

## **SELECTBOARD OPERATING POLICIES AND PROCEDURES**

### **I. PURPOSE**

The Selectboard of the Town of Granby, recognizing the need to codify the traditional and accepted working relationships among members of the Board, between the Board and the Town Administrator, and between the Board and other Town boards, committees, officials, and citizens, as well as the need to consolidate Town policies and procedures, have undertaken to create operating procedures for the Selectboard.

Acceptance of the policies and procedures embodied herein shall supersede all previous policies and procedures accepted by past Boards. Unless otherwise noted, the term "Board" shall refer to the Granby Selectboard. The term "MGLA" shall refer to the Massachusetts General Laws, as amended.

### **II. NATURE OF POLICIES AND PROCEDURES**

These policies and procedures contain items relating to topics that cannot be addressed elsewhere. Subjects that would more appropriately be addressed in statutes, by-laws or regulations are not addressed in this document. Where there is confusion as to the application of a similar Board policy or procedure addressed here, the language contained in this document will prevail.

### **III. PROCEDURE FOR ESTABLISHING POLICIES AND PROCEDURES**

Draft policies and procedures will be placed on the agenda for any regularly scheduled meeting of the Board. Drafts will be in writing, and may be introduced only by a Selectboard Member or the Town Administrator. Upon receipt of a draft, the Board may choose to discuss the policy immediately or schedule the discussion for a future meeting. The Board may schedule any hearings or meetings it deems necessary for discussion. The Board may distribute a draft for comment to appropriate officials, as it deems necessary.

Unless otherwise voted by the Board, the Board shall not vote on a policy at the same meeting at which it is first introduced. A vote by a majority of the board's members shall be required for the adoption of a new or amended Board policy. A new or revised policy adopted by the Board shall take effect immediately, and shall be carried out until it is rescinded or amended.

The Town Administrator will be responsible for implementation of all policies and procedures.

The Town Administrator shall be responsible for the maintenance of all policies and procedures, for updating the Policy Manual with new and amended policies, and for ensuring that copies of the Board's policies and procedures are distributed to newly elected Board

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members. Copies of the Policy Manual shall be made available to the public at the Selectboard's Office, the Office of the Town Clerk and Town website. The Board will, at a minimum, review these policies and procedures annually.

### **IV. AUTHORITY AND ROLE OF THE SELECTBOARD**

The Selectboard is an elected board and derives its authority and responsibilities from the statutes of the Commonwealth of Massachusetts, and from the bylaws of the Town of Granby. When a vacancy occurs on the Board, the Board's remaining members shall determine whether there is a need to call a special town election to fill the unexpired term or terms in accordance with the MGLA, or to leave the seat(s) vacant until the next town election. Except, if the seat is vacated within one hundred and eighty days (180) of the last annual town election, then the Board shall call a special town election to fill that vacancy on the Board.

The Board is responsible for executive Town policy development and review. The Board works with the Town Administrator on policy development, and oversees the Town Administrator in his role as supervisor of town departments.

The Board, through the Town Administrator, is responsible for supervising the departments of general government that are not supervised by other elected Town boards. The Board, or its individual members, will refrain from involvement in day-to-day operations. Before any Board member approaches a department head or a member of a department or committee on any matter that relates to any aspect of the operation of the department or committee, he or she shall first obtain permission from the Town Administrator. Concerns or questions regarding the operation of departments, and suggestions for improvements should be addressed to the Town Administrator at meetings of the Board. The Board may be called upon to settle disputes that cannot be resolved by the Town Administrator.

A member or members of the Board without the prior consent of a majority of the Board shall take no actions representing the Board. This shall be modified in the event of an emergency should immediate action be required, in which case the Chairman, Clerk, or any Board member shall call an emergency session of the Board prior to the emergency action.

A Board member wishing an in-depth inquiry into a department's policies, procedures, or operations must make such a request during a regular Board meeting in open session and receive approval by the Board by consensus or Board vote. Requests by Board members for written legal opinions must be channeled through the Chairman and the Town Administrator.

### **V. ROLE OF THE TOWN ADMINISTRATOR**

The Board appoints a Town Administrator who functions as the Town's Chief Administrative Officer. The primary duties of the Town Administrator shall be the day-to-day administration of the general government as outlined in the position's job description. The Town Administrator will also assist and work under the direction of the Board in the formulation of policy. The Town Administrator must maintain a close working relationship with all members of the Board. The Board will treat with respect the rights of the Town

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Administrator despite differences of opinion. He/She shall regularly brief the Board on all important issues.

