photographs, video or audio recording, likenesses or images or departmental logos, emblems, uniforms, badges, patches, marked or unmarked vehicles, equipment or other material that specifically identifies the Town of Southwick on any personal or social networking website or web page.

Telecommunications systems are the property of the Town of Southwick and should be used for business purposes.

Subject to department head approval limited appropriate personal use is allowed, but business use is primary. All files including documents, spread sheets and email correspondence shall be available to the department head at all times. No files shall be password protected unless authorized by the system administrator for a valid reason. Telecommunications Systems are the property of the Town of Southwick.

Subject to certain exceptions in the law, email messages are considered public records and are therefore legally discoverable and subject to record retention policies. Employees and Town Officials should not expect that email messages (even those marked "personal") are private or confidential.

Upon the request of the department head and/or the Chief Administrative Officer and subject to the approval of the Select Board, monitoring of telecommunications systems usage may be necessary. Reasons for monitoring include, but are not limited to, review of productivity, investigations into claims of possible criminal activity and investigations into violation of the policy.

Use by employees of the Town's telecommunications systems constitutes consent to monitoring of systems use and is conditioned upon strict adherence to this policy.

All users are expected to undertake precautions to prevent infection of Town computers by computer viruses. In particular, executable programs imported from other sites to Town computers must not be used unless they have been authorized by the System Administrator (Town Accountant) and they have been subjected to virus detection procedures approved by System Administrator. The System Administrator may, from time to time, impose restrictions or regulations that shall be considered part of the policy. Users are expected to be energy conscious. Computers shall be powered off anytime they will not be used for two or more consecutive hours. Copiers and printers shall be powered off anytime they will not be used for twenty-four or more consecutive hours. Certain necessary exceptions are permitted with department head approval.

Department heads and supervisors are responsible for ensuring that all their employees using the Town's telecommunication systems have read this policy and understand its applicability to activities.

All network broadcasts must pertain to Town of Southwick business and be pre-approved by the Select Board or the Chief Administrative Officer.

Data files (word processing, email, and spreadsheets) will be backed up daily and weekly if they are stored in the user's mapped drive and on the Town server. Backup of data not stored on the server is the responsibility of each user. The Town cannot be held responsible for lost data due to system failure caused by power outages or other problems with the system that may cause an unexpected shutdown. If data is important to a user, they must back it up.

If an employee or Town official indicates in any public forum any opinion on a Town issue, then that employee shall state that the views and opinions expressed are personal ones, and not those of the Town of Southwick.

If an employee accidentally accesses an unacceptable site, the employee must immediately disclose the incident to their immediate supervisor or to the Chief Administrative Officer. Such disclosure may serve as a defense against an accusation of an intentional violation of this policy.

A sign-off sheet shall be attached to this policy and signed off by each user who utilizes any telecommunications system of the Town.

Notwithstanding the sections above, the Select Board may authorize the creation of social media accounts (e.g., Facebook, Twitter, etc.) under limited circumstances for the sole purpose of furthering the purposes of the Town. Any request for such authorization must be made in advance in writing to the Select Board. In the event the Select Board allows an account to be created, the account shall solely be used to disseminate information regarding the Town and such use may not violate any other provisions of this policy. The account must be registered with the Town. The account may not be used for personal use at any time. The Select Board may terminate the account at any time.

## **Additional Resources and References:**

### **TOWN AND GENERAL POLICIES & INFORMATION**

#### **Town of Southwick Annual Town Reports**

<https://www.southwickma.org/home/pages/annual-town-reports>

#### **Town of Southwick General and Zoning Bylaws**

<https://ecode360.com/SO1418?needHash=true>

#### **Guide For Members of Public Boards and Commissions (Mass.gov)**

<https://www.mass.gov/resource/guide-for-members-of-public-boards-and-commissions>

### **OPEN MEETINGS & PUBLIC RECORDS**

#### **Massachusetts Open Meeting Law Regulations**

<https://www.mass.gov/files/documents/2017/09/25/New%20OML%20Regulations%20%28Clean%20version%29.pdf>

#### **MA Open Meeting Law - Remote & Hybrid Updated Regulations**

<https://www.mass.gov/info-details/updated-guidance-on-holding-meetings-pursuant-to-the-act-extending-certain-covid-19-measures>

#### **Massachusetts Public Records Guidelines**

<https://www.sec.state.ma.us/divisions/public-records/download/guide.pdf>

#### **Division of Open Government**

<http://www.mass.gov/ago/bureaus/government/the-division-of-open-government/>

Email: [openmeeting@state.ma.us](mailto:openmeeting@state.ma.us)

Phone at (617) 963-2540

### **CONFLICT OF INTEREST/ETHICS**

#### **Conflict of Interest Required Online Training**

<https://www.mass.gov/complete-conflict-of-interest-law-education-requirements>

#### **Conflict of Interest - State Ethics Commission**

<https://www.mass.gov/orgs/state-ethics-commission>

#### **Conflict of Interest Law, Disclosures, Penalties**

<https://www.mass.gov/info-details/gl-c-268a-the-conflict-of-interest-law-as-amended-by-c-194-acts-of-2011>

#### **Conflict of Interest - Individual Legal Advice from Attorney of The Day**

<https://www.mass.gov/request-advice-from-the-state-ethics-commission>