TOWN OF HADLEY

APPOINTED VOLUNTEERS’ HANDBOOK

June 12, 2019

Presented by

David G. Nixon
Town Administrator
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June 12, 2019

Dear Reader:

If you are reading this message, it is because you have been appointed (or you are considering being appointed) to serve on a committee for the Town of Hadley. Congratulations.

The Town of Hadley is mainly a volunteer organization assisted with the help of hired professionals. Volunteers make many of the higher-order decisions and develop the operating policies for the Town. Volunteers are responsible for most executive decisions, affecting over-all governance, educational development, planning, adherence to state and local regulations, and finances. As a member of a committee, you are participating in preserving our democracy and building a better community.

This handbook is intended to assist your important contributions by making sure that the roles of committee members are clearly defined and that state requirements regarding to public bodies are clear and easily followed.

Please review the contents of this handbook carefully, as it contains helpful information. If you have any questions, please feel free to contact me at 413-586-0221, and we can discuss issues of procedure.

Sincerely,

David G. Nixon
Town Administrator

Hadley Volunteer’s Handbook
1: Getting Started – Resources for Volunteers

1.1 Purpose
The Select Board provides this Appointed Volunteers’ Handbook to assist the Town of Hadley’s many volunteers to appointed boards, commissions, and committees.

The Handbook provides a brief description of Hadley’s procedures which may be known to some, but unfamiliar to others. It also provides information about important state statutes, such as the Open Meeting Law and the Conflict of Interest/Ethics Law, which need to be understood by all.

1.2 Additional Publications
This Handbook does not attempt to duplicate all the details given in other state and local publications. For a more thorough treatment of issues and rules affecting committee service, please see:


New committee members should read these important state and Town documents and educational materials, and save them as references. In addition, new committee members may wish to read past minutes and agendas, to better understand the committee’s activities.

New volunteers will be provided a copy of their committee’s mission charge; all written information explaining the committee’s specific role, powers and duties; issues frequently encountered; and any specific rules and regulations pertaining to his/her particular committee. Newly established committees, or a committee without specific rules and regulations, will begin by drafting rules and regulations and submitting them to the Select Board’s office for approval and adoption. Individual volunteers, or a full committee, may request training from state sources, Town staff, Town Attorney, or other sources, by making a written request to the Select Board’s office at any time.

2: Forming Committees

2.1 Appointing Authority / Committee Formation
The Select Board appoints the majority of the Town’s committees; state statutes outline the powers and duties of many committees; the Town’s Service Delivery Plan, adopted by the Select Board, further defines the committees’ work.

The Select Board may appoint ad hoc committees for advice on a specific issue; the Select Board will prepare a mission statement and charge detailing the function, composition, and volunteers’ terms of service. The Select Board may meet with or receive reports and
recommendations from the committee. Such committees, because they report to the Select Board are subject to Open Meeting Law requirements (because they report to more than one individual).

The Town Administrator may create an ad hoc committee and may appoint members. Such committees report to the Town Administrator and, because they report to only one individual, such committees are exempt from Open Meeting Law [OML] requirements. (However, the Town Administrator is obliged to report the activities, recommendations, or results of any Town Administrator-appointed committee to the Select Board at the next public meeting.)

2.2 Getting Appointed
The Select Board’s office will publicize committee vacancies. Before applying for a position, volunteers are encouraged to attend meetings of any committee on which they desire to serve.

Generally, to be considered for appointment, an applicant must be a resident and registered voter in Hadley. Completed application letters of interest for the specific committee must be returned to the Select Board’s Office. Letters should contain your contact information and a statement of qualifications that would make you a good member of the committee. Completed forms are returned either electronically (info@hadleyma.org) or in hard copy (Select Board, Town Hall, 100 Middle Street, Hadley, MA 01035).

In addition to showing why the volunteer is suitable for appointment to the committee (professional or volunteer experience, specific training or knowledge that would be beneficial, etc.) applicants should clearly explain any potential for conflict of interest or the appearance of conflict of interest [See Section 2.4, Conflict of Interest].

After receiving an application, the Select Board will invite the applicant to an open meeting. If there are no openings on the individual’s chosen committee(s), the application will be kept on file for one year, to be considered if an opening occurs. The Select Board will notify the applicant of the outcome.