In order to provide the Town with continuity of management, the Selectboard are committed to maintaining an employment agreement with the Town Administrator that delineates his/her responsibilities and conditions of employment as permitted by statute.

### **VI. DUTIES, RESPONSIBILITIES, AND OBLIGATIONS OF BOARD MEMBERS**

A member of the Board, in relation to his/her responsibility to the community, shall:

- recognize that his/her primary role is to set policy, with responsibility for administration delegated to the Town Administrator;
- recognize that he/she is a member of a team, and shall abide by all Board decisions once they are made;
- be well informed concerning the duties of a board member on both state and local levels;
- remember that he/she represents the entire community at all times;
- accept the office of Selectboard member as a means of unselfish public service, not to benefit personally or professionally from his/her Board activities;
- in all appointments, avoid political patronage by judging all candidates on merit, experience and qualifications only; and
- abide by the provisions established by the Commonwealth in MGLA Ch 28A as they apply to municipal officials.

As a member of the Board, a Selectboard member shall:

- endeavor to establish sound, clearly defined policies which will direct and support the administration for the benefit of the people of the Town;
- recognize and support the administrative chain of command and refuse to act on complaints as an individual outside the administration;
- give the Town Administrator full responsibility for discharging his/her decisions and solutions.
- not make statements or promises of how he/she will vote on matters that will come before the Board until he/she has had an opportunity to hear the pros and cons of the issue at a Board meeting;
- make decisions only after all facts on a question have been presented or discussed;
- uphold the intent of executive session and respect the privileged communication that exists therein; and
- treat with respect the rights of all members of the Board despite differences of opinion.

### **VII. ORGANIZATION OF THE BOARD AND ELECTION OF OFFICERS**

The Chair shall be elected annually at the first Board meeting following the Annual Town Election. The Board may remove the Chair at any time. Nominations require no second. The immediate past Chair shall preside as Chairman pro-tem until the Chair is elected. If there is no immediate past Chair, the senior member in terms of current service shall serve as

Chair pro-tem. In the case of members with the same amount of seniority, the member receiving more votes in the most recent election shall serve. If a vacancy occurs in the office of Chair, the Board shall elect a successor.

## **VIII. RESPONSIBILITIES OF THE OFFICERS OF THE BOARD**

The Chairman shall:

- preside at all meetings of the Board at which he/she is present. In doing so, he/she shall maintain order in the meeting room, recognize speakers, call for votes, and preside over the discussion of agenda items;
- sign official documents that require the signature of the Chairman, following a vote of the Board;
- call special meetings of the Board in accordance with the Open Meeting Law;
- prepare meetings agendas with the Town Administrator;
- represent the Board at meetings, conferences, and other gatherings unless otherwise determined by the Board or delegated by the Chairman;
- serve as spokesperson of the Board at Town Meetings and present the Board's position unless otherwise determined by the Board or delegated by the Chairman;
- make liaison assignments, as appropriate, and assign overview responsibilities for projects and tasks to Board members unless otherwise determined by the Board;
- arrange for the orientation of new members with the Town Administrator;
- provide leadership which brings individual Board members together as an effective policy-making body;
- ensure that the Board maintains a legal and open level of communication

The Chairman shall have the same rights as other members to offer and second motions and resolutions, to discuss questions, and to vote thereon.

The Clerk shall sign all official documents requiring the signature of the Clerk, with the authorization of the Board, and shall be responsible for recording minutes of any portion of meetings held in executive session for which the Town Administrator is not present.

## **IX. MEETINGS OF THE BOARD**

### Regular Meetings

Regular Board meetings are held on the first and third Monday of each month. The Board shall not hold regular meetings on days that are designated legal holidays or election days. The Town Administrator is responsible for the posting of all Board meetings in compliance with Open Meeting Law. Regular Board meetings shall begin at 7:00 pm and shall adjourn no later than 10:00 pm unless a majority of the Board votes to continue the meeting at that time.

### Special Meetings

A meeting called for any time other than the regular meetings shall be known as "special meetings". The same rules as those established for regular meetings shall apply, unless an unforeseen emergency requires a special meeting to be scheduled on a legal holiday or an

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election day. Special meetings shall be called by the Chairman, in consultation with the Town Administrator, and with the informal consent of a majority of Board members.

