

TOWN OF HOLLISTON

HANDBOOK AND PROCEDURES
(For Elected & Appointed Positions)

This handbook has been prepared as a general informational aid to all Town Committees, Boards and Commissions. Many residents have served the Town since 1724, their contribution of time and thoughtful consideration of the many issues and challenges confronting the Town have made Holliston the remarkable community we call home. Through service to the community you will have a unique opportunity to get to know the workings of the Town from an insider's viewpoint.

The Selectmen are the appointing authority for the majority of the Town's boards and committees, as stated in the Town By-laws. In carrying out their duties as prescribed by Town By-law, State Law and by the votes of Town Meetings, they expend considerable time and effort to make logical and sensible appointments to committees. You will be working with people, who like yourself, have volunteered to address specific problems and bring back to the Selectmen, or perhaps the Town Meeting, recommendations for a course of action and or a solution that is best for the Town.

It is important that you remember the best interests of the Town, present or future, be considered. It is equally important to remember that you represent the entire Town, and not only one segment. Single approach solutions to problems may be the best option for your committee, but may not be in the best interest of the Town in the broader sense. All plausible solutions need to be explored with many factors in mind. Your decision may have impact on other programs or plans. The ultimate cost in tax dollars is of the utmost importance to all Townspeople and committees need to be cognizant of that fact.

The Annual Town Report and General By-laws are excellent sources of information regarding the duties and responsibilities of individual boards and committees. These items are available at the Town Clerk's office or on the Town web page.

Hopefully this handbook will be informative and useful.

I. STRUCTURE OF HOLLISTON'S GOVERNMENT

In Holliston, as in all Massachusetts' 351 Cities and Towns, we have a common governmental structure and function. Our Legislative body is Town Meeting and the Executive Body is the Board of Selectmen and the Town Administrator, who is appointed by the Selectmen yearly. However, there are many other committees, boards and commissions staffed by citizen volunteers that perform critical roles for the Town.

Listing of Positions and Terms

ELECTED POSITIONS	Positions	Term
Board of Assessors	3	3 years
Finance Committee	7	3 years
Board of Health	3	3 years
Housing Authority	5	5 years
Library Trustees	6	3 years
Moderator	1	3 years
Park Commissioners	5	3 years
Planning Board	5	5 years

Town of Holliston
School Committee
Selectmen
Town Clerk

rev. by Elizabeth T. Greendale, Town Clerk
7 3 years
3 3 years
1 3 years

REQUIREMENTS FOR RUNNING FOR ELECTED OFFICE.

A candidate must be at least 18 years of age, a resident of Holliston, and a registered voter. For any elected office, nomination papers are available from the Town Clerk's Office, usually the 1st of February. 50 signatures of registered voters from town are required to ensure a spot on the ballot. Town Elections are held the Tuesday following the third Friday in May. The polls are open, at the high school field house from 7 AM to 8 PM. If you are the winning candidate you take office immediately upon being sworn in by the Town Clerk.

RESPONSIBILITIES OF ELECTED BOARDS

All Elected Officials and Boards have the power to appoint subcommittees. Their duties are governed by State Law and Town By-law.

BOARD OF ASSESSORS shall be responsible for appointing the Principal Assessor and for determining the value of property in the Town for the purpose of taxation in accordance with Mass. General Laws (MGL). They determine the tax rate and valuation of all real and personal property in the Town.

FINANCE COMMITTEE shall consider any and all municipal questions for the purpose of making reports or recommendations to the Town, including but not limited to matters relating to the appropriation, the borrowing and the expenditure of money, municipal debt, property valuations and assessments, and the administration of the Town offices and departments.

BOARD OF HEALTH is responsible for appointing the health agent and for the formulation and enforcement of rules and regulations concerning public health. The Board shall have all the powers and duties given under the MGL, Town By-laws or Town Meeting vote. They are responsible for promoting public health, investigating health and environmental problems and manage and coordinate health programs and services with the Town.

HOUSING AUTHORITY shall make studies of the housing needs of the Town and shall provide programs for housing. The Authority shall have all the powers and duties given under MGL.

LIBRARY TRUSTEES shall appoint all employees of the library; have control over the selection of materials and custody and management of such. The Board shall exercise all the powers and duties vested by MGL.

MODERATOR shall preside over Town Meeting and have other duties provided by the Constitution and the MGL.

PARK COMMISSIONERS shall have the over-all supervision and administration of recreational programs and facilities conducted and maintained by the Town.

PLANNING BOARD shall be responsible for appointing the Town planner and shall have all the powers and duties vested by MGL and Town By-law.

SCHOOL COMMITTEE shall have all the powers, duties and responsibilities given by MGL and any additional powers and duties as authorized by Town By-law or Town Meeting vote.

SELECTMEN shall have any and all powers granted to them under MGL and shall serve as the Chief Executive Board of the Town. They shall have general supervision over all matters not assigned by the MGL or the Town By-laws to other Town officers, boards, committees or commissions. Responsible for the appointment of the Town Administrator.

TOWN CLERK is the chief election official, recording officer, registrar of vital statistics, public records officer, licensing and public information officer. Governed by MGL and Town By-law.

SELECTMEN APPOINTED BOARDS, COMMITTEES OR COMMISSIONS:

(Some but not limited to)	Members	Term of office
Agricultural Commission	5	3 years
Cable Access Television	5	no term
Community Preservation Committee	4	3 years
Conservation Commission	7	3 years
Constables (Bonded)		3 years
Council on Aging	7	3 years
Cultural Council	7	3 years
Disability Advisory Committee	6	no term
Economic Development Committee	7	3 years
Emergency Management (formerly Civil Defense)	7	1 year
Golf Course Advisory Committee	7	3 years
Historical Commission	7	3 years
Holliston Cable Access TV, INC	3	3 years
Housing Committee	7	3 years
Insurance Advisory Committee	11	no term
Keefe Technical School Committee	2	3 years
Memorial Day Committee	3	1 year
Open Space Committee	7	3 years
Personnel Board	3	3 years
Sustainable Waste & Recycling Committee	7	3 years
Taxation Aid Committee	3	3 years
Town Forest Committee	3	3 years
Trails Committee	7	3 years
Veterans Honor Roll Committee	7	no term
Youth Advisory Committee	9	3 years
Zoning Board of Appeals	3	3 years

MODERATOR APPOINTED POSITIONS

BOARD OF HEALTH APPOINTED POSITIONS

Animal Inspector (Nominated by BOH-appointed by State)	1	1 year
Beaver Agent	1	1 year
Burial Agent	1	1 year
Burial Agent ó Deputy	1	1 year
Engineering Consultant	1	1 year
Food Service Inspector	1	1 year

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Health Director/Agent	1	1 year
Holliston Emergency Reserve Corp.	8	1 year
Special Consultant	1	1 year
Title V Inspector	1	1 year

ONE YEAR APPOINTMENTS BY SELECTMEN

Affirmative Action Officer
Affirmative Marketing Construction Officer
Animal Control
Chief Procurement Officer
Community Emergency Response Coordinator
Construction Officer
Contract Compliance Officer
Custodian of Tax Title
Dam Inspector
Deputy Tax Collector
E911 Coordinator
E911 Liaison
Fair Housing Officer
Fence Viewer
Fire Engineers (Chief & Deputy Chief)
Forest Warden
Gas Inspector
Hazardous Waste Coordinator
Highway Superintendent
Inspector of Buildings & Local Inspector
Local Water Resource Manager
MAPC Natural Hazards Mitigation Planning Team
MAPC Representative
Metro West Growth Management Committee
Metro West Regional Transit Authority
Moth Superintendent
Municipal Hearing Officer
Parking Clerk
Plumbing Inspector & Assistant
Police ó Chief & Lieutenant
Sealer of Weights & Measures
Senior Center Director
SMOC Representative
SWAP Representative
State Ethics Commission Liaison
Town Accountant
Town Administrator
Town Council
Town Historian
Treasurer & Tax Collector
Tree Warden
Veteransø Agent
West Suburban Health Group Representatives
Wiring Inspector & Deputy
Youth Director

II. COMMITTEE MEMBERSHIP

APPOINTMENTS

All appointments made by the Board of Selectmen or other elected boards, are made by majority vote in a regular meeting. In the case of appointments to an elected board it is a joint appointment with the Selectmen and the remaining members of the board to which the appointment is to be made. All appointees are generally registered voters in Town with exceptions outlined in MGL 41:109 for ex-officio or non-voting members. Committees generally have an odd number of members to help avoid a deadlock vote. In all decisions the Chairman is expected to vote. The Board of Selectmen keeps a list of volunteers indicating their areas of interest or expertise. Citizens can be added to this list by filing an application form (found at the back of the town report) or by sending a basic letter of interest to the Board of Selectmen requesting an appointment when a vacancy occurs. The Board of Selectmen generally likes to meet with applicants to discuss interests of the individual. Written notification of an appointment is made by the Board of Selectmen or appointing Board. When you receive notification of an appointment you must contact the Town Clerk to be sworn in and receive copies of the Open Meeting Law and the Conflict of Interest Law. You will be asked to sign an acknowledgment of your receipt of these laws.

