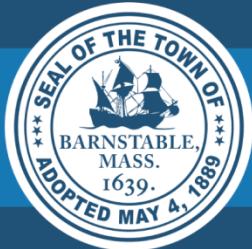


# Board, Committee, & Commission Handbook



TOWN OF BARNSTABLE, MA

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## Town of Barnstable Mission

Our priorities focus on the mission of our organization and its strategic plan.

To protect the Town of Barnstable's quality of life and unique character, engage our citizens, and enact policies that respond to and anticipate the needs of our community.

- Through sound financial management
- Open communication that engage our public
- With an equitable balance of resource allocation to improve the quality of life for our residents, businesses, and visitors

## Introduction

Thank you for volunteering to serve on a Board, Committee, or Commission. Boards, Committees, and Commissions serve as planning and implementation bodies for the Town of Barnstable and in some cases, as regulatory bodies, with authority to promulgate rules and regulations and decide individual cases in accordance with State statutes and local ordinances. The volunteer members who serve on these Boards, Committees, and Commissions are representatives of the organization's mission and are an essential part of running an effective, efficient, and inclusive local government.

This Handbook has been prepared to provide general information to all Town Board, Committee, and Commission members. It provides a brief description of procedures and an introduction to important State laws that govern the conduct of Boards, Committees, and Commissions and their members, including the Open Meeting Law and the Conflict of Interest Law. This Handbook does not constitute legal advice. If you need legal advice, please contact the Town Attorney's Office at 508-862-4620.

## Participation in Town Government

The Town Council actively encourages Barnstable residents to participate in local government by volunteering to serve on a Board, Committee, or Commission. Through service to the community, members have an opportunity to learn about the workings of our Town and to support fellow members of our community. Town Council recognizes that serving on a Board, Committee, or Commission takes time, dedication and commitment. We appreciate your volunteer service.

## Types of Boards, Committees, and Commissions

A listing of Town Boards, Committees and Commissions can be found on the Town's website at the following link: <https://townofbarnstable.us/BoardsCommittees.asp>. Further information may be found in the Town Administrative Code.

The Town Council generally serves as the appointing authority for the Town's multiple member Boards, Committees, and Commissions, the "standing committees of the Town." From time to time, the Town Council may, by majority vote of its members, establish ad hoc committees to assist the Town Council in carrying out the Council's responsibilities. Ad hoc committees shall be limited to a particular subject area and serve only in that capacity for a specific period of time.

There are four types of standing Boards, Committees, and Commissions:

- **Advisory:** wherein the Committee has no legal authority to promulgate rules or regulations, decide individual cases or enact policy;
- **Regulatory:** wherein the Committee has legal authority to promulgate rules and regulations, decide individual cases and enact policy;
- **Ministerial:** wherein the Committee has legal authority to take actions which are essentially administrative in nature; and
- Combinations of advisory, regulatory, and ministerial.

## Statutory Boards, Committees, and Commissions

State statutes outline some powers and duties of regulatory Boards, Committees, and Commissions, such as the Board of Assessors, Board of Health, Licensing Authority, Commission on Disability, Conservation Commission, Council on Aging, Hyannis Main Street Waterfront Historic District Commission, Historical Commission, the Planning Board, and the Zoning Board of Appeals. The Town Administrative Code and appointing authorities may further define the work of these Boards, Committees, and Commissions.

## Important Readings

All Board, Committee, and Commission members, associate members, and alternate members should read and be familiar with the following:

- [Town Charter](#)
- [Town Administrative Code Chapter 241](#)
- [Town Council Strategic Plan](#)
- [Annual Town Report](#)

The Town Charter and Town Code provide the foundation of Barnstable's government, including the authority for most Boards, Committees, and Commissions.

All Board, Committee, and Commission members should review and become familiar with the State and local laws pertaining to their Board, Committee, or Commission. Questions regarding those laws should be referred to the Town Attorney's office at 508-862-4620.

In addition, the Attorney General's Open Meeting Law Guide and a Summary of the Conflict of Interest Law for Municipal Employees prepared by the State Ethics Commission are attached to this document. For more information on the Open Meeting Law, please contact the Town Clerk (508-862-4044) or the Town Attorney's Office (508-862-4620) and for information on the Conflict of Interest Law, please contact the Town Attorney's office or you may call the "attorney of the day" at the State Ethics Commission directly for confidential advice at 617-371-9500.

Additional information on the Open Meeting Law can be found on the Attorney General's website:  
<https://www.mass.gov/the-open-meeting-law>

Additional information on the Conflict of Interest Law can be found on the State Ethics Commission's website:  
<https://www.mass.gov/orgs/state-ethics-commission>

## Members, Associate Members, and Alternate Members

The governing law for most Boards, Committees, and Commissions specifies the number of full members and, in some cases, the number of alternate and/or associate members. Serving as an alternate or associate member is an excellent way to become familiar with the work of a particular Board, Committee, or Commission before taking on the responsibility of a full member.