### Working Meetings

The Board may conduct informal "working session" meetings from time to time. Such meetings will be posted in accordance with Open Meeting Law. A synopsis of transactions of informal meetings shall be made a part of the record of meeting minutes.

## **X. MEETING PROCEDURES**

Board meetings shall be conducted in accordance with generally accepted rules of parliamentary procedure and the Open Meeting Law. It is the practice that application of said procedure may be on a relatively informal basis.

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

The Town Administrator is expected to be in attendance at all meetings of the Board. The Town Administrator shall attend in order to keep the Board informed and advised, and to recommend in all matters that fall within the jurisdiction of his/her office. He/she shall carry out the actions of the Board as they relate to the conduct and administration of Town affairs under his/her jurisdiction.

## **XI. BOARD MEETINGS: EXECUTIVE SESSIONS**

Where practicable, executive sessions shall be scheduled at the end of the open meeting of the Board. Only items clearly allowed under the Open Meeting Law shall be included in executive session. Prior to calling for a motion to adjourn into executive session, the Chairman shall state the reasons for which an executive session is sought. The Chairman shall also state whether or not the Board will reconvene in open session. A majority of the members present and voting must vote to enter executive session by roll call vote.

## **XII. AGENDA PROCEDURES**

The Town Administrator bears primary responsibility for coordinating and planning the agenda for regular meetings of the Board. The Town Administrator, in consultation with the Chairman, shall approve the agenda, and schedule a realistic time period for each appointment, interview, conference, or other scheduled item of business. In order for items to be considered for the agenda, they must be submitted to the Town Administrator by 12:00 p.m. on the Thursday of the week preceding the meeting and in the mail by Thursday p.m. Items added to the agenda after this time will be considered out of necessity or due to being routine in nature.

The agenda shall be available to the public and the press at the Selectboard's Office by 9:00 a.m. of the Friday preceding the Board's meeting date and the agenda shall be available outside the Selectboard Chambers at the same time.

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Agenda items shall be:

- Call to order
- Pledge of Allegiance
- Citizen participation
- Old Business and Information
- Scheduled Appointments (as required)
- Acceptance of meeting minutes (as required)
- Other action items (as required)
- New Business and Information
- Report of the Town Administrator
- Reports of individual members of the Board
- Adjournment

Each agenda item shall state the action anticipated of the Board, as appropriate.

Committees, Boards, employees and others making presentations to the Selectboard will prepare written materials and submit them four (4) business days prior to the meeting. If background information is insufficient or complicated or if complex memos or motions are presented at the meeting, which were not included in the Board's meeting packet, any Board member may request that the relevant item be tabled to allow Board members time for careful study of the material.

The agenda shall be available to the public and the press at the Selectboard's Office by 12:00 noon on the Monday before the meeting. Copies of the minutes of previous meetings and all important correspondence, reports and other pertinent background materials shall be held in the Selectboard's Office for collection by Board members.

### **XIII. MEETING MINUTES**

The Town Administrator shall ensure that open meetings of the Board are recorded. The Town Administrator shall ensure that minutes are drafted and made available to Board members in a timely manner. Meeting minutes are to be ready no later than noon of the date of the next regular scheduled Board meeting.

Minutes circulated to members of the Board on or before the agenda is set for the subsequent meeting shall be considered at that meeting. Changes in the text of minutes shall be reviewed and agreed upon by a majority of voting Board members. The Town Administrator shall periodically review and present for the Board's vote the minutes of meetings held in Executive Session, which may be released to the public. The Board shall release minutes of Executive Session at the earliest opportunity without compromising the nature of the matter discussed therein.

Minutes shall contain a full statement of all actions taken by the Board and of the disposition of all proposals for action. Approved minutes shall be recorded in a Minutes Book, which shall be bound when filled to capacity. Minutes of Board meetings held in Executive Session shall be kept separately and recorded in accordance with the procedures dictated above.

Minutes (other than those of meetings in Executive Session which the Board has not voted to release) shall be open for public inspection. A copy of all open session minutes will be forwarded to Town Counsel.