2.3 Considerations for Appointment
The Select Board’s objective is to appoint qualified and interested Hadley residents who are broadly representative of the Town’s demographics. The Select Board considers applications and suggestions from many sources, including, but not limited to verbal expressions of interest, work experience, personal references, etc. The Select Board also takes into account other relevant factors (e.g., age, sex, race, experience, residential location, etc.), to ensure a wide-ranging representation of residents. Selection is based on current committee composition, candidate qualifications, experience, personal and any relevant recommendations, committee availability, and, if the applicant has previously served, on his/her previous attendance record, service, and performance record. Generally, a person finishing a successful first term is given preference for a second term, if desired. However, when appropriate, the Select Board will encourage turnover on committees to maximize opportunities for citizen participation.

Hadley Volunteer’s Handbook
In general, the policy is for an individual to serve on no more than two permanent committees simultaneously. Some committees have voting or non-voting representatives appointed through their home committees. For example, the Community Preservation Committee [CPC] has voting representatives appointed by the Conservation Commission, the Historical Commission, the Planning Board, the Affordable Housing Trust, the Housing Authority, the Open Space Committee, the Parks and Recreation Commission, with one at-large member appointed by the Select Board. Each committee chair notifies his/her appointee and the Select Board in writing of the CPC appointment. The Select Board notifies the Town Clerk. Committee members must be sworn in by the Town Clerk for the new committee assignment prior to attending a committee meeting as an official member.

2.4 Swearing In
At swearing in, the Town Clerk provides committee members information on the Open Meeting Law [M.G.L. c. 30A, §§ 18-25], the Commonwealth’s required Ethics Exam, and the Conflict of Interest Law [COIL] Summary. All volunteers must return a signed acknowledgement receipt of the Conflict of Interest Law Summary and a printed copy of the Ethics Examination certificate to the Town Clerk’s Office (clerk@hadleyma.org, or by mail to Town Clerk, Town Hall, 100 Middle Street, Hadley, MA 01035).

2.5 Reappointment
Reappointment is based on an evaluation by the Select Board of the committee member’s contribution to the committee, the desirability of widespread involvement, and the changing needs of the committee and the Town. Although there is no fixed limit on length of service, it is normally limited to two (2) terms, three (3) years in length each. In cases where special training or expertise is required, longer periods of service may be appropriate. A committee member is under no obligation to accept reappointment, nor is the Select Board obligated to offer it.

2.6 Resignation
A committee member no longer able to serve should resign promptly so that the vacancy may be filled. A written resignation must be submitted to the Town Clerk’s Office, the Select Board and the chair of the committee.

2.7 Associate Members
Some committees have associate or alternate members. Appointments of associate or alternate members are made by the Select Board using the same process as regular members.

2.8 Charge and Plan of Action
A committee’s initial meeting will include a review of its mission statement as defined by the Service Delivery Plan, and its charge as prepared by the Select Board. The committee, with advice from staff and the appointing authority, should develop a plan of action with goals and objectives. The plan should include major reporting milestones, so that the committee and the Select Board may assess committee progress.

2.9 Reporting to the Select Board
The Select Board requires a regular report on a committee’s actions and plans through
either the chair or the Town Administrator. That report will be incorporated in the operational report so all staff, committees, and interested residents can be kept abreast of committees’ activities.

The Conflict of Interest Law, found at [M.G.L. Chapter 268A]. Also, the State Ethics Commission Website: [http://www.mass.gov/ethics], identifies permissible and impermissible relationships for committee members.

3: Handling Conflicts of Interest
3.1 Conflict of Interest Law Purpose
According to A Practical Guide to the Conflict of Interest Law for Municipal Employees (2001), the “purpose of the conflict law is to ensure that public employees’ private financial interests and personal relationships do not conflict with their public obligations. The law is broadly written to prevent a public employee from becoming involved in a situation which could result in a conflict or give the appearance of a conflict. The law restricts what a public employee may do: (1) on the job; (2) after hours (or “on the side”); and (3) after leaving public service.” Under the law, committee members, whether paid or volunteer, are considered “special employees,” and are held to that standard.