The exact role of alternate and associate members varies by Board, Committee, or Commission but the general principles are:

- An associate or alternate member may be designated by the chairperson of a Board, Committee, or Commission to sit for a particular matter or matters:

- a) in the case of an absence, inability to act, or conflict of interest on the part of any regular Board, Committee, or Commission member, or
- b) in the event of a vacancy on the Board, Committee, or Commission, until said vacancy is filled.
- For such public hearings, once an associate or alternate member has been designated to sit on a particular matter or matters, the associate or alternate member should continue to sit until the conclusion of the particular matter or matters even though the hearings may span multiple meetings of the Board, Committee, or Commission. Before the vote on the matter is taken, the chairperson will designate the members and/or associate or alternate members entitled to vote.
- Associate or alternate members may attend all open meetings of the Board, Committee, or Commission, and may attend executive sessions conducted for the particular matter or matters on which the associate or alternate member is designated to sit.
- Associate or alternate members may participate in discussions at an open meeting but may not deliberate on a matter once the public hearing is closed or vote on Board, Committee, or Commission business except for the particular matter or matters on which the associate or alternate member is designated to sit and vote.
- Associate or alternate members may be counted toward the quorum of the Board, Committee, or Commission, if the chairperson has designated them to hear the issue before the Board at that meeting.

## Application Procedure

The goal of the appointing authority is to appoint qualified and interested Barnstable registered voters and residents (unless otherwise specified under the Administrative Code), who are not permanent full-time employees of the Town, (except where specifically allowed by Town Charter or Code) and who are broadly representative of the Town. In most cases, the Town Council is the appointing authority and potential board, committee, or commission members are vetted through the Town Council Appointments Committee which makes recommendations to the full Council for approval.

Vacancies on Board, Committees, and Commissions are advertised through the Town's weekly eNewsletter, social media channels, and on the Town's website: [www.townofbarnstable.us](http://www.townofbarnstable.us). Individuals interested in being considered for appointment may complete and submit an application by either of the following methods:

- Email PDF copy found [online](#) to [council@town.barnstable.ma.us](mailto:council@town.barnstable.ma.us);
- Email to the email address above the fillable PDF located on the Town Council webpage at <https://tobweb.town.barnstable.ma.us/boardscommittees/TownCouncil/default.asp>; or
- Mail or hand deliver a hard copy, (Appendix A) to Town Council Office, c/o Town Council Administrator, 367 Main Street, Hyannis, MA 02601

*\*Submission of an application does not guarantee an interview or appointment to the Board, Committee, or Commission.*

## Appointment, Reappointment, Resignation, and Removal

- **APPOINTMENT.** All appointments, including reappointments, are made by the Town Council by majority vote in an open, posted meeting. Term length is established by the Administrative Code.
- **REAPPOINTMENT.** The appointing authority has no obligation to reappoint any current Board, Committee, or Commission member. However, Board, Committee, and Commission members may be reappointed for successive term(s) through a reappointment application process.

- **RESIGNATION.** A Board, Committee, or Commission member who is no longer able to serve, or who moves out of Town, should resign promptly so that the vacancy may be filled as soon as possible. Any resignation should be submitted in writing to the Town Clerk's Office with a copy to the appointing authority, the chair of the Committee, and the Town Council Administrator.

**REMOVAL.** The Town Council may remove for cause any members of Town Boards, Committees, or Commissions appointed by them.

Appointments to fill vacancies will be for the remaining term of the vacant position.

Board, Committee, and Commission members whose terms have expired shall continue to serve in a holdover capacity until their successors are appointed and sworn in.

## Orientation

Once appointed or reappointed, every appointee will receive written notification of appointment from the Town Council. To make arrangements to be sworn in, or for questions related to swearing in, please contact the Town Clerk's Office at 508-862-4044 for an appointment.

At the time of being sworn in, the Town Clerk's Office will provide each Board, Committee, or Commission member a copy of the following:

- The Attorney General's Open Meeting Law Guide, which will include: an explanation of the requirements of the Open Meeting Law; the Open Meeting Law, M.G.L. Chapter 30A §§18-25; and the Open Meeting Law Regulations, 940 CMR 29.00-29.11; and, if applicable, a copy of each Open Meeting Law determination issued to the board, committee, or commission within the last five years in which the Attorney General found a violation of the Open Meeting Law (collectively, the "Open Meeting Law Materials"); provided that the Town Clerk may require the public body member to obtain the Open Meeting Law Materials from the Attorney General's website at: <https://www.mass.gov/the-open-meeting-law>;
- A Summary of the Conflict of Interest Law for Municipal Employees (MGL Chapter 268A);
- Town of Barnstable Board, Committee, Commission Handbook;
- Town of Barnstable Code of Ethics (Sections 401-2 to 401-10); and
- Town of Barnstable Harassment Policy.