#### **XIV. BOARD APPOINTMENTS**

The Board shall affirm annual appointments in June. Appointments made in June shall have terms beginning on July 1 and expiring on June 30. In addition, as the need arises, the Board may affirm appointments throughout the year for terms to take immediate effect, with expiration dates of June 30. Terms shall not exceed three years, unless specifically allowed by MGLA.

Appointments shall be based on merit and qualifications. Where possible the Board will seek variety in backgrounds, interests, ages, genders, and geographic areas of residents, so that town boards and committees will reflect a true cross-section of the community. In order to attract qualified and interested persons, vacancies will be made public as much in advance of the appointment as practicable. The Town Administrator will ensure the availability of up-to-date talent bank forms in Town Hall and other public buildings. He/she will also ensure that completed talent bank forms are maintained, that receipt of the completed form is acknowledged, and that the resident be given a sense of the appointment process.

As Board-affirmed vacancies occur, the Town Administrator will ensure that local newspapers are advised of the vacancies, and that vacancy notices are posted on Town bulletin boards inside and outside of Town Hall and advertised on the local cable access television channel. Vacancies shall be advertised for no less than fifteen (15) days. The Town Administrator will ensure that the chairman of the board on which a vacancy occurs is advised of the vacancy, and will seek nomination recommendations of a majority of the relevant committee. Applicants for all Board appointments shall complete a talent bank questionnaire, to be considered as candidates.

When a vacancy occurs, after advertising the vacancy for a limited period, the Town Administrator sends the relevant talent bank forms to the committee with the vacancy. They may choose to make a recommendation to the Town Administrator from that list. The committee has thirty (30) days to make a recommendation in writing. The Town Administrator then conducts brief interviews to make the appointment.

As part of the annual appointment process, the Town Administrator will consider incumbents whose terms will expire on June 30th for reappointment. The Town Administrator will ensure that the Selectboard members receive a list of appointment vacancies to be affirmed by the Board.

The Board may from time to time appoint standing or advisory committees to aid on matters under the Board's jurisdiction. The use of such committees provides greater expertise and more widespread citizen participation in the operation of government. The Board will give each advisory committee a written charge, which shall include the work to be undertaken, the time in which it is to be accomplished, and the procedures for reporting to the Selectboard. All committees shall consist of an odd number of voting members. Each committee must

report in writing at least annually to the Selectboard. The Selectboard's Office shall be sent copies of all committee agendas and minutes. The Board will discharge committees upon completion of their work. In addition, each Committee shall be provided with information on parliamentary procedures and the conduct of meetings under the Open Meeting Law. The charges and membership of advisory committees shall be reviewed at least annually to assess the necessity and desirability of continuing the committee.

#### **XV. RELATIONS WITH OTHER TOWN BOARDS AND COMMITTEES**

The Board is aware that coordination and cooperation is needed among the Town's major boards, committees, and commissions, not only in the day-to-day operations of government, but also to set town-wide goals and priorities; identify and anticipate major problems, working together toward their resolution; and develop a process for dealing with state and federal government.

The Town Administrator is responsible for inter-board communications in day-to-day operations of government. The Town Administrator shall develop a process for the exchange of information and the provision of advice and recommendations among the boards, committees, and commissions with common interest.

#### **XVI. RELATIONS WITH CITIZENS**

In recognizing that it both represents and is accountable to the residents of the Town, it is the policy of the Board to make every effort to strengthen communications with citizens. The Board will act to increase citizen participation, encourage citizen input into government decisions, and to keep residents informed of all actions contemplated or taken by the Board, which will affect them. To this end, the Board will take the following steps:

- In addition to Citizen Participation, a resident or group of residents may request a meeting with the Board by contacting the Town Administrator, stating precisely the reason for the appearance and the Board action desired and by naming a spokesman for the group. As circumstances permit, such a meeting will be incorporated into the agenda of the next regularly scheduled Board meeting. Participants shall be allowed to make a reasonable presentation through the spokesman and to express opinions, and to ask for pertinent information. Residents making such presentations are encouraged to prepare written materials for the Board's review prior to the meeting.
- The Town Administrator will ensure that persons who will be directly affected by proposed Board discussion or action will be notified, in writing, of the date and time of the meeting at which the matter will be discussed or acted upon by the Board.
- If the Board is considering matters of citizens concern at a regular meeting, the public will be allowed to ask questions or make statements relative to the matter under consideration at the discretion of the Chairman.
- The Town Administrator and Chairman will ensure that all citizen questions and complaints are answered promptly. Matters requiring the attention of the full Board shall be included in the agenda of the next regular Board meeting.



