

# **ROLES OF THE CHAIR AND THE CLERK**

## **SUPPLEMENT TO THE TOWN OF WAREHAM COMMITTEE MEMBER HANDBOOK**

This supplement handbook has been prepared for those selected by their respective committee to serve as chair and/or clerk. It provides information regarding specific duties, obligations and procedural matters required for each role in the committee. It is a general guide, and more specific requirements may apply to each appointment.

Town of Wareham  
Select Board  
<https://www.wareham.ma.us/select-board>  
[bos@wareham.ma.us](mailto:bos@wareham.ma.us)  
Wareham Town Hall  
54 Marion Road  
Wareham MA 02571

**TOWN OF WAREHAM  
OFFICE OF THE SELECT BOARD**

54 Marion Road  
Wareham, MA 02571

**THE ROLES OF THE CHAIR AND THE CLERK**

**SECTION A - Officers of Boards, Committees and Commissions**

At a minimum, a chair and clerk/secretary should be chosen by vote of the committee. Because public bodies are required to adhere to the Open Meeting Law, the Public Records Law, the Conflict of Interest and Ethics Law, as well as other laws and legal requirements of specific boards, commissions and committees, these two roles work in tandem to protect the members of each public body as well as the Town. A record of committee officers should be submitted annually in writing to the Town Clerk, the appointing authority, and the Select Board's office.

**SECTION B - The Role of the Chair**

The role of the Committee Chair from the Committee Member Handbook.

1. The Chair schedules the meetings.  
*For more information about scheduling meetings, see Section 2 "Meetings" of the Committee Member Handbook.*
2. The Chair creates the meeting agendas and ensures meeting notices are officially posted as required by The Open Meeting Law.  
*Agendas should be emailed to [meetings@wareham.ma.us](mailto:meetings@wareham.ma.us) for posting. See section 2.4 of the Committee Member Handbook. A recent Board of Selectmen Agenda is attached for reference. A "Public Body Checklist for Posting a Meeting Notice" prepared by the State Attorney General and the Select Board is also attached. It is the responsibility of the committee chair to ensure that posting requirements are satisfied. The chair should consult with the Town Clerk if in doubt regarding posting requirements.*
3. The Chair ensures that needed materials are available to the members.
4. The Chair presides over all meetings, decides questions of order, calls special meetings, and signs official documents that require the Chair's signature. The Chair has the same rights as other members to offer resolutions, make motions, discuss questions, and vote. (The Town follows Roberts Rules of Order, newly revised 12<sup>th</sup> edition.)
5. The Chair works closely with the Clerk to follow The Open Meeting Law and Public Records Law.  
*See Appendix B and Appendix C in the Committee Member Handbook.*

**TOWN OF WAREHAM  
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6. The Chair promptly notifies the appointing authority of important changes in membership.  
*Some examples of changes include selection of a new officer, a resignation or a relocation of a member out of Wareham. See section 1.7 of the Committee Member Handbook regarding resignations of committee members. Notifications of vacancies should be reported to the Select Board's Office as soon as possible so that the position can be advertised to the public. It may take several weeks for an applicant to be recommended by the committee, appointed by the Select Board and sworn in by the Town Clerk.*  
  
*A record of committee members listing officers should be submitted annually in writing to the Town Clerk, the appointing authority, and the Select Board's office.*
7. The Chair is responsible for ensuring that all information on the Town website is up to date and accurate.
8. The Chair creates and submits an Annual Report from the committee.  
*See section 4.1 of the Committee Member Handbook for guidance regarding what information should be included in the Report. The deadline for submission of this report is July 31.*
9. The Chair notifies existing and potential committee members of each Open Meeting Law violation determination issued to that committee within the last five (5) years by the Attorney General.

**SECTION C - THE ROLE OF THE CLERK**

The role of the Committee Clerk from the Committee Member Handbook-

1. The Clerk works closely with the Chair to follow the Open Meeting Law and Public Records Law requirements for all minutes, documents, and records.  
*See Appendix B and Appendix C in the Committee Member Handbook.*
2. The Clerk will read aloud the official notice of a public hearing whenever a committee convenes for a public hearing.
3. The Clerk is responsible for recording and transcribing the Committee's minutes according to the Open Meeting Law (if not done by staff).  
*Section 2.8 and See Appendix I in the Committee Member Handbook.*  
*Minutes **must include**: the date, time and place of the meeting; the members present or absent; the decisions made and actions taken, including a record of all votes; a summary of the discussions on each subject; a list of all documents and*

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*exhibits used at the meeting; and the name of any member who participated in the meeting remotely.*

*Minutes from a recent Board of Selectmen meeting is attached for reference.*

4. The Clerk files the minutes that have been approved by majority vote of the committee with the Town Clerk's Office and, ensures the posting of the minutes online.  
*This must be done in a "timely" manner according to the Open Meeting Law, "within the next three public body meetings or 30 days from the date of the meeting, whichever is later." See the attached "Public Body Checklist for Posting a Meeting Notice" prepared by the State Attorney General and the Select Board."*
5. The Clerk ensures that each member has received information, completed trainings and submitted receipts and certificates as required by law.  
*See the attached Open Meeting Law Regulations MA 940 CMR 29.01-29.11 and the Information regarding Ethics Training.*
6. The Clerk should be aware of which members are due for renewal each year.  
*Applications for reappointments should be submitted by May 1 to give time for the Select Board to vote on and approve the appointment and for the member to be able to perform any necessary training and be sworn in with the Town Clerk prior to the end of the current term.*
7. The Clerk ensures that the Annual Report has been filed by the deadline of July 31.  
*See section 4.1 of the Committee Member Handbook for information about what should be included in the Report. The deadline for submission of this report is July 31.*

**TOWN OF WAREHAM  
OFFICE OF THE SELECT BOARD  
54 Marion Road  
Wareham, MA 02571**

**ROLES OF THE CHAIR AND CLERK  
ACKNOWLEDGMENT FORM**

       I acknowledge that I have received a current copy of the Committee Member Handbook.

       I acknowledge that I understand the role and duties of the Committee Chair and Clerk.

**Attachments-**

**September 28, 2021 Board of Selectmen Agenda**

**September 28, 2021 Board of Selectmen Approved Meeting Minute**

**Public Body Checklist for Posting a Meeting Notice**

**Public Body Checklist for Creating and Approving Meeting Minutes**

**Commonwealth of Mass Open Meeting Law Guide Table of Contents**

**Overview of 940 CMR 29.00 Open Meeting Law Regulations**

**Certificate of Receipt of Open Meeting Law Materials (to be signed)**

Signature \_\_\_\_\_

Printed name: \_\_\_\_\_

Committee: \_\_\_\_\_ Position: \_\_\_\_\_

Date \_\_\_\_\_

**PLEASE RETURN THIS PAGE TO THE SELECT BOARD'S OFFICE**

September 28, 2021



# TOWN of WAREHAM

## Board of Selectmen

### Meeting Agenda

7:00 p.m. – Meeting taking place remotely due to COVID-19

To join meeting:

<https://us02web.zoom.us/j/83258925070?pwd=dzh3SmlzTzBLaG1teEJmakpZb2lsZz09>

Passcode: 962288

One tap mobile:

+19292056099 (New York)

+13017158592 (Washington DC)

Webinar ID: 832 5892 5070

Passcode: 962288

1. **CALL TO ORDER BY CHAIRMAN**
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE**
4. **ANNOUNCEMENTS**
5. **CITIZEN'S COMMENTS**
6. **BOARD'S COMMENTS**
7. **APPOINTMENTS/REAPPOINTMENTS/ INTERVIEWS**
  - a. Library Board of Trustees-term to expire June 30, 2024
    - i. Holli Van Nest
  - b. Zoning Board of Appeals-appointment of one associate member-term to expire June 30, 2022
    - i. Christopher Conti
    - ii. Richard Semple
8. **LICENSES AND PERMITS**
  - a. Application from 99 West, LLC d/b/a 99 Restaurant & Pub, 40 Rosebrook Place, Wareham, MA. for a Change of Officers/Directors under the provisions of M.G.L. 138.
9. **TOWN BUSINESS**
  - b. Discussion and vote to name Claire Smith as Goodwill Ambassador for the Town of Wareham, England and approve signing of the Proclamation.

