

Town of Sandwich

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BOARD OF
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TOWN OF SANDWICH – BOARD OF SELECTMEN

December 14, 2017

Board & Committee Remote Participation Policy

The Board of Selectmen hereby authorizes remote participation for all appointed and elected Town boards and committees in accordance with the requirements of the Massachusetts Open Meeting Law, M.G.L. Chapter 30A, §20(d) and 940 C.M.R. §29.00, §29.10 *Remote Participation*, in the following manner:

The Selectmen emphasize that pursuant to the requirements of the Remote Participation provisions of the regulations issued by the Attorney General, a quorum of the public body, including the Chairman or, in the Chairman's absence, the person authorized to chair the meeting, must be physically present at the meeting location as required by M.G.L. Chapter 30A, §20(d); and members of public bodies who participate remotely may vote and shall not be deemed absent for the purposes of M.G.L. Chapter 39, §23D.

Reasons for Remote Participation

- Personal illness
- Personal disability
- Emergency
- Military service
- Geographic distance

Approved Technology for Remote Participation

The following media are acceptable methods for remote participation. Remote participation by any other means is not permitted. No e-mail, text, instant messaging, or non-streaming communication will be considered acceptable for the purposes of remote participation. Accommodation shall be made for any public body member who requires TTY service, video relay service, or other forms of adaptive communication.

- Telephone, internet, or satellite enabled audio or video conferencing.

- Any other technology that enables the remote participant and all persons present at the meeting location to be clearly audible to one another.
 - When video technology is in use, the remote participant shall be clearly visible to all persons present in the meeting location.
 - The Chairman, or in the Chairman's absence, the person chairing the meeting, may decide how to address technical difficulties that arise as a result of utilizing remote participation, but is encouraged, wherever possible, to suspend discussion while reasonable efforts are made to correct any problem that interferes with a remote participant's ability to hear or be heard clearly by all persons present at the meeting location. If technical difficulties result in a remote participant being disconnected from the meeting, that fact and the time at which the disconnection occurred shall be noted in the meeting minutes.

The public body using remote participation may determine which of the foregoing acceptable methods will be used by its members and the Town shall not be responsible for any costs a member may incur to participate remotely.

Procedure for Utilizing Remote Participation

- Step 1: Any member of a public body who wishes to participate remotely shall, as soon as reasonably possible prior to a meeting, notify the Chairman or, in the Chairman's absence, the person chairing the meeting, of his or her desire to do so, and the reason for and facts supporting his or her request.
- Step 2: At the start of the meeting, the Chairman shall announce the name of any member who will be participating remotely and the reason under 940 C.M.R. 29.10(5) for his or her remote participation. The Chairman's statement does not need to contain any details about the reason for the member's remote participation. This information shall also be recorded in the meeting minutes.
- Step 3: All votes taken during any meeting in which a member participates remotely shall be by roll call vote.
- Step 4: A member participating remotely may participate in an executive session, but shall state at the start of any such session that no other person is present and/or able to hear the discussion at the remote location, unless the presence of that person is approved by a simple majority vote of the public body.
- Step 5: When feasible, the Chairman or, in the Chairman's absence the person chairing the meeting, shall distribute to remote participants, in advance of the meeting, copies of any documents or exhibits that he or she reasonably anticipates will be used during the meeting. If used during the meeting, such documents shall be part of the official record of the meeting, and shall be listed in the meeting minutes and retained in accordance with M.G.L. Chapter 30A, §22.

Limitations on Use of Remote Participation

The remote participation option provided by this policy may be utilized and implemented by a public body no more than three (3) times in each calendar year.

The Board of Selectmen reserves the right to revoke Town Board remote participation at any time under 940 C.M.R. 29.10(3).

This policy shall be reviewed by the Board of Selectmen after one year of implementation.

Given under our hands this 14th day of December, 2017.

Board of Selectmen:








