



**TOWN OF LANCASTER
BOARD OF SELECTMEN
POLICIES AND PROCEDURES**
With Amendments (rev. 10/5/2020)

PURPOSE:

The Board of Selectmen of the Town of Lancaster, recognizing the need to codify the traditional and accepted working relationships among the members of the Board, between the Board and the Town Administrator, and between the Board and other Town boards, committees, officials and citizens, and also recognizing the need to systemize and reduce to writing the Town's public policies and procedures, hereby undertake to create operating procedures for the Board of Selectmen.

NATURE OF POLICIES & PROCEDURES:

These policies and procedures shall contain items relating to topics that cannot be addressed elsewhere. Subjects that would more appropriately be addressed in a statute, by-law or regulation shall not be addressed in this format.

PROCEDURE FOR ESTABLISHING POLICIES & PROCEDURES:

Draft policies and procedures shall be placed on the agenda for any regularly scheduled meeting of the Board. Drafts shall be in writing, and may be introduced only by a member of the Board 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.

The Town Administrator shall be responsible for the maintenance of all policies and procedures.

AUTHORITY:

The Board of Selectmen is an elected Board and derives its authority and responsibilities from the statutes of the Commonwealth of Massachusetts and the by-laws of the Town of Lancaster.

ELECTION AND QUALIFICATION:

The Board shall consist of three duly elected members. Before assuming official duties, each newly elected member shall be sworn to faithful performance of official responsibilities by the Town Clerk.

VACANCIES ON THE BOARD:

When a vacancy occurs in the membership of the Board of Selectmen, the Board or its remaining members shall call a special town election to fill the unexpired term or terms in accordance with the Massachusetts General Laws, Chapter 41, Section 10.



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ROLE OF THE BOARD OF SELECTMEN:

The Board is responsible for policy development and review for compliance. The Board works with the Town Administrator on policy formulation.

The Board is responsible for supervising the departments of the general government that are not supervised by other elected officials. This responsibility is delegated to the Town Administrator, and the Board will refrain from involvement in day-to-day operations. Concerns and questions about the operation of departments, and suggestions for improvements should be addressed to the Town Administrator. The responsibility for addressing these issues is thus carried out through the Town Administrator. Selectmen may be called upon to resolve disputes that are unable to be resolved on the staff level. The Selectmen may follow up on concerns or issues addressing these approved policies.

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 shall also assist and work under the direction of the Selectmen in the formulation of policy.

The Town Administrator must maintain a close working relationship with all members of the Board. He/she shall regularly brief the Board on all-important issues.

In order to provide the Town with continuity of management and the Town Administrator with job security, the Selectmen are committed to maintaining an employment agreement with the Town Administrator, as permitted by statute.

BOARD ETHICS:

1. A member of the Board of Selectmen, in relation to his or her community should:
 - A. Realize that his or her basic function is to make policy, with administration delegated to the Town Administrator.
 - B. Realize that he or she is one of a team and should abide by, and carry out, all board decisions once they are made.
 - C. Be well informed concerning the duties of a board member on both local and state levels.
 - D. Remember that he or she represents the entire community at all times.
 - E. Accept the office of Selectman as a means of unselfish service, not to benefit personally or politically from his or her board activities.
 - F. In all appointments, avoid political patronage by judging all candidates on



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- merit, experience, and qualifications only.
- G. Abide by the ethics established by the State (MGL, Chapter 268A) and not use the position to obtain inside information on matters that may benefit someone personally.
2. A member of the Board of Selectmen, in his or her relations with administrative officers of the Town, should:
- A. Endeavor to establish sound, clearly defined policies that will direct and support the administration for the benefit of the people of the community.
 - B. Recognize and support the administrative chain of command and refuse to act on complaints as an individual outside the administration.
 - C. Give the Town Administrator full responsibility for discharging his or her disposition and solution.
3. A member of the Board of Selectmen, in his or her relations with fellow board members, should:
- A. Recognize that action at official legal meetings is binding and that he or she alone cannot bind the board outside of such meetings.
 - B. Not make statements or promises of how he or she will vote on matters that will come before the board until there has been an opportunity to hear the pros and cons of the issue.
 - C. Uphold the intent of executive session and respect the privileged communication that exists in executive session.
 - D. Make decisions only after all facts on a question have been presented and discussed.
 - E. Treat with respect the rights of all members of the board despite differences of opinion.

