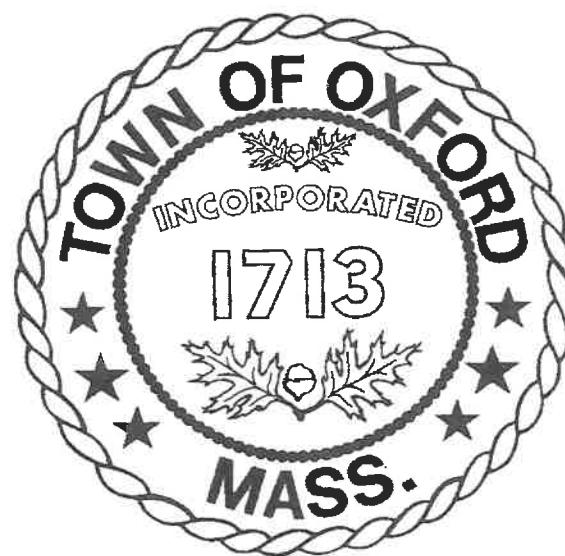


BOARD/COMMITTEE/COMMISSION HANDBOOK



ADOPTED: May 13, 1986

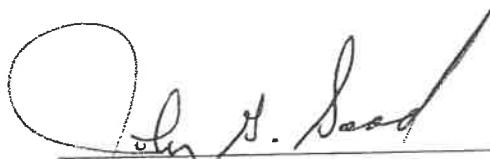
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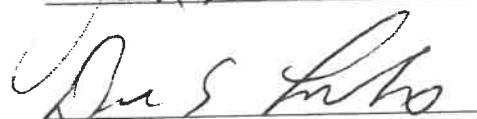
INTRODUCTION

This Handbook has been prepared by the Town of Oxford for use by the appointed and elected boards, committees and commissions involved in Town Government. It provides information concerning legal obligations, procedural matters and advice for the effective operation of these groups.

We are grateful to the many residents of Oxford who serve in these positions and hope that this Handbook will assist them in their duties and responsibilities.



John S. Bass Chairman



Dr. S. L. Lohr Vice Chairman



Melinda Secretary



Alan R. Bentham

OXFORD BOARD OF SELECTMEN

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*Conflict of Interest Law & Open Meeting Law Guide attached

GENERAL

1.1 Types of Committees

There are three types of appointed committees involved in Oxford Town Government; namely:

- A. Permanent Committees of the Town (e.g., Planning Board, Board of Appeals, Finance Committee, Personnel Board, Council on Aging, etc.). These are established by Charter, State Statute, or by vote of the Town Meeting. These committees are assigned specific responsibilities for certain functions of the Town.
- B. Study Committees. These committees are established by Town Meeting vote to study specific problems facing the Town and to bring back recommendations to the Town Meeting.
- C. Ad Hoc Committees. These committees are established by one of the elected boards of the Town. They are usually asked to study an area of concern of the Board in question, and to make recommendations to that particular board.

The term "establishing agency", as used in this Handbook, refers to the particular body (either by Town Meeting vote, elected board or Town Official) which initially creates the appointed committees.

1.2 Appointments

Appointments to committees in Oxford are made by any one of several appointing authorities—the Board of Selectmen, the Town Manager, the Town Moderator, or by some combination thereof (hereinafter referred to as the "appointing authority").

The appointed individual receives formal written notification of his or her appointment from the appointing authority. The individual appointed shall appear before the Town Clerk to take the oath of office before taking his or her seat on the committee.

Permanent committee appointments are generally for three year terms, or as designated by the Charter or appointment papers. Specific purpose, or Ad Hoc Committee appointments, are generally made for the life of the project.

NOTE: The above procedure does not apply to the filling of vacancies on elected boards. Citizens who assist committees are not official committee members and, as such, have no vote in committee proceedings.

1.3 Officers

Committees may, at their option, establish various officers within the committee. At a minimum, a chairman and secretary should be elected. At the first meeting following the Annual Town Election, each committee shall re-organize and submit the new organization of the committee to the Board of Selectmen, Town Manager, Town Clerk and the appointing authority.

1.4 Applications

Application forms are available in the Town Manager's office and should be submitted to the Town Manager for forwarding to the appropriate appointing authority. If no openings exist, the application will be held on file for consideration when an opening becomes available.

A well-written application will assist the appointing authority in making the best decision on committee appointments. Ideally, the application should list education, work experience and outside accomplishments that will significantly contribute to the committee's area of responsibility.

1.5 Resignations

All resignations shall be submitted in writing to the Town Clerk, with a copy to the appointing authority and the committee to which appointment was made when the individual does not intend to continue to participate.

1.6 Reappointments

If a person chooses not to be appointed, the appointing authority should be advised in advance. The appointing authority may, at their discretion, choose not to reappoint a person to a committee, and shall inform the person.