- c. Discussion and possible vote to approve the opt-out and reduction fee applications for Curbside Billing FY21 in the amount of \$638.75 (Abatement Recommendation 7).
- d. Discussion and possible vote to accept FY@@ Curbside Revenue in the amount of \$1,273,760.00.
- e. Discussion and possible vote on Borrego Solar PILOTS.
- f. Discussion and vote regarding two HCA amendments between Town of Wareham and Doobie Inc. to reflect change of location from 3 Tow Road to 10 Little Brook Road for cultivating and manufacturing.
- g. Ratify hiring of Morgan Mattioli-Natural Resources Officer-DNR.
- h. Discussion and vote to recommend articles for the 2021 Fall Town Meeting Warrant.

**9. TOWN ADMINISTRATOR'S REPORT**

**10. LIAISON/INITIATIVE REPORTS**

**11. CONSENT AGENDA**

- a. Authorization to sign bills and documents, etc.
- b. Approval of meeting minutes: September 14, 2021.

**12. ADJOURNMENT**

**13. SIGNING OF DOCUMENTS APPROVED BY THE BOARD**

**15. EXECUTIVE SESSION**

M.G.L. 30A §21 (6) Re: Little Harbor-purchase of property

To consider the purchase, exchange, lease of value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body.

**MINUTES OF MEETING OF THE BOARD OF SELECTMEN**

Date of Meeting: September 28, 2021  
Date of Transcription: October 7, 2021  
Transcribed by: Cassandra Slaney

**1. CALL MEETING TO ORDER BY CHAIRMAN**

*Remote meeting due to COVID 19*

**2. ROLL CALL**

Selectmen Present: Judith Whiteside, Chairman  
Patrick G. Tropeano, Clerk  
James M. Munise  
Alan H. Slavin  
Peter W. Teitelbaum, Esq.

Also Present: Rich Bowen, Town Counsel

Not Present: Derek Sullivan, Town Administrator

**3. PLEDGE OF ALLEGIANCE**

**4. ANNOUNCEMENTS**

Selectman Teitelbaum stated that the following articles have been approved:

Sign Zoning Bylaw Amendment  
Definition of a 2 Family or Duplex Dwelling  
Marijuana Testing Lab Setback  
Ban Nip Bottle Sales

Marijuana Delivery Operators Bylaw  
Updates to FEMA floodplain Bylaws

Both Wetland Bylaw Amendments

Selectman Teitelbaum also stated that the following articles have been extended

Amendment to Solar Bylaws

Local Initiative Program

Selectman Whiteside stated that the Town Charter Chart 2 article is being reviewed by the Senate.

There are 56 confirmed cases of Covid, 4 probable cases, and no deaths.

**5. CITIZEN'S COMMENTS**

*None.*

**6. BOARD'S COMMENTS**

*None.*

**7. APPOINTMENTS/REAPPOINTMENTS/INTERVIEWS**

a. Library Board of Trustees-term to expire June 30, 2024



SELECTMEN MEETING MINUTES-9/28/2021 (CONT'D)

i. Holli Van Nest

Present before the Board: Holli Van Nest

**MOTION:** Selectman Tropeano moved to appoint Holli Van Nest to the Library Board of Trustees to a term to expire no later than June 30, 2024. Selectman Teitelbaum seconded.

Roll Call: Selectman Slavin-yes, Selectman Munise-yes, Selectman Teitelbaum-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

**VOTE: 5-0-0 (Unanimous)**

b. Zoning Board of Appeals-appointment of one associate member-term to expire June 30, 2022

i. Christopher Conti

ii. Richard Semple

Present before the Board: Christopher Conti and Richard Semple

Discussion ensued pertaining to the recommendation by the Zoning Board of Appeals who should be appointed as a full member and associate member.

**MOTION:** Selectman Slavin moved to postpone the appointment to either individual until the following week upon receiving a final recommendation from the Zoning Board of Appeals.

Selectman Munise seconded. Roll Call: Selectman Slavin-yes, Selectman Teitelbaum-yes, Selectman Munise-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

**VOTE: 5-0-0 (Unanimous)**

**8. LICENSES AND PERMITS**

a. Application from 99 West, LLC d/b/a 99 Restaurant & Pub, 40 Rosebrook Place, Wareham, MA. for a Change of Officer/Directors under the provision of M.G.L. 138.