As required by state law, within two (2) weeks of receipt of the Open Meeting Law Materials, the appointee must certify, on the form prescribed by the Attorney General, that he or she has received those materials and must provide the signed form to the Town Clerk. The Town Clerk shall maintain the signed certification for each appointee, indicating the date the person received the materials. An individual who serves on more than one public body must sign a separate certification for each public body. The Town Clerk will pass this information on to the Town Council Administrator as the keeper of Open Meeting Law Materials for Boards, Committees, and Commissions.

As required by state law, within 30 days of appointment and on an annual basis thereafter, the Town Clerk shall provide each appointed Board, Committee, and Commission member with a Summary of the Conflict of Interest Law prepared by the State Ethics Commission, and each Board, Committee, and Commission member shall sign an acknowledgment of receipt and provide that acknowledgment to the Town Clerk.

The appointee must also sign and return to the Human Resources Department an acknowledgment of receipt of the Town Harassment Policy.

In addition to the items listed above, all newly appointed members are required to complete the State Ethics Commission's mandatory online conflict of interest training program within 30 days of appointment. All board, committee, and commission members must complete this training program every two (2) years. Certificates of completion should be provided by the member to the Town Council Administrator.

The newly appointed member must be sworn in by the Town Clerk's Office prior to attending a meeting as an official member.

The Town Council Office will notify existing chairs of any new appointments to its Board, Committee, or Commission and encourage chairs to orient new members to Committee functions. New members are encouraged to connect with Town support staff, as many departments have orientation resources available.

## Civil Discourse

Board, Committee, and Commission members are expected to conduct themselves in a manner that maintains public confidence in their local government. They should strive at every meeting to treat fellow board members and every member of the public fairly and with respect. Board members shall not engage in swearing, profanity, disparaging remarks, malicious gossip, slander, etc., both during a meeting and in other settings. Such behavior is unbecoming of a Town official and will not be tolerated. It is expected that the Chair of all Boards, Committees, and Commissions will hold his/her membership to this standard. More information is within the Town of Barnstable Code of Ethics, Sections 401-2 to 401-10 of the Town Code, provided to each member when newly appointed. Please contact the Town Clerk's office for an additional copy.

## Liaison with Town Council

The chairperson of each multiple-member Board, Committee, or Commission shall annually, upon election, meet with the member of the Town Council who is serving as liaison to that Board, Committee, or Commission for the purpose of defining an appropriate reporting relationship during the ensuing fiscal year. The meeting should review the following minimum areas: frequency and method of reporting.

## Primary Staff Support

Most Boards, Committees, and Commissions have primary staff support to provide administrative and technical assistance including attending and supporting public meetings, drafting and posting agendas, reserving meeting space, recording meeting minutes, preparing and circulating correspondence and information for meetings, and other administrative duties.

## Board, Committee and Commission Officers

- **ELECTIONS.** Boards, Committees, and Commissions shall annually elect a chairperson, vice-chairperson and a secretary or a clerk. Newly formed Boards, Committees, or Commissions should elect these officers at their first meeting. For standing multi-member boards, the annual election shall occur in July of each year, or as near after appointment of new members by the Town Council. It is the responsibility of the chair to notify the Town Council of changes in officers.
- **CHAIR.** The chair presides at all meetings, decides questions of order, and calls special meetings. The chair has the same rights as other members to offer resolutions, make or second motions, discuss questions, and vote thereon. The chair sets the tone of meetings, and should model respectful behavior.

- **VICE-CHAIR.** The vice chairperson acts for the chairperson whenever the chairperson is absent from meetings, and performs other necessary duties.
- **SECRETARY/CLERK.** The Secretary/Clerk shall work with the administrative staff in preparing the minutes of the Committee meeting and maintaining the minutes and exhibits for permanent record of Committee action, researching reports and activities, and ensuring the legally required notice and operational procedures are followed by the Committee.

## Meeting Definition

Meetings of Town Boards, Committees, and Commissions, including subcommittees of those bodies, are subject to the state Open Meeting Law. The purpose of the law is to ensure transparency in the deliberations on which public policy is based, and the law requires, with limited exceptions, that meetings of public bodies be open to the public. Boards should consult with the Town Attorney's Office (508-862-4620) regarding legal requirements pertaining to Executive Sessions.