1.7 Composition

The composition of most appointed committees is specified by Charter or Town Meeting vote. The composition of ad hoc committees is decided by the establishing agency which may at any time, by formal vote, increase or decrease committee membership.

MEETINGS

2.1 First Meeting

The first meeting of a committee will be called by the chairman of the committee or, being none, then by the appointing authority. At that time it is advisable to review the goals of the appointed committee so that all members understand and agree upon the objectives of the committee.

2.2 Time, Place, Frequency

To accomplish committee objectives, regular meeting times and locations should be established. Depending on committee workload, meetings may be held weekly, bi-monthly or, at the very least, monthly. A regular night of the week and time for the meetings should be established and notice of such shall be recorded in the office of the Town Clerk. By law, meetings must be conducted in a public building, but not scheduled for holidays, election days, or Sundays. Based on the schedules, the Town Manager's office will assign an official meeting location.

2.3 Meeting Notices

All committee members should be notified in writing of each regular committee meeting, if the committee is operating on an irregular schedule, and of each special meeting.

2.4 Public Posting

Meeting notices must be posted with the Town Clerk a minimum of 48 hours before any meeting (excluding Saturdays, Sundays or legal holidays). Meeting notice forms are available at the Town Clerk's office and may be submitted by hard copy, fax (508-987-1804) or e-mail

Clerk@town.oxford.ma.us. Notices shall contain the committee name and the date, time and place of the meeting in addition to "a list of items reasonably anticipated to be discussed" (an Agenda). When a meeting is posted for a location in the Town Hall, the person filing the notice shall reserve the meeting room on the appropriate sign-up sheet. Meeting notices must also be submitted to the MIS Office (mis@town.oxford.ma.us) to be posted on the website.

2.5 Minutes

A written record of each committee meeting is required by law and becomes part of the public record. Minutes must contain names of members present and absent, all formal votes of the committee and a reasonable summary of discussion, including a list of all supporting documents and exhibits reviewed by the committee. Minutes must be formally accepted by vote of the Committee before being filed with the Town Clerk. Minutes (or a draft of the minutes), supporting documents and exhibits of an open meeting are public records and must be made available to the public within 10 days upon request. Minutes of all committee meetings must be placed on file in the office of the Town Clerk within a reasonable amount of time, not to exceed 60 days.

2.6 Quorum

A committee should establish a quorum necessary for conducting business. This quorum must be greater than fifty per cent (50%) of committee membership. This may deviate depending on the criteria used to establish the committee.

2.7 Open Meeting Law: Please Refer to Open Meeting Law Guide

FINANCES

3.1 Source of Funds

A. Town Meeting Committees (standing committees of the Town Meeting and study committees established by the Town Meeting.)

1. Budget - Town Meeting will decide what sums, if any shall be appropriated; provides sums for general office supplies, postage and clerical assistance requires authorization of a majority of the committee before funds can be released.

2. Special Articles - provide large sums for specific projects resulting from recommendations of particular committees. These funds may be disbursed by majority vote of the committee in conjunction with M.G.L. Chapter 30B and reviewed by the procurement officer and Town Accountant.

B. Permanent Appointed Committees

1. Individual elements of the budget provide funds for the ongoing activities of the committee. These may be disbursed by majority vote of the committee.

2. Special Articles - See above.

C. Ad Hoc Committees

Disbursement of funds by Ad Hoc Committees are not permitted.

3.2 Payment of Bills

After a vote of approval, bills should be signed by a majority of the members of the committee and submitted to the Town Accountant's office for processing and payment. When authorization by the Town Manager/Procurement Officer is required, his signature should be added to the bill before submission for payment.

3.3 Public Bidding Requirements

All purchases exceeding \$25,000* are subject to the public bidding law. These purchases must be coordinated through the Town Manager's office. In any event, every purchase in excess of \$1,000 requires a purchase order from the Town Accountant's office. Purchases in excess of \$5,000 are subject to procurement laws and three prices must be obtained. Steps should be taken to secure prices or bids from sufficient vendors in such equipment or supplies, or from persons in a position to furnish such services in order to enable the Town to avail itself of the lowest obtainable prices. The bid shall be awarded to the lowest responsible bidder provided that the bid is reasonable, complies with any conditions imposed and is in the best interest of the Town. The Town reserves the right to reject any or all bids.

No contract or purchase shall be so divided as to bring the amount below \$25,000* for the purpose of evading the law. *Amount may change.

All purchases must be made through the Town's purchasing system (Town Manager and Town Accountant's Office).

3.4 Contracts

By Charter, the Town Manager is required to award all contracts for the Town. Committees should submit to him draft copies of all specifications and contracts for his review and final approval.

