



TOWN OF PRINCETON, Office of the Town Clerk

Nathan R. Boudreau, Town Clerk

October 20, 2022

RE: Public Meeting Guidance

Town of Princeton Boards, Committee, and Commission Chairs,

As done in the past, I felt it was pertinent to review the procedure for posting meetings, agendas, and minutes in the Town of Princeton. Please note that ensuring the Town Clerk's office has received a posting is the responsibility of the person posting the meeting, **not** the Town Clerk's office. The Town Clerk's office checks emails very regularly but cannot commit to posting meetings, agenda, or minutes within moments notice or outside of regular office hours. *I would like to thank the Massachusetts Town Clerks Association and members thereof for the use of much of the material within this guidance.*

Agenda Posting Process

- All meeting agendas must be posted through Town Clerk's Office
- 48 Hour notice does not include Saturdays, Sundays, or legal holidays.
- Official postings must include a list of topics to be discussed. If you use the terms Old Business/New Business, you must list the items to be discussed under each of those headings.
- Deadlines for posting requests:
 - **Monday and Tuesday meetings – 11:30 AM on the previous Thursday**
 - **Wednesday and Thursday meetings 48 hours prior to the meeting during Town Clerk office hours.**
 - **If there is a Monday holiday the following Tuesday's agenda must be posted on the previous Thursday.**
- Use Public Meeting Notice Form to request meeting postings
- Posting must be emailed to townclerk@town.princeton.ma.us
- If scheduling several meetings into the future, please remember:
 - until a list of topics is included the meeting is not officially posted.
 - Chairperson is responsible for following up with topics of discussion.
- You may update list of topics within the 48-hour period if the new topic was not known to the Chairperson prior to the 48-hour posting deadline.

Meeting Cancellations

If it is necessary to cancel a meeting before it is scheduled to start (due to inclement weather or any other reason), the Chair of the public body or an assigned member should notify the Town Clerk's office as soon as possible so the postings can be updated. You can cancel by sending an email stating what meeting you are cancelling and the reason.

Town Hall, 6 Town Hall Dr, Princeton, MA 01541
Telephone: 978-464-2103 Email: townclerk@town.princeton.ma.us

Cancelling a meeting after the meeting when a quorum is not present. It is necessary to inform the Town Clerks office when a posted meeting was not held, either due to lack of quorum or any other unforeseen reason. It is strongly recommended that a minority of members of a public body not “meet” in the absence of a quorum, and further, that such a group avoid discussion about any business within the jurisdiction of the public body, or any other matter.

Deliberations

A public body cannot discuss a matter that should have been reasonably anticipated unless the matter appears on the agenda. The OML specifically defines the term “deliberation” to include email. Public bodies may only use email to distribute agendas or documents to be discussed as well as scheduling. Information. No opinions of a member may be expressed, and members should avoid a reply all on emails.

Whenever members are sharing feelings, ideas, beliefs or concerns relative to their position it is considered deliberation and would need to follow open meeting law postings. Should a public body deliberate inadvertently outside a public meeting they MUST meet in open session to rectify the mistake and they MUST make an independent deliberative action and not merely, a ceremonial acceptance in open session. They should also share in open session any email communications that could be considered a violation to rectify it.

Meeting Minutes – per MGL Ch. 66 & 6

State law requires all public bodies (committees, commissions, boards, sub-committees, and ad-hoc committees) to keep accurate written records of its public meetings.

Importance of the Record Many matters before boards and committees are reviewable by a court, on an appeal. In many of these matters, the appeal is based on the record developed before the board or committee. Thus, it is important to adequately develop a record that will accurately reflect what went on during the meeting and, most importantly, support the decisions and actions of the board or committee.

Meeting Minutes, as set forth by law, must include the following:

- Date, time, and place of meeting
- List of members present and absent
- Any actions taken at the meeting (including going into executive session w/roll call vote).
- A summary of the discussions on each subject.
- Exact wording of all motions, including who made and seconded the motion.
- The decisions made and actions taken, including a record of all votes.
- A list of documents and other exhibits used by the body at the meeting.

Once minutes are approved by vote of the public body, please submit a copy to the Office of the Town Clerk for record and to be placed on the Town of Princeton webpage.

Public Record

The records of all public body non-executive session meeting minutes are public and permanent records and must be made available for public inspection. Minutes of open meetings are public records, subject to mandatory disclosure upon request within 10 days.

Records of any executive session may be withheld from disclosure only if publication may defeat the purposes of the executive session. Meeting notes and drafts minutes are considered public records from the moment of their creation. They are considered the public record of the meeting until official minutes are approved by the public body. The notes and drafts of minutes must be retained until the minutes are approved and may be destroyed without permission from the Supervisor of Public Records. Any secretarial notes, if not destroyed once official minutes are accepted, are considered a public document under public records law.

Timely Fashion

Chapter 30A, Sec. 22 C of the Open Meeting Law requires minutes to be produced in a timely fashion but does not provide a definition for “timely fashion”. The Attorney General does however recommend that minutes be approved at the public body’s next meeting whenever possible. The law does, however state that in the event someone requests minutes from a meeting, such minutes must be provided to them within 10 days.

For committees which meet monthly or more frequently, the minutes should be reviewed and approved at the next regular meeting following the one being reported. Committees, which meet less frequently, should adopt a procedure, which will assure approval within 2 months of the original meeting date.

Virtual Meeting (GoToMeeting)

The Town of Princeton has chosen to use GoToMeeting as our virtual meeting provider. It is the responsibility of the chair to ensure their virtual meeting is booked, does not conflict with that of any entity, and properly started prior to the start of the public meeting. If you would like to be trained on this software, please contact the Town Clerk.

Hybrid Meetings

Within the Town Hall Annex there is audio visual equipment that will enable residents choosing to participate virtually a better public meeting experience. If you would like assistance with setting up this equipment, please contact the Town Clerk at least 48-hours ahead of a scheduled meeting.

Use of the Annex

The Town of Princeton (the “Town”) Town Hall Annex is available to Town Boards, Commissions, Committees or Departments and as approved to non-profit groups engaged in historic, civic, educational, cultural, recreational, or charitable activities. The Town Hall Annex Large Room has a capacity of 122 occupants and the Small Room has a capacity of 30 occupants. To schedule the use of the Town Hall Annex, please contact the Town Clerk’s office at 978-464-2103 or email townclerk@town.princeton.ma.us with any questions.

Please feel free to reach out at any time if I can be of assistance making your public meetings as transparent and safe as possible.

Thank you,

A handwritten signature in black ink, appearing to read 'N. B.', with a stylized flourish at the end.

Nathan R. Boudreau, MPA
Town Clerk
Town of Princeton