A meeting is defined by the Open Meeting Law as "a deliberation by a public body with respect to any matter within the body's jurisdiction." Deliberation is "an oral or written communication through any medium, including electronic mail, between or among a quorum of a public body on any public business within its jurisdiction." A meeting occurs any time a quorum (usually a simple majority) of the members discusses or considers any public business which is within the jurisdiction of the Board, Committee, or Commission. A quorum shall not meet or have discussions in private on any matter within the board's jurisdiction unless it does so in a valid Executive Session. (See the Open Meeting Law section about Executive Session.) Substantive discussions or deliberations on public business involving a quorum of members that occur via email, Zoom or other electronic meeting platform, by telephone, or by sequential communications violate the Open Meeting Law. Polling of Board members for a decision outside of an open meeting of the Board or Committee violates the Open Meeting Law.

Notice of a Board, Committee, or Commission meeting must be posted at least 48 hours in advance, excluding Saturdays, Sundays and legal holidays. Meeting notices must contain the date, time, and place of the meeting and must list all topics that the Chair reasonably anticipates will be discussed at the meeting. [Appendix C](#) is a sample meeting notice/agenda template.

## Quorum

Except as otherwise specified by law, a majority of the regular members of the Board, Committee, or Commission constitutes a quorum. A quorum must be present to call a meeting to order. In the absence of a quorum, the chair may designate an alternate or associate member to sit for the duration of the meeting. If a quorum cannot be achieved, it is not a valid meeting of the public body, and no discussion or action should take place.

## Meeting Logistics

Meetings must be open and accessible to the public, including to persons with disabilities. Meetings may be conducted in person or online through Zoom; primary staff support is responsible for scheduling meeting space in a municipal building or occasional site visits. Boards, Committees, or Commissions may discuss matters privately in Executive Session if authorized by, and in accordance with, the Open Meeting Law.

## Conducting a Meeting

All Board, Committee, or Commission members represent and serve the Town and should treat all meeting attendees, participants, and other Committee members with courtesy.

The Open Meeting Law does not require that members of the public be allowed to participate in a meeting; however, members of the public shall be allowed to speak during any portion of the meeting set aside for public comment as well as during any public hearing. No one may speak unless and until recognized by the Chair.

At the beginning of the meeting, the Chair should inquire as to whether anyone is recording the meeting. Any person may record a meeting provided he/she announces intention to do so and there is no active interference with the conduct of the meeting.

## **Public Hearing Process**

Many Boards, Committees, and Commissions are required by the Massachusetts General Laws to conduct formal public hearings on some issues that come before them. Others may choose to solicit public comment on a matter before them in order to receive input from the community. All formal public hearings must be conducted in accordance with the Massachusetts General Laws and the Town Code. [\*\*Appendix D\*\*](#) outlines requirements for written hearing notices, and procedural guidelines including minutes.

It is the responsibility of the chairperson to maintain order and decorum at the hearing. In the interest of consistency and fairness, the chairperson may put certain restrictions including, but not limited to time limits and limit the number of times a person may speak during a public hearing.

## **Executive Session**

An Executive Session is closed to the public and may only be held for the specific purposes set forth in the Open Meeting Law. There are procedural requirements that must be followed for Executive Sessions, and Board, Committee, or Commission Chairs are advised to consult with the Town Attorney's Office (508-862-4620) before a meeting notice is posted if an Executive Session is anticipated. Executive session minutes must be kept and approved in a timely manner, just like open session minutes. Executive session minutes may be withheld from disclosure "as long as publication may defeat the lawful purposes of the executive session, but no longer." (M.G.L. c. 30A, § 22(f)).

## **Minutes**

Meeting minutes must reflect the date, time and place of the meeting; the members present or absent; a summary of the discussions on each subject; a list of documents and other exhibits used at the meeting; and the decisions made and the actions taken at each meeting, including a record of all votes.

The meeting summary does not need to be a transcript, but should provide enough detail so that a member of the public who did not attend the meeting could read the minutes and understand what occurred and how the public body arrived at its decisions.

## **Recusal Process**

If a member believes that he/she has a conflict of interest or other reason that may require recusal as to any particular matter, the member may wish to obtain legal advice in advance. The member has the option to contact the Town Attorney's office (508-862-4620) or the State Ethics Commission, which provides confidential advice, at 617-371-9500. Some potential conflicts are cured by filing a written disclosure prior to taking any official action in any matter; other conflicts of interest may require recusal. It is important for the member to understand and follow the proper course of action before proceeding.

