

**TOWN OF PRINCETON  
SELECTBOARD  
POLICY FOR  
REMOTE PARTICIPATION AT MEETINGS\***

**I. APPLICABILITY**

The Selectboard, on 2/18/2020 voted to authorize the adoption of 940 CMR 29.10 so that remote participation is permitted in the Town. The Selectboard may revoke its adoption of 940 CMR 29.10 by simple majority vote at any time.

This policy and 940 CMR 29.10 shall apply to all Town boards, committees, commissions, sub-committees and working groups (“Town boards”) regardless of whether such Town Boards are appointed or elected. Where either the Remote Participation Policy or 940 CMR 29.10 is more stringent, the more stringent Policy shall control.

**II. PURPOSE STATEMENT**

The Office of the Attorney General amended the Open Meeting Law regulations at 940 CMR 29.00 to allow members of public bodies, in limited circumstances, to participate remotely in meetings. While members of Town boards and committees should make every effort to attend meetings in person, the new regulations seek to promote greater participation in government meetings by allowing members to participate remotely when certain specific circumstances prevent them from being physically present. IT IS INTENDED THAT THIS POLICY SHALL BE USED ONLY ON RARE OCCASIONS WHERE NECESSARY FOR THE CONDUCT OF BUSINESS BY BOARDS AND COMMITTEES.

The intent of this policy is to establish clear guidelines on the practice of remote participation by Town Boards under the Open Meeting Law, M.G.L. c.30A, 18-25.

**III. POLICY**

The Selectboard by adopting this policy authorizes individuals serving on its appointed and elected Boards, Committees, Commissions and Work Groups that are subject to the Open Meeting Law to participate remotely at meetings for the following permissible reasons:

- a. Personal illness;
- b. Personal disability;
- c. Emergency;
- d. Military service; or,
- e. Geographic distance.

Individual board/committee/commission/work group members may participate remotely up to nine (9) times fiscal year in executive session.

#### **IV. PROCEDURE**

1. Any member of a public body who wishes to participate remotely shall, as soon as reasonably possible prior to a meeting, notify the chair or, in the chair's absence, the person chairing the meeting, of his or her desire to do so and the reason for and facts supporting his/her request.
2. At the start of the meeting, the chair shall announce the name of any member who will be participating remotely and the reason under 940 CMR 29.10 for his/her remote participation. This information shall also be recorded in the meeting minutes.
3. If the person chairing the meeting approves the request for remote participation, he or she shall make any necessary arrangements with appropriate Town personnel to ensure that the required equipment is available and, to the greatest extent practical, provide access to all meeting materials. THE TOWN DOES NOT GUARANTEE AVAILABILITY OF REQUIRED EQUIPMENT AT ANY PARTICULAR TIME OR LOCATION.
4. A member participating remotely for an executive session shall state at the start of the session that no other person is present and/or able to hear the discussion at the remote location, unless presence of that person is approved by a simple majority of the public body.
5. All votes taken during any meeting in which a member participates remotely shall be by roll call vote.
6. A quorum of the public body, including the individual chairing the meeting shall be physically present at the meeting location. Members who participate remotely shall not be deemed to be absent.
7. The acceptable means of remote participation is: conference, telephone, internet, or satellite-enabled audio or video conferencing; or, any other technology that is available that enables the remote participant and all persons present to be clearly audible to one another. The chair or in the chair's absence, the person authorized to chair the meeting shall make this determination.
8. If video technology is used, the remote participant shall be clearly visible to all persons present at the meeting location.
9. The Town shall not be responsible for the reimbursement of any out-of-pocket costs associated with the remote participation of Board members.
10. Members participating remotely are cautioned that the same obligations of consideration apply as in any physical meeting. Remote participants should direct all their attention to the meeting, and should make their decisions based upon the same information as is available to all the other participants in the meeting. The remote participant shall also state at the beginning of any meeting that no other person is in proximity who could exert undue influence on the participant, in either executive or public session, and shall inform the chair if that situation changes.

The Selectboard may revoke Remote Participation at any time under 940 CMR 29.10(3).

#### **V. VIOLATIONS**

Violations of the Open Meeting Law are reportable through the Open Meeting Law division of the Attorney General's office. If the Attorney General determines, after an investigation, that 940 CMR 29.10 has been violated, the Attorney General may resolve the investigation by ordering the public body to temporarily or permanently discontinue its use of remote participation.

**\*Pursuant to MGL c. 30A, s. 20(d); 940 CMR 29.00 attach**