ANNUAL REPORTS

4.1 Town Reports

All appointed committees are expected to file an annual report of committee operation which will appear in the Annual Town Report. The report should detail committee membership, explain the major accomplishments of the committee over the calendar year, and highlight plans for the ensuing year. The report is due in early January and shall be submitted to the Selectmen's Office in a timely manner.

4.2 Town Meeting

A general committee article is always included in the Warrant for the Town Meeting. Any committee wishing to make a verbal report of its activities to the Town Meeting may do so under this article. The Moderator should be informed in advance of any such intended reports.

Written reports to the Town Meeting shall be filed with the Town Clerk. Copies of written reports may be distributed by placing sufficient copies outside of the meeting place in an area designated by the Town Clerk.

4.3 Budget Requests

In the fall of each year, each committee should determine the necessary budget for committee operation over the next Fiscal Year, which begins on July 1. The budget figures, with appropriate narrative, are due on a date to be set by the Town Manager, who shall inform all committees.

Committees which operate under appropriations voted under Special Articles at Town Meeting should check their balances with the Accountant's office to insure that they will have sufficient funds to continue their operations.

Requests for an appropriation to cover the cost of Capital Outlay should be submitted on the appropriate forms to the designated official as listed on the form. A Capital Outlay item is any item in excess of \$25,000 having a life expectancy of three years or more.

WARRANT ARTICLES

5.1 Deadlines

Warrant articles for the May Annual Town Meeting shall be submitted in writing to the Board of Selectmen, with a copy to the Town Manager, at least thirty-six days before the closing of the Warrant. Earlier submission is preferable. Articles for the October Town Meeting and any other Special Town Meetings shall be submitted upon notification from the Board of Selectmen that Warrant articles are due. Full documentation of the background and reasons for the proposed articles should accompany the article request. The Charter specifies that the May Annual Town Meeting shall meet to consider and adopt an annual budget; therefore, all efforts should be made to submit only financial requests to the Warrant for this meeting.

5.2 Submission Requirements

By Charter, the Board of Selectmen shall prepare the Warrant for all Town Meetings. Articles may be submitted, in writing, in the following forms:

1. By an elected official or by a member of an elected Board or Committee, with the approval of the Board of Selectmen.
2. By an appointed committee or board, acting by a majority vote of its members, with the approval of the Board of Selectmen.
3. Any person or agency authorized through the by-laws or in any other legal manner, with the approval of the Board of Selectmen.
4. A written petition to the Board of Selectmen by any ten voters of the Town for inclusion of an article in the Warrant for the Annual Town Meeting, and a petition of at least one hundred registered voters for inclusion of an article in the Warrant for any Special Town Meeting.

REPORTING PROCEDURE

6.1 Minutes

As stated in Section 2.5, all minutes are to be submitted to the office of the Town Clerk within a reasonable time, not to exceed 60 days. Copies of all minutes should be forwarded to the appointing authority in order to keep it apprised of the actions and plans of the committee.

6.2 Meetings

Due to the heavy schedules of most boards, meetings should only be requested with the appointing authority when necessary in order to resolve problem areas or expedite matters. A written request for an appointment with the appointing authority should be made as far in advance of the necessary meeting date as possible. This request should detail the items to be discussed.

PLANNING

7.1 Goals/Purposes

A Committee is advised to formally document its understanding of the committee's goals and purposes. Verification of these goals with the appointing agency will preclude wasted effort through a misdirection of initiatives.

7.2 Plan of Action

A plan of action should be developed, outlining how the committee is to accomplish its goals. Reporting of major accomplishments should be done so that the appointing agency may audit the committee's progress toward its goals.

INTER-COMMITTEE MEETINGS

There are no regularly scheduled joint meetings of all town boards or committees. Special meetings should be requested and scheduled as needs arise and attendance requests should be tailored to the meeting purposes. The Town Manager's office should be notified well in advance.

DISSOLUTION

When the committee has completed its assigned goals, if approved by the Town Meeting, the committee should require dissolution by appropriate action under the Warrant report article. Other committees can request formal dissolution from the appointing authority, or accomplish the same by filing a "Final Report". Under dissolution the committee should deliver to the Town Clerk all records deemed to be appropriate for inclusion in the permanent records.

CONFLICT OF INTEREST LAW* (M.G.L. Chapter 268A)

The Conflict of Interest Law is very complex. All officials of the Town of Oxford should review the provisions of Ch. 268A, which are in effect during their service to the town and for two years after the completion of their service. Each individual shall be responsible for his or her actions in this regard. Any person having a question concerning their own individual position, should request an opinion from the State Ethics Commission or from Town Counsel through the Town Manager.

The following are attached to this Handbook:

- * Conflict of Interest Law for Municipal Employees, as prepared by the State Ethics Commission
- * Open Meeting Law Guide