- **IN PERSON PUBLIC MEETINGS.** If the Board, Committee, or Commission member is recused, he/she should announce they are recusing themselves and should leave the room while the matter causing the conflict is being discussed.
- **ZOOM PUBLIC MEETINGS.** If board members need to recuse themselves during a Zoom meeting, they should announce they are recusing themselves and then either (a) disconnect from the meeting entirely and rejoin when the discussion/vote on that item has concluded, or (b) turn off BOTH their audio and their video until such time as they return to the meeting.

The person taking the minutes should note the recusal, along with the time the board member left the meeting and the time he or she rejoined the meeting in the minutes, **e.g., Board member X recused himself at 9:06 pm and returned to the meeting at 9:37 p.m.** The Chair should note the member's return to the meeting at the time they rejoin.

**Appendix D** contains checklists prepared by the Attorney General's Division of Open Government for posting a meeting notice, preparing and approving minutes, and entering into executive session.

## Public Records, Email, and Social Media

- **PUBLIC RECORDS LAW.** The Public Records Law gives a right of public access to “public records”, which includes any record, regardless of physical form or characteristics, made or received by a public official or employee, unless subject to a statutory exemption. Government records generated, received or maintained electronically, including electronic mail, constitute “public records” which are subject to disclosure. Public records should be retained in accordance with state retention schedules and therefore no record should be deleted or destroyed without first consulting the Town Clerk’s Office (508-862-4044).
- **EMAIL.** It is important for all Board, Committee, and Commission members to know that there is no distinction in the law between written and electronic records. As a result, unless an exemption applies, email messages written or received by a board member in his or her capacity as a board member are public records which must be made available for public inspection in the same manner as hardcopy documents. Use of one’s own home computer and personal email accounts for government business will subject those records to the public records law. The discussion of public policy issues among a quorum of Board, Committee, or Commission members, whether all at once or through serial communications, via email is a violation of the Open Meeting Law. Employees and Board, Committee, and Commission members acting in their official capacity should have no expectation of privacy in their use of electronic mail as it relates to Board/Committee/Commission business. It is important for Boards, Committees, and Commissions to be responsive to emails that are sent to them in their official capacity. It is advised that the chairperson or clerk be assigned this responsibility. Boards, Committees, and Commissions need to be careful not to allow replies to citizens to become discussions among the members of the Board/Committee/Commission, as this may violate the Open Meeting Law.
- **TEXT MESSAGES.** Text messages are also subject to disclosure under the Public Records Law. Board, Committee, and Commission members are strongly discouraged from engaging in public business-related discussions by text.
- **SOCIAL MEDIA.** Board, Committee, and Commission members using social media platforms (including, but not limited to: Facebook, X – formerly known as Twitter, Instagram, YouTube, etc.) should not use social media to communicate with a quorum of other board members. Communications made through social media platforms may be subject to the Public Records Law and subject to disclosure.

## **Speaking for a Board, Committee, or Commission**

An individual member has a right to speak publicly as a private citizen but should not purport to represent or speak on behalf of the Board, Committee, or Commission, except when specifically authorized by that body to do so. If members identify themselves as members when speaking as private citizens, it may be perceived that they speak for the Board, Committee, or Commission. Such a perception should be avoided.

## **Annual Town Report**

All appointed Committees must file an annual report of Board/Committee/Commission activities for the Annual Town Report with the Town Manager's Office. The Annual Report is written based upon the fiscal year (July 1 -June 30). The chair or other designated member should coordinate with primary staff support content of the report including Board/Committee/Commission membership including changes, and a one to three paragraph explanation of major accomplishments and future plans. A request for Committee reports is issued in August of each year and reports must be timely filed within the deadline specified by the Town Manager's Office.

Questions regarding the Board, Committee, and Commission Handbook can be referred to the Planning & Development Department (508-862-4784) or the Town Attorney's Office, at 367 Main Street, Hyannis, 508-862-4620.

*\*This handbook is subject to revisions and updates as state statutes or Town ordinances may change. Addendums will be issued as warranted or necessary.*

## APPENDIX A

- Airport Commission
- Board of Assessors
- Board of Health
- Community Preservation Committee
- Comprehensive Financial Advisory Committee
- Conservation Commission
- Council On Aging
- Cultural Council (Mid-Cape)
- Disability Commission
- Elderly & Disable Taxation Aid Committee
- Golf Course Committee
- Historical Commission
- Housing Committee
- Human Services Committee
- Hyannis Main Street Waterfront Historic District Commission
- Hyannis Main Street Waterfront Historic District Appeals Committee
- Infrastructure & Energy Committee
- JFK Memorial Trust Fund Committee
- Licensing Authority
- Old King's Highway Historic District Committee
- Open Space Committee
- Planning Board
- Recreation Commission
- Sandy Neck Board
- Scholarship Committee
- School Committee\* (not a Town Council Committee)
- Shellfish Committee
- Trust Fund Advisory Committee
- Waterways Committee
- Youth Commission
- Zoning Board of Appeals