ORGANIZATION OF THE BOARD:

The Chairman shall be elected annually at the first regular meeting following the Annual Town Election. The Board at any time may remove the Chairman. A majority vote shall constitute an election. Nominations require no second. The immediate past Chairman shall preside as Chairman pro tem until the Chairman is elected. If there is no immediate past Chairman, the senior member in terms of current service shall serve as Chairman 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 Chairman, the Board shall elect a successor. The Board shall further appoint a Clerk under the same provisions stated for the Chairman.



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RESPONSIBILITIES OF THE CHAIRMAN:

The Chairman of the Board shall:

- 1) Preside at all meetings of the Board. 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.
- 2) Sign official documents that require the signature of the Chairman.
- 3) Call special meetings in accordance with the Open Meeting Law.
- 4) Prepare agendas with the Town Administrator.
- 5) Arrange orientation for new members.
- 6) Represent the Board at meetings, conferences and other gatherings unless otherwise determined by the Board or delegated by the Chairman.
- 7) Serve as spokesman of the Board at Town Meetings and present the Board's position unless otherwise determined by the Board or delegated by the Chairman.
- 8) Make liaison assignments and assign overview responsibilities for project and tasks to Board members unless otherwise determined by the Board.
- 9) The Chairman shall have the same rights as other members to offer motions and resolutions, to discuss questions and to vote thereon.
- 10) The Chairman will follow up with the Town Administrator on a quarterly basis on goals and objectives.

RESPONSIBILITIES OF THE CLERK:

The Clerk of the Board shall act in the place of the Chairman during his/her absence at meetings. Should the Chairman leave office, the Clerk shall assume the duties of Chairman until the Board elects a new Chairman. The Clerk is to sign approved meeting minutes. If the Executive Assistant is absent from Selectmen's meetings, the Clerk shall take notes for the Minutes.

REVIEW OF WARRANTS/EXPENSES

The Board, in accordance with the Chapter 218 of the Acts of 2016, commonly referred to as The Municipal Modernization Act of 2016, shall designate a member who will coordinate with the Town Accountant and review the payment expenses. Review of expenses should occur bi-weekly preferably by Wednesday to ensure payments are processed timely.

The Designee should ensure that the Department Head has properly signed off on the expenses, in the case of expenditures of \$10,000 or more confer with the Town Administrator to make sure appropriate procurement procedures were followed or the expense is exempt, and verify the necessary amount.



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Should an expense look inappropriate or questionable, additional supporting material should be requested and if needed referred to the Town Accountant, Town Administrator or Auditor for additional review.

REGULAR BOARD MEETINGS:

Regular Board Meetings are held generally the first and third Mondays of each month. The Board shall not meet on days designated legal holidays.

SPECIAL MEETINGS:

A meeting called for any time other than the regular meetings shall be known as a "Special Meeting". The same rules as those established for regular meetings will apply. Special meetings may be called provided that a majority of the members agree to meet and all Board members are notified.

MEETING PROCEDURES:

Meetings are to be conducted in accordance with generally accepted rules of parliamentary procedure and the Open Meeting Law. It is the practice that application of such procedure is on an informal basis, due to the size of the group and the desirability of flexibility in the expression of opinion. Robert's Rule of Order is used as a guide in matters requiring clarification of definition.

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 is in attendance. Actions and decisions shall be by motion, second and vote. Split votes will be identified by name.

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 recommend in all matters that fall within the jurisdiction of his office. He/she shall carry out the actions of the Board as they relate to the conduct and administration of Town affairs under his jurisdiction.