**MOTION:** Selectman Tropeano moved to approve the application from 99 West, LLC d/b/a 99 Restaurant & Pub, 40 Rosebrook Place, Wareham, MA. for a Change of Officers/Directors under the provision of M.G. L. 138. Selectman Teitelbaum seconded. Roll Call: Selectman Slavin-yes, Selectman Teitelbaum-yes, Selectman Munise-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

**VOTE: 5-0-0 (Unanimous)**

**9. TOWN BUSINESS**

a. Discussion and vote to name Claire Smith as Goodwill Ambassador for the Town of Wareham, England and approve signing of the Proclamation.

Selectman Teitelbaum read into record the Proclamation naming Claire Smith as Goodwill Ambassador for the Town of Wareham, England. (*See attachment*)

**MOTION:** Selectman Tropeano moved to approve signing the Proclamation naming Claire Smith as Goodwill Ambassador for the Town of Wareham, England. Selectman Slavin seconded. Roll Call: Selectman Slavin-yes, Selectman Teitelbaum-yes, Selectman Munise-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

**VOTE: 5-0-0 (Unanimous)**

b. Discussion and possible vote to approve the opt-out and reduction fee applications for Curbside Billing FY21 in the amount of \$638.75 (Abatement Recommendation 7).

**MOTION:** Selectman Tropeano moved to approve the opt-out and reduction fee applications for Curbside Billing FY21 in the amount of \$638.75(Abatement Recommendation 7).

Selectman Teitelbaum seconded. Roll Call: Selectman Slavin-yes, Selectman Teitelbaum-yes, Selectman Munise-yes, Selectman Tropeano-yes, Selectman Whiteside-no.

SELECTMEN MEETING MINUTES-9/28/2021 (CONT'D)

**VOTE: 4-1-0 (Selectman Whiteside opposed)**

- c. Discussion and possible vote to accept FY22 Curbside Revenue in the amount of \$1,273,760.00.

**MOTION:** Selectman Tropeano moved to accept FY22 Curbside Revenue in the amount of \$1,273,760.00. Selectman Teitelbaum seconded. Roll Call: Selectman Slavin-yes, Selectman Teitelbaum-yes, Selectman Munise-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

**VOTE: 5-0-0 (Unanimous)**

- d. Discussion and possible vote on Borrego Solar PILOTS.

Present before the Board: Jacqui Nichols, Director of Assessing

Ms. Nichols is seeking approval to authorize Derek Sullivan, Town Administrator, to execute the three solar PILOTS that were passed at the June 12, 2021 Town Meeting.

**MOTION:** Selectman Tropeano moved to authorize Derek Sullivan, Town Administrator to sign the three solar PILOTS. Selectman Teitelbaum seconded. Roll Call: Selectman Slavin-abstained, Selectman Teitelbaum-yes, Selectman Munise-present, Selectman Tropeano-yes, Selectman Whiteside-yes.

**VOTE: 3-0-1-1 (Selectman Slavin abstained, Selectman Munise present)**

- e. Discussion and vote regarding two HCA amendments between Town of Wareham and Doobie Inc. to reflect change of location from 3 Tow Road to 10 Little Brook Road for cultivating and manufacturing.

Present before the Board: Ericca Kennedy, Co-owner of Doobie, Inc.

**MOTION:** Selectman Tropeano moved to approve the two HCA amendments between Town of Wareham and Doobie, Inc. to reflect a change of location from 3 Tow Road to 10 Little Brook Road, Wareham for cultivating and manufacturing. Selectman Teitelbaum seconded. Roll Call: Selectman Slavin-yes, Selectman Teitelbaum-yes, Selectman Munise-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

**VOTE: 5-0-0 (Unanimous)**

- f. Ratify hiring of Morgan Mattioli-Natural Resources Officer-DNR.

**MOTION:** Selectman Tropeano moved to ratify the hiring of Morgan Mattioli-Natural Resources Officer for the DNR. Selectman Slavin seconded. Roll Call: Selectman Slavin-yes, Selectman Teitelbaum-yes, Selectman Munise-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

**VOTE: 5-0-0 (Unanimous)**

- g. Discussion and vote to recommend articles for the 2021 Fall Town Meeting Warrant.