**Town of Barnstable**  
**Application Form**  
**Board/Commission/Committee Application Form**

Name: \_\_\_\_\_ Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ E-mail: \_\_\_\_\_

Telephone: (H) \_\_\_\_\_ (W) \_\_\_\_\_ (Cell) \_\_\_\_\_

Please list schools attended and /certificates or degrees earned: \_\_\_\_\_

Recent Work Experience/Employers/Profession: \_\_\_\_\_

Are you a resident and registered to vote in the town of Barnstable? Yes  No  Have you applied in the past? Yes  No  If yes, please when & which committee: \_\_\_\_\_

**REQUIREMENT: TO SERVE, YOU MUST BE A RESIDENT AND REGISTERED TO VOTE IN THE TOWN OF BARNSTABLE.**

Please rank in order of preference, (not more than five)

<input type="checkbox"/> Airport Commission <input type="checkbox"/> Appeals, Hyannis Main Street Waterfront Committee <input type="checkbox"/> Board of Assessors <input type="checkbox"/> Board of Health <input type="checkbox"/> Community Preservation Committee <input type="checkbox"/> Comprehensive Financial Advisory Committee <input type="checkbox"/> Conservation Commission <input type="checkbox"/> Council on Aging <input type="checkbox"/> Cultural Council (Mid-Cape) <input type="checkbox"/> Disability Commission	<input type="checkbox"/> Elderly & Disabled Taxation Aid Committee <input type="checkbox"/> Golf Committee <input type="checkbox"/> Historical Commission <input type="checkbox"/> Housing Committee <input type="checkbox"/> Human Services Committee <input type="checkbox"/> Hyannis Main Street Waterfront Historic District Commission <input type="checkbox"/> Infrastructure & Energy Committee <input type="checkbox"/> JFK Memorial Trust Fund <input type="checkbox"/> Open Space Committee <input type="checkbox"/> Licensing Authority	<input type="checkbox"/> Old Kings Hwy Historic District Commission <input type="checkbox"/> Planning Board <input type="checkbox"/> Recreation Commission <input type="checkbox"/> Sandy Neck Board <input type="checkbox"/> Scholarship Committee <input type="checkbox"/> Shellfish Advisory Board <input type="checkbox"/> Trust Fund Advisory Board <input type="checkbox"/> Water Quality Advisory Committee <input type="checkbox"/> Waterways Committee <input type="checkbox"/> Youth Commission (high school students) <input type="checkbox"/> Zoning Board of Appeal
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\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**NOTE: Return completed form to: Barnstable Town Council Office, 367 Main St., Hyannis 02601, or FAX to: 508-862-4770. Or attach your application and email to [Cynthia.lovell@town.barnstable.ma.us](mailto:Cynthia.lovell@town.barnstable.ma.us) Additional documents (letter of interest & resume) should be included as well. Please always apply even if a vacancy does not exist, as memberships change often. If there are no current vacancies in your choices for appointment, your application will be kept on file for 2 years for future reference. Please be prepared to discuss your skill sets and any possible conflicts of interests at your interview.**

## **TOWN OF BARNSTABLE**

**NOTICE OF MEETINGS OF TOWN DEPARTMENT AND ALL TOWN BOARDS**  
As Required by Chapter 28 of the Acts of 2009, amending MGL Chapter 30A

**NAME OF PUBLIC BODY – COMMITTEE, BOARD OR COMMISSION**

**DATE OF MEETING:** \_\_\_\_\_

**TIME:** \_\_\_\_\_

**PLACE:** \_\_\_\_\_

**TOPICS FOR DISCUSSION:**

▪ **Matters not reasonably anticipated by the Chair**

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The list of matters, are those reasonably anticipated by the president/chair, which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law. It is possible that if it so votes, the sub-committee may go into executive session.

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PERSONS INTERESTED ARE ADVISED THAT IN THE EVENT THAT ANY MATTER TAKEN UP AT THE MEETING THAT REMAINS UNFINISHED AT THE CLOSE OF THE MEETING, IT MAY BE PUT OFF TO A CONTINUED SESSION OF THIS MEETING WITH PROPER POSTING.