DURATION OF APPOINTMENTS

Appointments length varies depending upon the need, vacancy and/or Town Meeting vote. Some appointments are made for the duration of a project, some yearly, but the most common term for standing committees is three (3) years.

REAPPOINTMENT

Reappointment is based on the citizen's contribution to the committee, the desirability of widespread involvement and the changing needs of the committee and the Town. A committee member is under no obligation to accept reappointment, nor is the appointing authority obligated to offer reappointment. Letters are sent, usually early spring asking if a person wishes to be reappointed. The majority of appointments are usually done in June and the term begins July 1 to coincide with the fiscal year.

DUTIES OF BOARDS, COMMISSIONS or COMMITTEES

Many committees, such as the Conservation Commission, Historical Commission and the Zoning Board of Appeals, are charged by the applicable laws of the Commonwealth to act and consider matters in a very narrowly defined way. If you have been appointed to one of these positions, please be sure you obtain a copy of these laws. Other standing or single need committees will usually receive a letter of duties and responsibilities from the appointing authority or will be charged in accordance with the Town By-laws.

LEADERSHIP

Unless specified by Town meeting, the Chairman and other officers of every board and committee are chosen by the voting members of the committee. The name of the Chairman should be given to the Town Clerk and the Board of Selectmen to enhance communication with the committee.

If appointments are made by an elected board other than the Selectmen, the members' names must be given to the Town Clerk and the Board of Selectmen. This is not only for communication purposes but also so all members will be acknowledged in the Annual Report.

RESIGNATIONS

Any resignation must be submitted in writing to the Town Clerk, with copies to the Committee Chairman and the Board of Selectmen. Without a formal notification, a vacancy cannot exist and a replacement member cannot be appointed. If a vacancy occurs, the remaining committee may recommend individuals who have demonstrated an interest in the work of the committee for consideration as a replacement member. They will be considered along with others who have expressed an interest.

III. MEETINGS

LOCATION

Every committee should establish a regular meeting schedule to suit the needs and convenience of the membership; however, they must be scheduled in **public locations** and some coordination with other boards and committees for meeting space may be necessary. Space at Town Hall must be scheduled with the Town Clerk by calling 508-429-0601.

POSTING OF MEETINGS

It is the responsibility of the committee to give public, written, notice of any meeting at least forty-eight (48) hours prior to the committee's meeting with time, date and place. As of July 1, 2010 a draft agenda must also be posted at the same time. Ideally, seven days notice is desirable for adequate notice to the public. The Town Clerk keeps the Official Bulletin Board at Town Hall, and maintains the Meeting Calendar on the Town's website. Meetings may be mailed to the Town Clerk, e-mailed or phoned in. If by e-mail always look for a reply with confirmation of a room number so you know the e-mail was received. In counting the 48 hours, Saturdays, Sundays & Holidays do not count and it is 48 hours after the Town Clerk receives and stamps it in. Slipping it under the door on a holiday does not work. It is better to post and not meet, than not post and want to meet.

The notices must include (1) list of topics the chair reasonably anticipates will be discussed (i.e.: agenda) and (2) be posted in or on municipal building to be visible to public at all hours. Agendas should be submitted to the Town Clerk no later than noon of the day of the 48th hour day.

Emergency meeting may be held with less than 48 hours notice, but the emergency must be an emergency of the Town and not an individual. There are very specific reasons for an emergency and they can be found in the Open Meeting Law Guideline or call the Town Clerk for clarification.

MINUTES

A written record of all meetings is required by law and immediately becomes part of the public record.

The minutes must contain:

- Date, time and place of meeting;
- Names of members present or absent
- A record of all votes
- A record of any vote to enter into an executive session and the reason
- A summary of the discussions
- List of documents used
- All decisions made/votes taken
- Documents and other exhibits, such as photographs, recordings or maps, used by the body.

Minutes need not be verbatim but should be a complete statement of action and discussion to reflect the nature of deliberations and the substance of decision. Minutes should be approved by the members at the next regularly scheduled meeting. After approval, all minutes should be maintained in a permanent file and electronic copies forwarded to the Town Clerk at:

minutes@holliston.k12.ma.us

If a tape recorder is used during meetings that taped record is also part of the public record until formal minutes are drafted and approved. Minutes become public record as soon as the meeting is done, if a person wants a copy of the minutes before they have been approved they are entitled to have them.

The Open Meeting Law Guideline is available on the Town Clerk's web page.

STAFF SUPPORT

Minutes of meetings and mailings are usually done by the clerk of the committee. Some committees have their members take turns taking minutes so that one member is not overly taxed with the responsibility. Copiers are at your disposal for Town use at the Town Hall.

Some committees may have paid employees working for that committee. Some regulatory Boards such as Planning Board, conservation Commission, Board of Health, Water Commissioners and the Zoning Board of Appeals have paid clerical support, other committees should not rely on the Town staff to accomplish minute taking.

Minutes should be sent to the Town Clerk, electronically, who maintains an archived copy, and posts them to the Town Web site.

PUBLIC RECORDS LAW

The Massachusetts Public Records Law provides right of access to public records, broadly defined to include all documentary materials made or received by any town official or employee, except eleven specific exemptions such as personnel and medical files, proposals and bids, and appraisals of property. All minutes, informational data, memoranda and circulating materials of any Town board, committee or commission are usually public information. The committee should consult the Town Clerk or Town Administrator's office if questions arise concerning the public records status of documents.

Public Records Requests to any board, committee or commission should coordinate any responses to such requests with the Town Administrator's office prior to responding.

The Secretary of State, Supervisor of Records is empowered to determine the public records status of documents. Further information on the Public Records law can be found at the Supervisor of Records's website, www.sec.state.ma.us/pre/preidz.htm.

PUBLIC HEARINGS

Some Boards are occasionally required to hold a public hearing in accordance with the MGL. Hearings are held for the purpose of gathering information from which your board, committee or commission can draw a conclusion. Written notices, the initiation of the hearing and the written conclusions of a hearing may have strict legal time limitations that vary with the nature of the hearing and the Board. Several procedures are common to all hearings. The Chairman or other designated person should run the hearing and state the guidelines and time allowances – if restricted – **before** any testimony is given. All questions should be directed to the chair who in turn, may ask for a response from the floor. We suggest that each board, committee or commission develop written guidelines that:

- Set ground rules, time limits, direct all question to chair, etc;
- During deliberations, findings of fact are noted;
- Decision is written using notes of discussion, fact and findings;
- Decision is filed in appropriate places.

Following is sample format for a hearing:

Open Public Hearing

The Chairman will announce the nature and purpose of the hearing, to identify the particular matter and recite the notice given.

Order of Presentation

Presentation by Proposer
Receipt of recommendations from any Town agency or officer
Questions from Board Members
Statements by members of the public
Close Public Hearing
Deliberate on Findings and Merit
Entertain Motions to render a decision to take the matter under advisement, announcing the intended date of decision.

An important aspect of the hearing process is that a decision must be based on the testimony and evidence submitted at the hearing or if written, entered into the record at the hearing. The decision must be based on facts and cannot be arbitrary. Hearsay and emotions are not evidential and should not impact the final decision.

A Board member serving on a hearing panel must be neutral without having formed an opinion in advance. The purpose of the hearing is to determine all the facts. Once fact finding is complete, then the board can begin to develop a basis for an opinion based on those facts that have been identified and outlined. If a board member is pre-disposed to a decision, they must consider recusing themselves from the hearing.

EXECUTIVE SESSION

Deliberations and votes held in private, no general public allowed, are called executive sessions and are allowed under strict circumstances outlined in the open meeting law. An executive session may only be held after convening in an open public session. They are allowed for discussions and negotiations of a land purchase, union negotiations, deployment of security measures, personnel or equipment, and certain actions concerning employees. Please refer to the Open Meeting Law for the list of reasons for entering into Executive Session, and procedures to be followed. If there are any questions relative to executive session, please consult the Town Clerk or the Town Administrator.

FINANCIAL MATTERS AND YOUR COMMITTEE

In general, an individual committee does not have a budget unless one is authorized by Town Meeting or at the time of its formation. If a committee anticipates a need to expend funds, it can request a budget for the next fiscal year through the Town Administrator, or if funds are needed during the fiscal year the Town Administrator should also be contacted. Unless a committee has funds specifically appropriated to it, the committee should not spend or commit to the spending of any funds without first obtaining guidance from the Town Administrator.

If your board, committee or commission already has an established budget, prior to November 1, you will receive a budget package from the Town Administrator. This package will include directions for filing, time the budget forms must be filed, and other pertinent information. The annual operating budget form should be filled out and returned to the Town Administrator as instructed in the package. Meetings will be scheduled with the Town Administrator, Finance Committee and Board of Selectmen to discuss your budget request before the warrant for the Annual Town Meeting goes to press. These meetings usually begin in the month of January. By our Town By-law it is the responsibility of the Finance Committee to consider and make recommendations on all articles of a financial nature, including any articles involving or affecting expenditures, appropriations, debt, budgets, estimates, purchases or sales of property. Of course the Town Meeting has the final say.

