



TOWN OF NORWELL

POLICIES AND PROCEDURES BOARD OF SELECTMEN

PURPOSE

The Board of Selectmen of the Town of Norwell, recognizing the need to codify the traditional and accepted working relationships among the members of the Board, between the Board and the Town Administrator, and between the Board and other town boards, committees, officials and citizens, and also recognizing the need to systemize and reduce to writing the Town's public policies and procedures, hereby undertake to create operating procedures for the Board of Selectmen.

NATURE OF POLICIES AND PROCEDURES

These policies and procedures shall contain items relating to topics that are not addressed elsewhere. Subjects that would more appropriately be addressed in a statute, By-Law or regulation shall not be addressed in this format.

PROCEDURE FOR ESTABLISHING POLICIES AND PROCEDURES

Draft policies and procedures shall be placed on the agenda for any regularly scheduled meeting of the Board. Drafts shall be in writing, and may be introduced only by a member of the Board or the Town Administrator. Upon receipt of a draft, the Board may choose to discuss the policy immediately or schedule the discussion for a future meeting. The Board may schedule any hearings or meetings it deems necessary for discussion. The Board may distribute a draft for comment to appropriate officials, as it deems necessary.

The Board shall not vote on a policy at the same meeting that it is first introduced. This rule may be waived if the Board unanimously votes that prompt action is necessary. A unanimous vote of the board is necessary for adoption.

The Town Administrator shall be responsible for the maintenance of all policies and procedures.

AUTHORITY

The Board of Selectmen is an elected Board and derives its authority and responsibilities from the statutes of the Commonwealth of Massachusetts and the By-Laws of the Town of Norwell.

ELECTION AND QUALIFICATION

The Board shall consist of duly elected members. Before assuming official duties, each newly elected member shall be sworn to faithful performance of official responsibilities by the Town Clerk.

VACANCIES ON THE BOARD

When a vacancy occurs in the membership of the Board of Selectmen, the Board or its remaining members may call a special town election to fill the unexpired term or terms in accordance with the Massachusetts General Laws.

ROLE OF THE BOARD OF SELECTMEN

The Board is responsible for policy development and review for compliance. The Board works with the Town Administrator on policy formulation. The Board is responsible for supervising the departments of the general government that are not supervised by the other elected officials. This responsibility is delegated to the Town Administrator. Concerns and questions about the operation of departments and suggestions for improvements shall be addressed to the Board through the Town Administrator. The responsibility for addressing these issues is thus carried out by the Town Administrator. Selectmen may be called upon to resolve disputes that are unable to be resolved on the staff level. The Selectmen may follow up on concerns or issues addressing these approved policies.

ROLE OF THE TOWN ADMINISTRATOR

The Board appoints a Town Administrator who functions as the Town's Chief Administrative Officer. The primary duties of the Town Administrator shall be the day-to-day administration of the general governmental as outlined in the position's job description. The Town Administrator shall also assist and work under the direction of the Selectmen in the formulation of policy. The Town Administrator must maintain a close working relationship with all members of the Board. He/she shall regularly brief the Board on all important issues. In order to provide the Town with continuity of management and the Town Administrator with job security, the Selectmen are committed to maintaining an employment agreement with the Town Administrator, as permitted by statute.

BOARD ETHICS

1. A member of the Board of Selectmen, in relation to his or her community should:
 - a. Realize that his or her basic function is to make policy, with administration delegated to the Town Administrator.
 - b. Realize that he or she is one of a team and should abide by, and carry out all board decisions once they are made.
 - c. Be well informed concerning the duties of a board member on both local and state levels.
 - d. Remember that he or she represents the entire community at all times.
 - e. Accept the office of Selectmen as a means of unselfish service, and not benefit personally or politically from his or her board activities.
 - f. In all appointments, avoid political patronage by judging all candidates on merit, experience, and qualifications only.