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## Public Body Checklist for Posting a Meeting Notice

Issued by the Attorney General's Division of Open Government – September 25, 2017

### Notice Contents

- The notice contains the date, time, and location of the meeting. G.L. c. 30A, § 20(b).
- If the meeting is a joint meeting of several public bodies, the names of all bodies meeting are listed at the top of the notice.
- The notice contains all of the topics that the chair reasonably anticipates will be discussed at the meeting. The topics are sufficiently specific to reasonably advise the public of the issues to be discussed at the meeting, including executive session topics. G.L. c. 30A § 20(b); 940 CMR 29.03(1)(b).
- The notice is printed in a legible, easily understandable format. G.L. c. 30A, § 20(b).
- The date and time that the notice is posted is conspicuously recorded on or with the notice. 940 CMR 29.03(1)(d). If the notice is amended within 48 hours of a meeting, not including Saturdays, Sundays, and legal holidays, then the date and time that the meeting notice is amended must also be conspicuously recorded on or with the notice. 940 CMR 29.03(1)(d).

### Notice Publication

- The notice is published at least 48 hours before the meeting, not including Saturdays, Sundays and legal holidays. G.L. c. 30A, § 20(b).
- The notice is posted with the proper authority:
  - Local public bodies – Filed with the municipal clerk, who must post it in a location conspicuously visible to the public at all hours in or on the municipal building where the clerk's office is located, or to the municipal website if adopted by the municipality as the official method of posting notices. G.L. c. 30A, § 20(c); 940 CMR 29.03.
  - State public bodies – Posted to a website, and a copy sent to the Secretary of State's Regulations Division. G.L. c. 30A, § 20(c).
  - Regional public bodies – Posted in every municipality within the region, unless the public body has adopted an alternative notice posting method. G.L. c. 30A, § 20(c); 940 CMR 29.03.
  - County public bodies – Filed with the office of the county commissioners and a copy of the notice is publicly posted in a manner conspicuously visible to the public at all hours in such place or places as the county commissioners shall designate for the purpose, unless the county has adopted its website as the official method for posting notices. G.L. c. 30A, § 20(c); 940 CMR 29.03.

**Note that this checklist is intended as an educational guide, and does not constitute proof of compliance with the Open Meeting Law. These checklists are updated periodically, so please check that you are using the most current version. For questions, please contact the Attorney General's Division of Open Government at 617-963-2540 or via email at [openmeeting@state.ma.us](mailto:openmeeting@state.ma.us). For more information on the Open Meeting Law, please visit [www.mass.gov/ago/openmeeting](http://www.mass.gov/ago/openmeeting).**

## Public Body Checklist for Creating and Approving Meeting Minutes

Issued by the Attorney General's Division of Open Government – September 25, 2017

- Minutes must accurately set forth the date, time, place of the meeting, and a list of the members present or absent. G.L. c. 30A, § 22(a).
- Minutes must include an accurate summary of the discussion of each subject. See G.L. c. 30A, § 22(a). The summary does not need to be a transcript, but should provide enough detail so that a member of the public who did not attend the meeting could read the minutes and understand what occurred and how the public body arrived at its decisions.
- The minutes must include a record of all the decisions made and the actions taken at each meeting, including a record of all votes. G.L. c. 30A, § 22(a).
- The minutes must include a list of all of the documents and other exhibits used by the public body during the meeting. G.L. c. 30A, § 22(a). Documents and exhibits used at the meeting are part of the official record of the session, but do not need to be physically attached to the minutes. See G.L. c. 30A, §§ 22(d), (e).
- If one or more public body members participated remotely in the meeting, the minutes must include the name(s) of the individual(s) participating remotely. 940 CMR 29.10(7)(b).
- If one or more public body members participated remotely in the meeting, the minutes must record all votes as roll call votes. 940 CMR 29.10(7)(c).
- Executive session minutes must record all votes as roll call votes. G.L. c. 30A, § 22(b).
- The minutes must be approved in a timely manner. G.L. c. 30A, § 22(c). A “timely manner” will generally be considered to be within the next three public body meetings or within 30 days, whichever is later, unless the public body can show good cause for further delay. 940 CMR 29.11(2).

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## Public Body Checklist for Entering Into Executive Session

Issued by the Attorney General's Division of Open Government – March 12, 2013

- Executive session listed as a topic for discussion on meeting notice, including as much detail about the purpose for the executive session as possible without compromising the purpose for which it is called. See G.L. c. 30A, § 20(b); 940 CMR 29.03(1)(b).
- Public body convened in open session first. G.L. c. 30A, § 21(b)(1).
- Chair publicly announced the purpose for executive session, citing one or more of the 10 purposes found at G.L. c. 30A, § 21(a).
- Chair stated all subjects that may be revealed without compromising the purpose for which the executive session was called. G.L. c. 30A, § 21(b)(3). For example, the Chair identified the party a public body may be negotiating with or the litigation matter the public body will be discussing.
- Chair stated whether the public body will adjourn from the executive session, or will reconvene in open session after the executive session. G.L. c. 30A, § 21(b)(4).
- For Executive Session Purposes 3, 6, and 8:
  - Chair publicly stated that having the discussion in open session would have a detrimental effect on the public body's negotiating position, bargaining position, litigating position, or ability to obtain qualified applicants. G.L. c. 30A, §§ 21(a)(3), (6), (8).
- A majority of members of the body voted by roll-call to enter into executive session. G.L. c. 30A, § 21(b)(2).