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 MGL Chapter 30B and reviewed by the procurement officer (Town Administrator), Finance Committee and the Town Accountant and must pass at Town Meeting.

SUBMISSION OF BILLS:

All requests for payment of bills must be given to the Town Accountant. There are very strict laws, regulations and guidelines for collecting, accounting for, and expending public money. It is in the best interest of the Town that we maximize our Financial Resources. Any question regarding expenditures should be directed to the Town Accountant or the Town Administrator.

TURNING IN RECEIPTS

If a fee for any of your services or programs is charged that money must be kept in a secure place and turned over to the Town Treasurer with a duplicate accounting of the receipts given to the Town Accountant. To eliminate security problems and facilitate a positive cash flow, plan to turn in whatever money you have on a weekly basis or sooner if the amount exceeds \$100.00.

Remember that unauthorized expenditures of public money for goods or services are illegal.

PURCHASES/PUBLIC BIDDING REQUIREMENTS

All purchasing must be done in compliance with Massachusetts Public Procurement Law (MGL Chapter 30B). Committee expenditures will usually not be large enough to require formal bidding; however the following are general guidelines and when in doubt check with the Town Administrator.

Purchases for amounts less than \$5,000.00 do not require formal bids. Good business practices should be followed.

Solicitation of three quotes for contracts in the amount of \$5,000 up to \$24,999.

Competitive sealed bids or proposals for contracts in the amount of \$25,000 or more.

The provisions of MGL chapter 30B apply to the acquisition and disposal of real property, and other procurement laws apply to public works contracts and public construction contracts. (MGL chapter 30 section 39 M).

The Town Administrator's office should be contacted for assistance and guidance for all purchasing and bidding.

FUND RAISING

In general, all funds received by any board, committee or commission go into the Town's General Fund, and may not be spent without further appropriation by Town Meeting, unless approved by the Board of Selectmen for deposit into a special revenue account (revolving account, gift account). Funds held in special revenue accounts may be dispersed without appropriation for special projects pursuant to the purpose for which the funds were originally received. The Town Administrator should be contacted for guidelines prior to commencing a special project.

ACCESS TO TOWN COUNSEL

Department Heads, Board, Committee or Commission Chairmen and/or designees shall have access to Town Counsel only after the request is approved by the Town Administrator.

ANNUAL REPORTS

All boards, committees and commissions are expected to file an annual report of their operation which will appear in the Annual Town Report. The report should detail membership, explain the major accomplishments over the fiscal 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 and in the format as directed by that office.

CONDUCT OF PUBLIC OFFICIALS

The conduct of members of Municipal Boards, Committees and Commissions, as well as employees is regulated by MGL and enforced by the Massachusetts Ethics Commission. The statute assigns personal responsibility to regular and special municipal employees (including elected and appointed volunteers) in four general areas, as follows:

Community Responsibility: Any member of any Board, Committee or Commission in his/her relations with the community shall:

1. realize that his/her basic function is to make policy, not administer it, unless otherwise empowered by state and/or local law.
2. realize that he/she is one of a team and should abide by, and carry out, all board decisions once they are made
3. be well informed concerning the duties of a member on both local and state levels
4. remember that he/she represents the entire community at all times.
5. accept the appointment as a means of unselfish service, and not for the purpose of personal or political benefit from his/her member activities.
6. in making all decisions relative to individual appointments he/she shall avoid political patronage by judging all candidates on merit, experience and qualifications only.
7. avoid voting on any matter in which the individual member has a conflict of interest, as defined under the Massachusetts conflict of Interest Law.

Responsibility to Municipal Administration: A member of any Board, Committee or Commission, in his/her relations with administrative officers of the Town, shall:

1. endeavor to establish sound, clearly defined policies that will direct and support the administration for the benefit of the people in the community.
2. recognize and support the administrative chain of command and refuse to act on complaints as an individual outside the administration.
3. direct all questions or concerns to the Town Administrator. Concerns may also be addressed to the Board of Selectmen. However initial contact with the Town Administrator will expedite any necessary action and will deal most directly with an issue, which needs to be clarified, changed or corrected. Please remember, that the Town Administrator and the Board of Selectmen do not have control over issues dealing with elected officials or committees/individuals appointed by the moderator.

Relationship to other Board Members: A member of any Board, Committee or Commission, in his/her relations with fellow board members, shall:

1. recognize that action at an official legal meeting is binding and that he/she alone cannot bind the Board outside of such meeting.
2. not make statements or promises of how he/she will vote on matters that come before the Board, Committee or Commission until he/she has had an opportunity to hear the pros and cons of the issue during a regular meeting.
3. uphold the intent of Executive Session and respect the privileged communication that exists in Executive Session.
4. make decisions only after all facts on question have been presented and discussed.
5. treat with respect the rights of all members, despite differences of opinion.