- g. Abide by the ethics laws established by the State and not use the position to obtain inside information on matters that may benefit someone personally.
- 2. A member of the Board of Selectmen, in his or her relationships with administrative officers of the Town should:
 - a. Endeavor to establish sound, clearly defined policies that will direct and support the administration for the benefit of the people of the community.
 - b. Recognize and support the administrative chain of command and refuse to act on complaints as an individual outside the administration.
 - c. Give the Town Administrator full responsibility for discharging the Board's dispositions and solutions.
- 3. A member of the Board of Selectmen in his or her relationships with fellow board members, should
 - a. Recognize that action at official legal meetings is binding and that he or she alone cannot bind the board outside of such meetings.
 - b. Not make statements or promises of how he or she will vote on matters that will come before the board until he or she has had an opportunity to hear the pros and cons of the issue during a board meeting.
 - c. Uphold the intent of executive session and respect the privileged communication that exists in executive session.
 - d. Make decisions only after all facts on a question have been presented and discussed.
 - e. Treat with respect the rights of all members of the board despite differences of opinion.

ORGANIZATION OF THE BOARD

The Chairman shall be elected annually at the first regular meeting following the Annual Town Election. The Board may elect to remove the Chairman at any subsequent meeting. A majority vote shall constitute an election. Nominations require no second. The immediate past Chairman shall preside as Chairman pro tem until the Chairman is elected. If there is no immediate past chairman, the senior member in terms of current service shall serve as Chairman pro tem. In the case of members with the same amount of seniority, the member receiving more votes in the most recent election shall serve. If a vacancy occurs in the office of the Chairman, the Board shall elect a successor. The Board shall further appoint a Vice-Chairman and Clerk under the same provisions stated for the Chairman.

RESPONSIBILITIES OF THE CHAIRMAN

The Chairman of the Board shall:

- 1. Preside at all meetings of the Board. In doing so, he/she shall maintain order in the meeting room, recognize speakers, call for votes and preside over the discussion of agenda items.
- 2. Sign official documents that require the signature of the Chairman.
- 3. Call special meetings in accordance with the Open Meeting Law.
- 4. Prepare agendas with the Town Administrator
- 5. Arrange orientation for new members.
- 6. Represent the Board at meetings, conferences and other gatherings unless otherwise determined by the Board or delegated by the Chairman.

7. Serve as spokesman of the Board at Town Meetings and present the Board's positions unless otherwise determined by the Board or delegated by the Chairman.
8. Assign overview responsibilities for project and tasks to Board members unless otherwise determined by the Board.

The Chairman shall have the same rights as other members to offer motions and resolutions, to discuss questions and to vote thereon.

RESPONSIBILITIES OF THE VICE-CHAIRMAN

The Vice-Chairman of the Board shall act in the place of the Chairman during his/her absence at meetings. Should the Chairman leave office, the vice-chairman shall assume the duties of Chairman until the Board elects a new Chairman.

RESPONSIBILITIES OF THE CLERK

The Clerk shall take minutes of the board's meetings in the absence of the Town Administrator. The Clerk shall read any correspondence or other documents required at meetings.

REGULAR BOARD MEETINGS

Regular Board Meetings are held on Wednesday of each *week or on a day as agreed to by the Board*. The Board shall not meet on days designated legal holidays. The Board may meet alternate Wednesdays during the summer months.

SPECIAL MEETINGS

A meeting called for any time other than the regular meetings shall be known as a "Special Meeting." The same rules as those established for regular meetings will apply. Special meetings may be called, provided that a majority of the members agree to meet and all Board members are notified.

WORKING MEETINGS

The Board may conduct informal "working sessions" from time to time as the situation warrants. At such meetings, which will be posted in accordance with the Open Meeting Law, no official action will be taken. A synopsis of transactions of informal meetings will be made a part of the minutes of the following regular meeting.

MEETING PROCEDURES

Meetings are to be conducted in accordance with generally accepted rules of parliamentary procedure and the Open Meeting Law. It is the practice that application of such procedure be on a relatively informal basis due to the size of the group and the desirability of flexibility in the expression of opinion. Robert's Rules of Order is used as a guide in matters requiring clarification or definition.

A quorum shall consist of a majority of the Board. As a practical courtesy, action on critical or controversial matters, and the adoption of policy or appointments shall be taken, whenever practicable, with the full Board in attendance. Actions and decisions shall be by motion, second and vote. Split votes will be identified by name.