EXECUTIVE SESSION:

If practical, Executive Sessions, other than a few minutes in duration, will be scheduled only at the end of the open meeting. Only items clearly allowed under the Open Meeting Law shall be included in Executive Session. The mover must specify in the motion to enter Executive Session the reason the session sought. A majority of the members present must vote to enter Executive Session by roll call vote. The Chairman must state whether or not the Board will reconvene into open session.



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AGENDA PROCEDURES:

The responsibility for coordinating and planning the agenda is that of the Town Administrator. Each of the Board Members and the Town Administrator may place items on the agenda. The Town Administrator, in consultation with the Chairman, shall schedule a realistic time period for each appointment, interview, conference or other scheduled item of business.

All items for the agenda must be submitted to the Town Administrator at least seven days preceding the meeting, or not later than 4:00 p.m. on the Monday preceding the meeting. Items of emergency or strictly routine nature that develop after closing of the agenda may be considered under "other business".

Agenda items shall include:

1. Call to Order
2. Public Comment Period
3. Approval of Meeting Minutes
4. Scheduled Appearances & Public Hearings
5. Boards, Committees and Department Reports
6. Town Administrator's Report
7. Administration, Budgets and Policy
8. Appointments and Resignations
9. Licenses and Permits
10. New Business
11. Communications
12. Adjournment

Members of the Board, staff, Town Administrator or others who prepare background material for the meeting should make an effort to have such material available no later than Thursday afternoon. If background information is insufficient or complicated or if complex memos or motions are presented at the meeting which were not in the Board's meeting packet, any member should feel free to request the tabling of the item to allow careful study of the material presented or the motion proposed.

The agenda shall be available to the public and the press at the Selectmen's office the Thursday prior to the meeting date and shall be posted at the Town Office bulletin board that same morning. Copies of the minutes of the previous meeting and all important correspondence, reports and other pertinent background materials shall be forwarded with the agenda to Board members.

The Board shall not begin discussion of or act on an agenda item after 10:00 P.M. of a regularly scheduled meeting. This rule may be waived by a majority vote.



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MINUTES:

The Executive Assistant shall take written notes during the meetings and prepare typewritten minutes for the next meeting's agenda.

Minutes circulated to members of the Board on or before any Friday shall be in order for approval at the next regular meeting of the Board. By unanimous consent, minor corrections may be made to the minutes without advance circulation of such corrections.

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 that shall be bound when filled to capacity. Minutes of Executive Sessions shall be separately kept and recorded in accordance with the above procedures. Minutes (other than of executive sessions) are open for public inspection.

APPOINTMENTS:

The Board makes numerous appointments each year. Appointments are generally made for one or three years in length. In no case shall appointments be made for more than three years unless specifically allowed by Town By-law or State statute. Appointments generally are made the first meeting in June 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 persons, vacancies will be made public thirty (30) days in advance of appointment as practicable. Vacancies could be advertised in the local paper as well as on Cable TV. Appointments should be based on merit and qualifications rather than political merit.

Nepotism Pertaining to Service on Boards and Committees:

Members of an immediate family defined as: spouse, son, daughter, father, mother, sister, brother, grandmother, grandfather, aunt, uncle, niece, nephew and the following in-laws: son, daughter, brother, sister, mother and father shall not serve together on the same Board or committee.

The Town Administrator will:

- a. Provide a list of the appointment vacancies to be filled by the Board at the first regular board meeting following the annual town elections in May.
- b. Notify the chairman of the appropriate board or committee requesting recommendations regarding reappointment or the filling of vacancies.
- c. Notify incumbents and request their statements of availability regarding reappointment.



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All candidates seeking appointment for the first time to a position shall submit a short written statement or resume. This statement/resume shall be included in the Board agenda packet mailed in advance of the meeting. The Board may consider re-appointments to positions at their pleasure. A statement/résumé will only be requested from a candidate seeking reappointment by specific request of a member of the Board.