Prohibited Conduct: A member of any Board, Committee or Commission, in accordance with MGL, shall:

1. not accept gifts or other consideration or engage in any business or professional activity which might appear to impair his/her independence of judgment in the exercise of his/her official duties.
2. not improperly disclose confidential information acquired by him/her in the course of his/her official duties, and not use such information to further his/her personal interests.
3. not use or attempt to use his/her official position to secure unwarranted privileges or exemptions for himself/herself or others.
4. not by his/her conduct give reasonable basis for the impression that any person can improperly influence him/her or unduly enjoy his/her favor in the performance of his/her official duties, or that he/she is unduly affected by the kinship, rank, position or influence of any party of person.

5. not pursue a course of conduct which will raise suspicion among the public that he/she is likely to be engaged in acts that are in violation of he/her trust.
6. not participate in any matter before the membership in which he/she, or an immediate family member, has any direct financial interest.

Mandatory educational requirements under the Ethics Reform Bill effective as of 4/2/10.

Effective within thirty (30) days of election or appointment you must complete on line training and every two (2) years thereafter. Details can be found on the Town Clerk's website page or call the office.

If you have any question concerning a potential conflict, you should contact the State Ethics Commission: 617-371-9500, 1-888-485-4766 or www.state.ma.us/ethics.

DESCRIPTION OF BOARDS, COMMITTEES AND COMMISSIONS.

Agricultural Commission: supports, promotes and enhances the long term viability of Holliston agriculture with the aim of helping this town's agricultural businesses become as economically sound as possible. The commission is working to fulfill this through a variety of initiatives and programs such as the development of a community garden and the annual Farms Day. For more information check out our website at: www.hollistonagcom.org.

Cable Access Television: responsible for contract negotiations.

Community Preservation Committee: Responsible for studying the needs, possibilities and resources of the Town regarding Community Preservation. The committee shall hold hearings and make recommendations to Town Meeting on the distribution of funds for community preservation, which includes acquisition, creation and preservation of open space, historic resources, land for recreational use and community housing.

Conservation Commission: Has the statutory responsibility of administering the Wetlands Protection Act, Article XXX of the Town By-laws, and other relevant laws, including the Rivers Protection Act. The Commission manages approximately 1,064 acres of land, donated or purchased for conservation and/or wetland purposes. Commissioners attend meetings, perform some site visits, and vote on applications for work within 100' of wetlands. They also work to acquire, protect, and maintain open space in Holliston. The Commission meets every other Tuesday evening in the Town Hall.

Council on Aging: to identify the needs of Holliston citizens age 55 or over; to educate and enlist the support and participation of all concerning those needs.

Cultural Council: To promote the Arts in the Town. Provides free Band Concerts during the summer.

Disability Advisory Committee: Makes recommendations to the Selectmen for improving access to public buildings and general access around town.

Elderly and Disabled Taxation Committee: The goal of this committee is to provide tax relief to elderly and disabled taxpayers by using the Town's Taxation Fund that is supported through private donations.

Emergency Management Department (formerly Civil Defense): shall seek to maximize survival of persons and preservation of property in the Town in the event of a natural or man-made disaster. This department is under the direction of the Emergency Management Director.

Energy Study Committee: shall study and formulate ways for energy savings throughout the Town buildings, including the schools.

Golf Course Advisory Committee: oversees the Pinecrest Golf Course and continues to make capital improvements to the course.

Historical Commission: works to preserve, research, study and assist the Town in extending knowledge of our history and remaining historic sites. They also have a duty in administering the Demolition Delay By-law.

Holliston Cable Access TV, INC. is a private, non-profit 501 3(c) corporation. It is charged with the management of the Public, Education, and Government access television channels in Holliston.

Holliston Emergency Reserve Corp.: sub-committee of the Board of Health (formerly called the Medical Reserve Corp.).

Housing Committee: has a statutory responsibility of fulfilling the Community Preservation Committee's mission to enhance and preserve the community's affordable housing.

Insurance Advisory Committee: Makes recommendations to the town for Insurance changes.

Keefe Technical School: this was an elected position until 1991, now appointed by the Selectmen, 2 members, Holliston's representatives to the Keefe School.

Memorial Day Committee: in charge of parade and all events for Memorial Day ceremonies.