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# Massachusetts

# Legal Holidays



William Francis Galvin  
Secretary of the Commonwealth

Holiday	2024	2025	2026
<b>New Year's Day</b> January First	Jan. 1, Mon.	Jan. 1, Wed.	Jan. 1, Thurs.
<b>Martin Luther King, Jr. Day</b> Third Monday in January	Jan. 15, Mon.	Jan. 20, Mon.	Jan. 19, Mon.
<b>Washington's Birthday</b> Third Monday in February	Feb. 19, Mon.	Feb. 17, Mon.	Feb. 16, Mon.
<b>Patriots' Day</b> Third Monday in April	Apr. 15, Mon.	Apr. 21, Mon.	Apr. 20, Mon.
<b>Memorial Day</b> Last Monday in May** (1A)	May 27, Mon.**(1A)	May 26, Mon.**(1A)	May 25, Mon.**(1A)
<b>Juneteenth Independence Day</b> June 19th	June 19, Wed.	Jun 19, Thurs.	Jun 19, Fri.
<b>Independence Day</b> July 4th**	July 4, Thurs.**	July 4, Fri.**	July 4, Sat.** (3)
<b>Labor Day</b> First Monday in September**	Sept. 2, Mon.**	Sept. 1, Mon.**	Sept. 7, Mon.**
<b>Columbus Day</b> Second Monday in October* (Restrictions until 12 noon) (2)	Oct. 14, Mon.*(2)	Oct. 13, Mon.*(2)	Oct. 12, Mon.*(2)
<b>Veterans' Day</b> November 11th* (Restrictions until 1pm) (2)	Nov. 11, Mon.**(2)	Nov. 11, Tues.**(2)	Nov. 11, Wed.**(2)
<b>Thanksgiving Day</b> Customarily the fourth Thursday in November* (1)	Nov. 28, Thurs.*(1)	Nov. 27, Thurs.*(1)	Nov. 26, Thurs.*(1)
<b>Christmas Day</b> December 25th* (1)	Dec. 25, Wed.*(1)	Dec. 25, Thurs.*(1)	Dec. 25, Fri.*(1)

Above is a list of all legal holidays observed in Massachusetts. State, county, and municipal offices are closed on the days listed above. Federal offices are only closed on holidays which the federal government recognizes (i.e. New Year's Day, Martin Luther King, Jr. Day, Washington's Birthday, Memorial Day, Juneteenth Independence Day, Independence Day, Labor Day, Columbus Day, Veterans' Day, Thanksgiving, and Christmas). The term "federal holiday" is not applicable to individual states and the private sector since each state has jurisdiction over its holidays.

In Massachusetts certain holidays are subject to laws which restrict the type of work that may be performed as well as the kind of business and commercial activities that may remain open. Only those holidays followed by asterisks (\*) have certain restrictions. On holidays not followed by asterisks, business and commercial activities may operate as usual.

**Please note: Only retail establishments may open during the summer holidays of Memorial Day, Independence Day, and Labor Day.** Some businesses may be required to pay premium pay on some holidays. Please contact the Attorney General's Fair Labor Division at 617-727-3465. The Department of Labor Standards (617-626-6975) oversees the approval of local

permits allowing businesses to open on Columbus, Veteran's Days, Thanksgiving and Christmas when they otherwise could not open for some or all hours on those days.

For further information on holiday laws, contact Citizen Information Service:

Secretary of the Commonwealth  
Citizen Information Service  
One Ashburton Place, Room 1611  
Boston, MA 02108-1512  
Telephone: 617-727-7030  
Toll-free: 1-800-392-6090 (in Mass. only)  
MassRelay English: 1-866-887-6619 Mass Relay Spanish: 1-866-930-9252  
Fax: 617-742-4528  
E-mail: [cis@sec.state.ma.us](mailto:cis@sec.state.ma.us)  
Website: [www.sec.state.ma.us/cis](http://www.sec.state.ma.us/cis)

\* Full restrictions apply for ALL commerce

\*\* Restrictions apply except to retail

(1) Liquor Stores must be closed for Thanksgiving and Christmas Days.

(1A) Liquor stores may not open prior to 12:00 noon Memorial Day.

(2) Many companies operate all day on these holidays, pending obtaining a local permit.

(3) All holidays falling on Sunday must be observed on Monday, under state law. Saturday holidays are observed on Saturday.