The Board will interview candidates seeking an appointment for the first time to the following positions as well as all elected positions being filled due to a vacancy:

Agricultural Commission	Animal Control Commission
Board of Appeals	Board of Assessors
Cable TV Advisory Committee	Conservation Commission
Council on Aging	Cultural Council
Disability Commission	Energy Commission
Historical Commission	Recreation Commission
Town Forest Committee	

Elected position being filled due to vacancy require a joint roll call vote of the Board of Selectmen and the remaining Members of said Board/Commission where the vacancy exists.

Notice of candidates being interviewed shall be included in the agenda mailed to the Board. The Board may request that candidates for a position not listed above be interviewed. Those candidates not being interviewed will be considered upon receipt of a resume/statement.

Appointments will normally be made only when all members of the Board of Selectmen are present. Appointments will be made by a majority vote of the Selectmen.

ADVISORY COMMITTEES OF THE BOARD OF SELECTMEN:

The Board may appoint standing or ad hoc advisory committees to aid on matters under the Board's jurisdiction. The use of such advisory committees provides greater expertise and more widespread citizen participation in the operation of government.

Charges to advisory committees shall be in writing and shall include the work to be undertaken, the time in which it is to be accomplished and the procedures for reporting to the Selectmen. Each committee must report in writing at least annually to the Selectmen. The Selectmen's Office shall be sent copies of all committee agendas and minutes. The Board will discharge committees upon the completion of their work. In addition, each Committee shall be provided with a Committee Handbook addressing issues such as conduct and law.



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The charges and membership of standing advisory committees shall be reviewed periodically -- at least annually -- to assess the necessity and desirability of continuing the committee. Re-appointments will be based on an evaluation of the member's contribution, the desirability of widespread citizen involvement and the changing needs of the committee and the town.

It is the policy of the Selectmen to appoint qualified citizens representing all sections of the town to all such advisory committees. The Board will normally appoint no individual to more than one standing advisory committee at any one time.

In order to attract qualified and interested persons, vacancies will be made public as far in advance of an appointment as practicable.

RELATIONS WITH OTHER TOWN BOARDS, COMMITTEES AND COMMISSIONS:

The Board of Selectmen 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: 1.) set town-wide goals and priorities, 2.) identify and anticipate major problems and working together towards their resolution, and 3.) develop a process for dealing with state and other governmental entities.

Therefore, as the executive board historically responsible for the overall leadership and coordination of town affairs, the Selectmen will:

1. Regularly schedule meetings with the chairmen of major boards and committees to carry out functions 1-3 listed above. One meeting, shall, if possible, be held between the Annual Town Election and the start of town meeting for the purpose of reviewing the warrant and expediting town meeting.
2. Schedule annual meetings of the Selectmen, Finance Committee and School Committee with Lancaster's State Legislators to discuss legislative issues that affect the Town.
3. The Town Administrator is responsible for inter-office communication in the day-to-day operations of government. The Town Administrator shall develop a process for exchange of information and the provision for advice and recommendations among the boards, committees and commissions with common interest, which shall include but not be limited to the exchange of minutes, the establishment of a central repository for data, studies and reports and the appointment of members or staff of boards, committees or commissions as liaison with one another around common projects.



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RELATIONS WITH CITIZENS:

The Board recognizes that it represents and is accountable to all citizens of the town. It is the Board's policy to make every effort to strengthen communications with citizens. Measures will be instituted to increase citizen participation, encourage citizen input into governmental decisions and to keep citizens informed of all actions contemplated or taken by the Board and the town meeting that will affect them. To this end the following steps will be taken:

1. An individual citizen or group of citizens may request an appointment before the Board by contacting the Town Administrator, stating precisely the reason for the appearance and the action desired and naming a spokesman for the group.

