



REMOTE PARTICIPATION POLICY

PURPOSE

To allow remote participation for meetings of Town Boards, Committees, and Commissions in accordance with the requirements of the applicable regulations, 940 CMR 29.10

APPLICABILITY:

This applies only to Town Boards, Committees, and Commissions that affirmatively adopt this policy at a regularly scheduled meeting for which proper notice and posting has been given.

POLICY

Pursuant to this Selectboard's authority under 940 CMR 29.10 (8) the board adopts the following policy conditioning and limiting the use of remote participation as follows:

1. Members of a public body who participate remotely and all persons present at the meeting location shall be clearly audible to each other;
2. A quorum of the body, including the chair or, in the chair's absence, the person authorized to chair the meeting, shall be physically present at the meeting location, as required by MGL Chapter 30, Section 20(d);
3. Members of public bodies who participate remotely may vote and shall not be deemed absent for the purpose of MGL Chapter 39, Section 23D.
4. A member of a public body shall be permitted to participate remotely in a meeting, in accordance with the procedures described in 940 CMR 29.10(7), if the chair or, in the chair's absence, the person chairing the meeting determines that one or more of the following actors makes the member's physical attendance unreasonably difficult and such reason shall be recorded in the minutes of the meeting;
 - a. Personal illness;
 - b. Personal disability;
 - c. Emergency;
 - d. Military service; or
 - e. Geographic distance.
5. Technology:
 - a. The following media are acceptable methods for remote participation. Remote participation by any other means is not permitted. Accommodations shall be made for any public body member who requires



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TTY service, video relay service, or other form of adaptive telecommunications.

- i. telephone, internet, or satellite enabled audio or video conferencing;
 - ii. any other technology that enables the remote participant and all persons present at the meeting locations to be clearly audible to one another.
 - b. When video technology is in use, the remote participant shall be clearly visible to all persons present in the meeting location.
 - c. The public body shall determine which of the acceptable methods may be used by its members.
 - d. The chair or, in the chair'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, whenever 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, the fact and the time at which the disconnection occurred shall be noted in the meeting minutes.
 - e. The costs of the connection shall be borne solely by the absent member and shall not be the responsibility of the Town, Board, or Commission.
6. Procedure:
 - a. Any member of a public body who wishes to participate remotely shall, as soon as reasonably possible prior to a meeting, notify the chair or, in the chair'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.
 - b. At the start of the meeting, the chair shall announce the name of any member who will be participating remotely and the reason under 940 CMR 29.10(5) for his or her remote participation. This information shall also be recorded in the meeting minutes.
 - c. All votes taken during any meeting in which a member participates remotely shall be by roll call vote.
 - d. 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 presence of that person is approved by a simple majority vote of the public body.
 - e. When feasible, the chair or, in the chair's absence, the person chairing the meeting, shall distribute to remote participants, in advance of the



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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 MGL Chapter 30A, Section 22.

7. Abuse or Violation of any of the implementation rules may result in an investigation by the Attorney General. He or she may temporarily or permanently discontinue the use of remote participation.

This vote and policy applies to all town bodies that are subject to the Open Meeting Law.

Approved by the Selectboard in regular session on June 30, 2015.