Open Space Committee: was established to facilitate the permanent preservation of additional open space in Holliston, through acquisition or other protection such as a conservation restriction. Open space is broadly defined as any undeveloped land with particular value for conservation, recreation or agriculture. Open space within Holliston provides many benefits. It protects and conserves our natural resources, including aquifers that provide the town's water. Open space provides habitat corridors for wildlife. It provides areas for passive recreation. Open space also contributes to the town's character and aesthetic appeal. The Town of Holliston's Master Plan and the Open Space and Recreation Plan both set a goal of permanently protecting 25% of the Town's land area as open space. The Committee generally meets the second Wednesday of each month.

Personnel Board: shall administer the provisions of the Consolidate Personnel By-law.

Police Station Building Committee: Winding down as an active committee, with the Grand Opening Ceremonies having been held on September 15, 2010th at 10 AM. The official move into the station by the police was on Sept. 9th and with no interruption in service.

Sustainable Waste & Recycling Committee: shall be responsible for the coordination of recycling efforts within the Town. They will make recommendations to the Board of Selectmen, who shall establish and amend procedures and programs for the collection and disposal of recyclable materials.

Town Forest Committee: trying to reorganize and looking for new members.

Trails Committee: is the lead committee within the Town that is assigned the task of making the Upper Charles Trail (UCT) a reality in Holliston. The UCT is a multi-town recreational trail-trailö that will someday connect Sherborn, Holliston, Milford, Hopkinton and Ashland. This committee is responsible

for acquisition of land (the former rail-bed) associated with the trail, overseeing the design and construction of the trail (in accordance with the various state and federal requirements), and pursuing various funding avenues to achieve the first two responsibilities. No experience is necessary to be on the Trails Comm., although experience in grant writing, construction oversight, and/or real estate transactions is a plus.

Tree Warden: shall be a certified Arborist, set by MGL. Shall be responsible for the setting out, care, maintenance and removal of all public shade trees, shrubs and other plants in the Town and shall enforce all the provisions of law for their preservation.

Veterans Honor Roll Committee: shall look into new honor roll monuments for current and future wars.

Youth Advisory Committee: provide a variety of programs and counseling to the community and schools. They continue to work toward meeting the mental health needs of the community and are a resource for many and their programs and services are free to Holliston residents.

Zoning Board of Appeals: shall have the functions and powers as provided in the MGL, including but not limited to Chapters 40A and 41, as amended. Any appeals to a decision made by the ZBA are done through the court system.

THE TOP TEN THINGS YOU NEED TO KNOW ABOUT THE CONFLICT OF INTEREST LAW

1. Don't accept bribes.
2. Don't ask for or accept meals, gifts, tickets or other good stuff from people you deal with.
3. You owe undivided loyalty to your municipality. Don't work against the municipality's interests.
4. If you serve on a board, you serve the municipality. Don't work on the other side of the table representing people, organizations and business before any board in town.
5. Don't trade on what you did as a public official when you leave office.
6. Keep out of matters involving family members and organizations and businesses you are involved in.
7. Don't double dip. If you get paid for doing two separate things for your municipality, get an exemption.
8. Don't use your position to get special benefits the general public can't get.
9. Don't create appearances of conflicts. Disclose any significant relationships you have when matters concerning those people come before you.
10. Get Advice. When in doubt call either the Town Clerk, 508-429-0601 or the State Ethics Commission at 617-371-9500, or 888-485-4766. The web site may be accessed at <http://www.mass.gov/ethics>.

If a member feels that there is the possibility of a conflict of interest or even the appearance of one, there is a **Disclosure Form**, available at the Town Clerk's office which can be filled out and filed, pursuant to MGL chapter 268A section 23 (b) (3).

Remember: "The basis of effective government is public confidence, and that confidence is endangered when ethical standards falter or appear to falter." John Kennedy in an address to Congress in 1957.

THE OPEN MEETING LAW:

A copy of the law is available on the Town Clerk's section of the website and the Attorney General's website:
www.mass.gov/ago/openmeeting.

The ten (10) top changes in the Open Meeting Law effective July 1, 2010:

1. New requirements for certifications and other documentation to keep on file: Mandatory Training under the Ethics Reform Bill.
2. Posting of meeting notices: still 48 hour but now cannot count Saturdays, Sundays or holidays. A Monday night meeting must be posted before Thursday night.
3. Notices must include (1) list of topics chair reasonable anticipates will be discussed (i.e.: agenda) and (2) be posted in or on municipal building to be visible to public at all hours.
4. E-mails are expressly included in definition of "deliberation" (must be in open session), but distribution of agendas, scheduling information or reports to be discussed at next meeting is permitted.
5. Attendance by a quorum at a location is not a "meeting" if it is not intended to conduct business and no deliberation occurs – for example, attending a conference, social event, or a meeting of another municipal board.
6. Minutes must contain more detailed information; in addition to "date, place, time & matters discussed," shall include summaries of matters discussed, list of documents used, all decisions made and votes taken.
7. "minutes" shall also include "documents and other exhibits, such as photographs, recordings or maps, used by the body at an open or executive session, shall along with the minutes, be part of the official record of the session and listed as to where they can be viewed by the public. These records must be retained in accordance with the records retention laws, but the documents & exhibits listed in the minutes need not be physically stored with the minutes.
8. Remote participation (conference call, audio or video conferencing) is under consideration by the AGO. While the issue is under consideration, remote participation by members of public bodies is not permitted under the Open Meeting Law.
9. All persons serving on a public board, committee or commission must receive a copy of Open Meeting Law and related regulations and must submit certification to the Town Clerk.
10. Citizens making complaints of violations must file written complaint with the board, committee or commission first; they in turn submit a reply to complainant and Attorney general's office.

OPEN MEETING LAW: Balancing government transparency with government efficiency.

PURPOSE OF OPEN MEETING LAW: Ensures transparency by public bodies by requiring
 Notice
 Open Deliberations
 Public Access

Allows government to efficiently and effectively manage its operations by:
 Providing for certain deliberations to take place in executive session
 Maintaining confidentiality of certain records of executive session.

WHAT IS NEW WITH THE OML?

Centralized enforcement in the Attorney General's Office
 Creates new Division of Open Government in the Attorney General's Office as of 7/1/2010.
 Provide guidance to public officials
 Issue advisory opinions interpreting the law.
 Create educational materials & conduct trainings to help public officials understand the law.
 Address complaints from members of the public alleging violations of the law.
 Take remedial actions authorized by statute.
 Creates Open Meeting Law Advisory Commission
 Provides additional notice to the public
 Enhances record keeping requirements

Requires members of public bodies to be familiar with the law
Encourages remediation of complaints by the public body

WHAT REMAINS THE SAME ABOUT THE OML?

Meetings must be open to the public unless the public body enters into a proper executive session.

Meetings must be posted:

Postings on the website must have date & time of receipt by the Town Clerk on them.

Must be on the website 48 hours before meeting, excluding weekends and holidays.

Notice is not legally posted without the **Agenda**.

If website is down for more than 6 hours after being notified of the outage, the meeting will not be in compliance and rescheduling may be necessary.

Public bodies may enter into executive session for certain purposes.

Public records must be retained.

Alternative complaint process where three citizens may file a complaint in Superior Court.

Enforcement by the Attorney General's Office for state public bodies.

PUBLIC BODY: A multi-member board, commission, committee or sub-committee however created, elected, appointed or otherwise constituted established to service a public purpose:

NOT PUBLIC BODIES: State Senate, House of Representatives, Judicial Nominating Commission, Charter Schools, MA Municipal Association, Regional high school boosters club, Neighborhood watch association, PTO, Republican/Democratic Town Committees.

MEETING: Deliberation by public body with respect to any matter within the body's jurisdiction.

Excludes: On-site inspection provided no deliberation

Attendance by a quorum at an event, provided no deliberation

Attendance by a quorum at a meeting of another public body, provided no deliberation.

Meeting of a quasi-judicial board for sole purpose of making a decision in an adjudicatory proceeding.

Town Meeting.

DELIBERATION: 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.

Excludes: Distribution of meeting agenda, scheduling or procedural information.

Distribution of reports or documents to be discussed. (Distributor should not express opinion of member of public body.)

MEETING NOTICES: Except in an emergency, a public body must post notice of meeting at least 48 hours in advance, excluding weekends and legal holidays.

Notice must include:

Date

Time

Place of Meeting

Listing of topics the chair reasonably anticipates will be discussed at the meeting. Topics should give enough specificity so the public will understand what will be discussed.

MINUTES: Must state the date, time, place of the meeting and the members present or absent

Minutes must include: A summary of discussion of each topic

Decisions made and actions taken, including a record of all votes

Secret ballots are explicitly prohibited

A list of documents and other exhibits used by the body at the meeting.

Minutes shall be created and approved in a timely manner for both open & executive sessions.

Documents & exhibits used by a public body must be retained by the public body but do not need to be physically stored with the meeting minutes

Minutes of open session must be provided upon request.

Executive session records must be disclosed once publication will no longer defeat the purpose for having entered into executive session, unless exempt from disclosure.

Copies of the full open meeting law document are available from the Town Clerk or on line at:

www.mass.gov/ago/openmeeting.