The Town Administrator is expected to be in attendance at all meetings of the Board. The Town Administrator shall attend in order to keep the Board informed and advised and recommend in all matters that fall within the jurisdiction of his/her office. He/she shall carry out the actions of the Board as they relate to the conduct and administration of Town affairs under his/her jurisdiction.

EXECUTIVE SESSION

If practicable, Executive Sessions, other than a few minutes in duration, will be scheduled only at the end of open meetings. Only items clearly allowed under the Open Meeting Law shall be included in Executive Session. The mover must specify in the motion to enter Executive Session the reason the session is sought. A majority of the members present must vote to enter Executive Session by roll call vote. The Chairman must state whether or not the Board will reconvene into open session.

AGENDA PROCEDURES

The responsibility for coordinating and planning the weekly agenda is that of the Town Administrator. Each of the Board Members and the Town Administrator may place items on the agenda with the approval of the Chair or by vote of the Board. The Town Administrator, in consultation with the Chairman, shall schedule a realistic time period for each appointment, interview, conference or other scheduled item of business. All items for the agenda must be submitted to the Town Administrator by 12:00 pm on the Friday preceding the meeting. Items of emergency or strictly routine nature that develop after closing of the agenda may be considered under "other business." Agenda items normally include:

1. Call Meeting to Order
2. Approval of Minutes
3. Appointments
4. Old Business
5. New Business
6. Upcoming Meetings
7. Adjournment

Members of the Board, Town Administrator, staff or others who prepare background material for the meeting should make an effort to have such material available for Tuesday afternoon. If background information is insufficient or complicated and or if complex memos or motions are presented at the meeting, any member should feel free to request the tabling of the item to allow careful study of the material presented or the motion proposed.

The agenda shall be available to the public and the press at the Selectmen's office the Monday afternoon prior to the meeting date and shall be posted at the Town Office bulletin board and the Town web site that same day. Copies of the minutes of the previous meeting shall be forwarded with the agenda to Board members.

The Board shall not begin discussion of or act on an agenda item after 10:00pm of a regularly scheduled meeting. This rule may be waived by a unanimous vote of the members at the meeting.

MINUTES

Minutes circulated to members of the Board on or before any Friday shall be in order for approval at the next regular meeting of the Board.

Minutes shall contain a full statement of all actions taken by the Board and of the disposition of all proposals for action. Approved minutes shall be recorded in a Minutes Book. Minutes of Executive Sessions shall be separately kept and recorded in accordance with the above procedures. Minutes (other than of executive sessions) are open for public inspection.

APPOINTMENTS

The Board makes numerous appointments each year. Appointments are generally made for one or three years in length. In no case, may appointments be made for more than three years unless specifically allowed by State Law. Appointments generally are made after the annual elections each year.

Whenever possible, the Board will seek variety in backgrounds, interests, ages, gender and geographic areas of residents, so that a true cross section of the community will be reflected. In order to attract qualified and interested persons, vacancies will be made public as far in advance of appointment as practical. Vacancies could be advertised in the local paper as well as on Cable TV. Appointments should be based on merit and qualifications rather than political *considerations*.

The Town Administrator will:

1. Provide by June 1st of each year, a list of the appointments and vacancies to be filled by the Board.
2. Notify the Chairman of the appropriate board or committee requesting recommendations regarding reappointment or the filling of vacancies.
3. Notify incumbents and request their statements of availability regarding reappointment.

All candidates seeking appointment for the first time to a position shall submit a Town of Norwell Committee Application form. They may include a short written statement or resume. This application shall be included in the Board agenda packet in advance of the meeting. An application will only be requested from a candidate seeking reappointment by specific request of a majority of the Board.

The Board will interview candidates seeking an appointment for the first time to the following positions as well as all elected positions being filled due to a vacancy:

Board of Assessors
Personnel Board
Advisory Board

Conservation Commission
Zoning Board of Appeals

Notice of candidates being interviewed shall be included in the agenda provided to the Board. The Board may request that candidates for a position not listed above be interviewed. Those candidates not being interviewed will be considered upon receipt of a resume/statement. Appointments will normally be made only when all members of the Board are present. Appointments will be made by a majority vote of the Selectmen.