## **XVII. MEDIA RELATIONS**

Representatives of the press and other news media are welcome to attend all meetings of the Selectboard except Executive Sessions.

Whenever possible, and as permitted by statute, the Selectboard will make available to representatives of the news media notices of meetings, agenda and such supporting materials as deemed appropriate by the Town Administrator. Where applicable, costs may be charged for copies of such materials as provided by the Public Records Law.

As appropriate or warranted, press releases will be issued by the Chair of the Selectboard or his/her designee to keep the public informed about Town business and the operations of the Selectboard.

## **XVIII. HEARINGS BEFORE THE BOARD**

Hearings before the Board shall be conducted in accordance with the following procedures, Modifications may be necessary to comply with statutory requirements applicable to particular matters.

- The Town Administrator will ensure that the hearing is advertised and notice given to interested persons, such as abutters, as required by statute or as directed by the Chairman in the absence of statutory requirements.
- Hearings will be held in open session unless otherwise voted by the Board in compliance with Open Meeting Law.
- At the time advertised for the hearing, the Chairman will announce the nature and purpose of the hearing, identify the particular matter, and recite the notice given. All questions shall be addressed to the Chair.
- The order of presentation will be: presentation by the proponent; presentation by the opponent; receipt of recommendations from any Town board or officer; questions from Board members; and statements by opponents and members of the public.
- At the conclusion of the hearing, the Board may render its decision or take the matter under advisement, announcing the intended date of decision.

### Procedure For Conducting Dog Hearings:

A written complaint must be filed with the Selectboard. The complaint should describe and name the dog and fully identify the owner. The complaint should further specify why and how the dog is considered to be vicious. Specify all times, dates and reasons.

Upon receipt of a request for a hearing, the hearing will be included in the agenda for a regular meeting. The Administrative Secretary will notify the Dog Officer and all involved persons. Hearings will be held in open session. The procedure for conducting a hearing is as follows:

1. Read complaint – fully identify and describe dog, present pictures if available. Note that the hearing is being conducted under Massachusetts General Laws Chapter 140.

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2. Swear in the complaint that all information and statements are the whole truth and nothing but the truth.
3. Hear report from the Dog Officer and/or Health Director.
4. Take testimony from complainants – directly question as to why dog is considered vicious or dangerous. Are they fearful of dog? Is there excessive barking, etc?
5. Take testimony from owner and/or others speaking on his/her behalf.
6. At the conclusion of the hearing, the Board may render its decision or take the matter under advisement, announcing the intended date of decision.
7. The dog shall not attend the hearing.

### **XIX. TOWN MEETINGS**

The Annual Town Meeting warrant is the Selectboard's warrant by statute. The Board may insert articles in the warrant of the Board's initiative or by written petition signed by ten (10) registered voters for the Annual Town Meeting. The Board may also insert articles on the warrant at the request of another committee.

The Selectboard may call a Special Town Meeting when deferment of the particular matter(s) proposed for inclusion on the warrant for the Special Town Meeting would not serve the interests of the Town. The Selectboard must call a Special Town Meeting if they receive a written request, signed by two hundred (200) registered voters. The Selectboard may insert articles in the warrant on their own initiative or by written petition of one hundred (100) registered voters for Special Town Meeting.

The Selectboard may also insert articles on the warrant at the request of a vote of a multiple member body or committee, Town Administrator or a department supervisor. In these cases, a request for a warrant article shall be accompanied by a Request for Warrant Article.

Notwithstanding the above, in the interest of economy of operations and the imposition on the voters, the Selectboard shall strive to limit the calling of Special Town Meetings to the minimum necessary as is otherwise in the Town's best interest. The Board will consult with the Moderator and Town Clerk prior to calling a Special Town Meeting.

### **XX. STREET NAMES**

It is the responsibility of the Board to approve the naming of ways laid out in the Town by majority vote of members present and voting. The Selectboard's Office shall maintain a list of historic names, to which the Board may make additions or deletions from time to time in consultation with the Historical Commission. The Board shall consider all proposals for street names prior to the approval of a plan by the Planning Board or the Zoning Board of Appeals. While the Board shall give priority to names drawn from the historic list, the Board shall use its discretion to take into account the wishes of the developer.

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