**MOTION:** Selectman Slavin moved to recommend the PEG Access Receipts to Wareham Community TV article to be included on the 2021 Fall Town Meeting Warrant. Selectman Teitelbaum seconded. Roll Call: Selectman Slavin-yes, Selectman Teitelbaum-yes, Selectman Munise-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

**VOTE: 5-0-0 (Unanimous)**

**10. TOWN ADMINISTRATOR'S REPORT**

*Nothing to report.*

**11. LIAISON REPORTS/INITIATIVE REPORTS**

The Solar Bylaw Study Committee will be meeting September 29<sup>th</sup> at 3:00 p.m.

The total CARES act funds being awarded to the Town of Wareham is 3.5 million dollars.

SELECTMEN MEETING MINUTES-9/28/2021 (CONT'D)

Selectman Whiteside participated in the virtual meeting for the Library Board of Trustees and stated there was difficulty hearing the meeting. She urged that anyone having a Zoom meeting to make sure citizens can hear the meeting as well as participate.

**12. CONSENT AGENDA**

- a. Authorization to sign bills and documents, etc.
- b. Approval of meeting minutes: September 14, 2021.

**MOTION:** Selectman Tropeano moved to approve the meeting minutes for September 14, 2021. Selectman Teitelbaum seconded. Roll Call: Selectman Slavin-abstained, Selectman Teitelbaum-yes, Selectman Munise-yes, Selectman Tropeano-yes, Selectman Whiteside-yes.

**VOTE: 4-0-1 (Selectman Slavin abstained)**

**13. SIGNING OF DOCUMENTS APPROVED BY THE BOARD**

**14. EXECUTIVE SESSION**

M.G.L. 30A §21 (6) Re: Little Harbor-purchase of property  
To consider the purchase, exchange, lease of value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body.

**15. ADJOURNMENT**

**MOTION:** Selectman Slavin moved to exit the executive session meeting. Selectman Teitelbaum seconded. Roll call: Selectman Slavin-yes, Selectman Teitelbaum-yes, Selectman Tropeano-yes, Selectman Munise-yes, Selectman Whiteside-yes.

**VOTE: 5-0-0 (Unanimous)**

**MOTION:** Selectman Slavin moved to adjourn the executive session meeting at 8:14 p.m. Selectman Teitelbaum seconded. Roll call: Selectman Slavin-yes, Selectman Teitelbaum-yes, Selectman Tropeano-yes, Selectman Munise-yes, Selectman Whiteside-yes.

**VOTE: 5-0-0 (Unanimous)**

Respectfully submitted  
**Cassandra Slaney**  
Department Assistant

The foregoing minutes were submitted to the Board of Selectmen on:

Attest: \_\_\_\_\_

Date Signed: \_\_\_\_\_

**Patrick G. Tropeano, Clerk**

Documents reviewed and/or used in meeting.

1. Application of Holli Van Nest.
2. Application of Christopher Conti and Richard Semple.
3. Application of 99 West, LLC d/b/a 99 Restaurant & Pub.
4. Proclamation of Claire Smith as Goodwill Ambassador of Wareham, England.
5. Opt-out and reduction fee for Curbside Billing FY21.
6. FY22 Curbside Revenue.
7. Doobie Inc. change of location amendments.

SELECTMEN MEETING MINUTES-9/28/2021 (CONT'D)

8. Articles to be included on the 2021 Annual Fall Town Meeting warrant.
9. Meeting minutes of September 14, 2021.

Date sent to Town Clerk: \_\_\_\_\_

SAMPLE

**Public Body Checklist for Posting a Meeting Notice (Agenda)**  
**Issued by the Massachusetts Attorney General's Division of Open Government**  
**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. *Each body must produce and post their own agenda.*
  - ☐ 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: 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.

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).

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**FROM THE WAREHAM SELECT BOARD**

*The Open Meeting Law is specific about how an agenda must be written. Remember that the agenda should be easily understood by the General Public and is a legal document. Avoid using abbreviations, first names only, or nicknames. Be specific in your votes to describe the subject matter.*

*The Clerk or designate must send the agenda by email to [meetings@wareham.ma.us](mailto:meetings@wareham.ma.us) and the subject line must include Agenda for (name of Board, Committee or Commission). Example: Agenda for Capital Planning Committee.*

*Agendas must be ready to post at least half a day before the 48 hours that are required by the Open Meeting Law. This will ensure timely posting. Example: If your committee meets on Wednesday at 6:00 pm, the agenda should be ready to email by noon on Monday.*

*For more information and a copy of a sample agenda, please refer to the Committee Member Handbook.*

Revised 1/12/2023

## Public Body Checklist for Creating and Approving Meeting Minutes

### Issued by the Massachusetts Attorney General's Division of Open Government

- ☐ 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). *If the meeting is a joint meeting of several public bodies, each body must create their own set of minutes.*
- ☐ 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). *Remember to list the date of the Minutes you will be approving in the Agenda.*

Note that this checklist is intended as an educational guide, and does not constitute proof of compliance with the Open Meeting Law. Checklists are updated periodically, so please confirm 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).

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#### FROM THE WAREHAM SELECT BOARD

*The Clerk or designate must send the approved Minutes by email to [meetings@wareham.ma.us](mailto:meetings@wareham.ma.us) and the subject line must include Minutes for (name of Board, Committee or Commission). Example: Minutes for Board of Library Trustees.*

*Minutes are legal documents, and it is the responsibility of the Chair as well as the Clerk of the body to ensure adherence to the Law.*

*Revised 1/12/2023*

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## **940 CMR 29.00:**

## **Open Meeting Law Regulations**

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*The official regulations are published in the Massachusetts Register. For more information, contact the Secretary of the Commonwealth's State Publications and Regulations Division.*

### **Section**

- 29.01: Purpose, Scope and Other General Provisions**
- 29.02: Definitions**
- 29.03: Notice Posting Requirements**
- 29.04: Certification**
- 29.05: Complaints**
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- 29.08: Advisory Opinions**
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- 29.10: Remote Participation**
- 29.11: Meeting Minutes**

### **29.01: Purpose, Scope and Other General Provisions**

(1) **Purpose.** The purpose of 940 CMR 29.00 is to interpret, enforce and effectuate the purposes of the Open Meeting Law, M.G.L. c. 30A, §§ 18 through 25.

(2) **Severability.** If any provision of 940 CMR 29.00 or the application of such provision to any person, public body, or circumstances shall be held invalid, the validity of the remainder of 940 CMR 29.00 and the applicability of such provision to other persons, public bodies, or circumstances shall not be affected thereby.

(3) **Mailing.** All complaints, notices (except meeting notices) and other materials that must be sent to another party shall be sent by one of the following means: first class mail, email, hand delivery, or by any other means at least as expeditious as first class mail.



## Certificate of Receipt of Open Meeting Law Materials

I, \_\_\_\_\_, who qualified as a member of the  
(Name)

\_\_\_\_\_, on \_\_\_\_\_, certify pursuant  
(Public Body) (Date)

to G.L. c. 30A, § 20(h) and 940 CMR 29.04, that I have received and reviewed copies of the following  
Open Meeting Law materials:

- 1) the Open Meeting Law, G.L. c. 30A, §§ 18-25;
- 2) the Attorney General's Regulations, 940 CMR 29.00–29.11;
- 3) the Attorney General's Open Meeting Law Guide, explaining the Open Meeting Law and its application; and
- 4) if applicable, a copy of each Open Meeting Law determination issued by the Attorney General within the last five (5) years to the public body of which I am a member and in which the Attorney General found a violation of the Open Meeting Law.

I have read and understand the requirements of the Open Meeting Law and the consequences of violating it. I further understand that the materials I have received may be revised or updated from time to time, and that I have a continuing obligation to implement any changes to the Open Meeting Law during my term of office.

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Name of Public Body)

\_\_\_\_\_  
(Date)

*Pursuant to G.L. c. 30A, § 20(h), an executed copy of this certificate shall be retained, according to the relevant records retention schedule, by the appointing authority, city or town clerk, or the executive director or other appropriate administrator of a state or regional body, or their designee.*