COMMITTEES APPOINTED BY THE BOARD OF SELECTMEN

The Board may appoint standing or ad hoc advisory committees to aid on matters under the Board's jurisdiction. The use of such advisory committees provides greater expertise and more widespread citizen participation in the operation of government.

Charges to advisory committees shall be in writing and shall include the work to be undertaken, the time in which it is to be accomplished and the procedures for reporting to the Selectmen. Each committee must report in writing at least semi-annually to the Selectmen. The Selectmen and Town Clerk's Office shall be sent copies of all committee agendas and minutes. The Board will discharge committees upon the completion of their work.

The charges and membership of standing advisory committees shall be reviewed by the Board periodically – at least annually – to assess the necessity and desirability of continuing the committee. Reappointments will be based on an evaluation of the member's contribution, the desirability of widespread citizen involvement and the changing needs of the committee and the town.

It is the policy of the Selectmen to appoint qualified citizens representing all sections of the town to all such advisory committees. The Board will normally appoint no individual to more than one standing advisory committee at any one time.

In order to attract qualified and interested persons, vacancies will be made public as far in advance of an appointment as practical.

RELATIONS WITH OTHER TOWN DEPARTMENTS, BOARDS, COMMITTEES AND COMMISSIONS

The Board of Selectmen is aware that coordination and cooperation is needed among the town's major departments, boards, committees and commissions not only in the day-to-day operations of government but also to: 1) set town-wide goals and priorities; 2) identify and anticipate major problems and work together towards their resolution, and 3) develop a process for dealing with state and county government. Therefore, as the executive board, historically responsible for the overall leadership and coordination of town affairs, the Selectmen will:

1. Regularly schedule meetings with department heads and the chairman of major boards and committees to carry out functions 1-3 listed above. One meeting, shall, if possible, be held between the annual election and the start of town meeting for the purpose of reviewing the warrant and expediting town meeting.
2. Regularly schedule meetings of the Selectmen, Advisory Board and School Committee.
3. The Town Administrator is responsible for inter-board communication in the day-to-day operations of government. The Town Administrator shall develop a process for exchange of information and the provision for advice and recommendations among the departments, boards, committees and commissions with common interest, which may include but not limited to the exchange of minutes, the establishment of a central repository for data, studies and reports and the coordination of members or staff of boards, committees or commissions with one another around common projects.
4. Appoint certain members of the Board of Selectmen to act in a representative role defined above.

RELATIONSHIP WITH CITIZENS

The Board recognizes that it both represents and is accountable to all the citizens of the town. It is the Board's policy to make every effort to strengthen communications with citizens. Measures will be instituted to increase citizen participation, encourage citizen input into governmental decisions and to keep citizens informed of all actions contemplated or taken by the Board and the town meeting, which will affect them.

To this end, the following steps will be taken:

1. An individual citizen or group of citizens may request an appointment before the Board by contacting the Town Administrator, stating precisely the reason for the appearance and the action desired and naming a spokesman for the group. Participants shall be given the opportunity to make a reasonable presentation through the spokesman and to express opinions and ask for pertinent information. Background data shall be prepared by the boards and departments concerned prior to the appointment insofar as possible, so that all parties involved can have a reasonable understanding of the subject matter. Citizens are encouraged to have written materials submitted for the Board's meeting.
2. In considering matters of citizen concern at a regular meeting, the public will be allowed to ask questions or make statements relative to the matter under consideration at the discretion of the Chairman or upon request of any member of the Board.
3. All citizen questions are to be answered promptly. Questions and concerns relating solely to the Office of the Selectmen shall be answered promptly by the Chairman, after consulting with the Board, or at the discretion of the Board, by the Town Administrator. Those needing prompt attention by the Board should be referred to the Town Administrator for inclusion in the next meeting agenda.
4. All complaints are to be in writing and referred to the Selectmen's Office for action or recommendation.
5. In an emergency situation where common sense dictates that the Board member receiving the complaint deal directly with a department head, the Board member shall

inform the Town Administrator and the other Board members of the issue and its disposition.

Adopted:

TOWN OF NORWELL
BOARD OF SELECTMEN

By:


John G. Mariano

By:


Gregg McBride

By:


Ellen Allen

July 13, 2011