Participants shall be given the opportunity to make a reasonable presentation through the spokesman and to express opinions and ask for pertinent information. Background data shall be prepared by the boards and departments concerned prior to the appointment insofar as possible, so that all parties involved can have a reasonable understanding of the subject matter. Citizens are encouraged to have written materials submitted for the Board's meeting packet.
2. Persons who will be directly affected by proposed Board discussion and/or action will be notified by the Executive Assistant of the date and time of meeting at which the matter will be discussed or acted upon by the Board.
3. If the Board in considering matters of citizen 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 or upon request of any member of the Board.
4. All citizen questions and complaints are to be answered promptly. The Chairman shall answer questions and concerns relating solely to the Office of Selectmen promptly after consulting with the Board, or at the discretion of the Chairman, the Town Administrator. Those needing prompt attention by the Board should be referred to the Chairman for inclusion in the next meeting agenda.
5. All other questions and all complaints are to be referred to the Selectmen's Office for action or recommendations. In those instances where common sense dictates that the Board member receiving the complaint deal directly with a department head, the Board member shall inform the Town Administrator of the issue and its disposition.



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EMPLOYEE GRIEVANCES:

These are to be handled as delineated in the Town's Personnel By-law and Policies and Procedures. Under the Personnel Bylaw, the Personnel Board formulates the personnel practices. If employee grievances are brought to the attention of a Board member it shall be Board policy to proceed as follows:

(In absence of a Personnel Board, the Board of Selectmen shall act in lieu of a Personnel Board or appoint a mediator or independent third party).

Selectmen will not intercede or interfere with the process. The employee will be shown the administrative process to be followed. Any employee may request a meeting with the Board; the Board may defer such meeting until other remedies have been exhausted.

HEARINGS BEFORE THE BOARD:

Hearings before the Board of Selectmen generally shall be conducted in accordance with the following procedures. Variations may be necessary to comply with statutory requirements applicable to particular matters. The procedure for conducting dog and utility hearings are hereinafter outlined:

1. Notice: The Executive Assistant will advertise the hearing and notify interested persons, such as abutters, as required by statute or as directed by the Chairman in the absence of statutory requirements.
2. Hearings will be held in open session unless otherwise voted by the Board in compliance with the Open Meeting Law.
3. The Chairman will announce the nature and purpose of the hearing, identify the particular matter, and recite the notice given. Where appropriate, the Chairman will outline the procedure to be followed. All questions shall be addressed to the Chair.
4. The order of presentation will be:
 - a. Presentation by Proponent
 - b. Receipt of recommendations from any Town agency or officer
 - c. Statements by proponents
 - d. Statements of opponents
 - e. Rebuttal statements by proponents and opponents
 - f. Where appropriate, questions may be asked of any person making a statement after the statement is finished. Questions will be accepted first from members of the Board.



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5. The Board may permit persons not desiring to speak to record themselves as in favor or against the proposal. In the discretion of the Board a show of hands may be taken.
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.

TOWN MEETINGS:

1) Annual Town Meetings

The Town Meeting warrant is, by statute, the Selectmen's warrant. The Selectmen may insert articles in the warrant on their own initiative or by written petition signed by ten (10) registered voters for the Annual Town Meeting. The Town by-law sets the date of the Annual Town Meeting for the first Monday in May. The Selectmen may, however, schedule the Annual Town Meeting for any other date allowed by By-law or Massachusetts General Law.

2) Special Town Meetings

The Selectmen may call a Special Town Meeting when, in their opinion, public necessity or municipal operations requires it. The Selectmen must call a Special Town Meeting if they receive a written request, signed by two hundred (200) registered voters. It shall be the practice of the Town of Lancaster to address major issues at the Annual Town Meeting.

The Selectmen may insert articles in the warrant on their own initiative or by written petition signed by one hundred (100) registered voters for Special Town Meeting. The Selectmen may also insert articles in the warrant upon request of another committee.

Notwithstanding the above, in the interest of economy of operations and imposition on the voters the Selectmen shall strive to limit the calling of Special Town Meetings to the minimum necessary as is otherwise in the Town's best interest. In determining whether to call a Special Town Meeting, the Selectmen may consult with other town committees, officials, and staff as appropriate. It is strongly recommended that the Moderator and Town Clerk be consulted for each Town Meeting.