3.2 Conflict of Interest Law Provisions
The law prohibits a variety of actions, including bribery, extra pay, or receipt of gifts or privileges because of a committee member’s official actions, and acting as an agent or attorney for anyone in a claim against or doing business with the Town. COIL prohibits all municipal employees from participating in a particular matter in which committee members or any of the following have a financial interest:
   a. Immediate family
   b. Partner or business associates
   c. Business organization in which the committee member serves as an officer, director, trustee, partner or employee (including a non-profit organization).
   d. Any person or organization with whom the committee member is negotiating or has any arrangement concerning prospective employment.

If a committee member discloses a conflict of interest or an appearance of conflict in a matter before the committee, he/she will not be counted in the quorum, nor be allowed to participate in any discussions or votes on that issue. It is advisable that the member excuse him/herself from the meeting during discussions and votes to ensure that no undue influence is felt by fellow committee members. If a committee member is concerned about the possible conflict of interest, he/she should contact the State Ethics Commission. The Ethics Commission exists to provide protection for employees/volunteers. All communication with the Ethics Commission is kept strictly confidential on their part. However, the one who sought information from the Ethics Commission is free to disclose that fact, and the information given.

In some instances, a formal disclosure may be needed, or a special exemption could be granted by the appointing authority, so that the committee member may continue service. [See: [http://www.mass.gov/ethics/disclosure-forms/municipal-employee-disclosure-forms/].]

After discussion with the Ethics Commission staff, if committee members have any
questions about their activities, they should file a written request with the Select Board who will consult with the Town Attorney on the issue.

3.3 Who the Conflict of Interest Law Governs

3.3.1 Municipal Employees:
The conflict law regulates the conduct of public officials and employees (referred to collectively in the law as “employees”) at the state, county and municipal levels of government. The term employee at each level is defined expansively. A municipal employee is anyone who holds an office, position, employment, or membership in a municipality. Such a person may be paid or unpaid, working full-time or part-time, serving as a volunteer, or as a consultant, or working only on an intermittent basis. For example, unpaid members of local town or city boards or commissions are municipal employees, as are private citizens serving on a special advisory committee appointed by the Select Board or Town Council to make recommendations on a specific issue.

3.3.2 “Special” Municipal Employees:
“Special” Municipal Employee status may be assigned to certain municipal positions by a vote of the Town Council. Two sections of the conflict law apply less restrictively to special municipal employees. You are eligible to be designated as a special municipal employee provided that: (1) you are not paid; or (2) you hold a part-time position which allows you to work at another job during normal working hours; or (3) you were not paid by the city or town for more than 800 working hours (approximately 20 weeks full-time) during the preceding 365 days.

It is the municipal position which is designated as having special status, not the individual. Therefore, all employees holding the same office or position must have the same classification as special. For instance, one member of a school committee may not be classified as a special unless all members are similarly classified.

3.4 Designation of Committee Members as “Special” Municipal Employees
The Select Board votes to designate some committees’ members as “Special” Municipal Employees based on the committee requesting such designation. Being designated as a “Special” Municipal Employee is not common.

4: Organization and Procedures for Meetings

4.1 Elections
Committees elect a chair, a vice-chair and a secretary/clerk, upon formation. Generally, the first meeting of a new fiscal year is a good time to consider re-organization of the committee, if members wish. The immediate past chair will notify the Select Board’s office of leadership changes. The staff will be responsible for updating the information on the committee’s web page.
4.2 Chair
The chair’s primary responsibilities are the creation of meeting agendas, calling
meetings, and facilitating legally appropriate Open Meetings (unless the committee is an ad hoc
committee advising only one person).

The chair presides at all meetings, decides questions of order, calls special meetings, and
signs official correspondence. The chair has the same rights as other members to offer
resolutions, make or second motions, discuss questions, and vote thereon. However, chairs often
reserve their votes to either supporting a unanimous commitment of the committee or to breaking
a tie. The chair must be mindful of the chair’s role in facilitating a full range of opinion from the
committee and, in a public hearing, from the public.

Duties overseen by the chair include:
   a. Conducting meetings in an orderly fashion, normally according to a modified
      version of Robert’s Rules.
   b. Assuring the reservation of a meeting room through the Select Board’s office.
   c. Legal posting of the meeting and agenda with the Town Clerk’s Office at least 48
      hours in advance of the meeting (weekends and holidays do not count toward the
      48 hours).
   d. Assuring that the meeting and agenda are posted on the Town’s web site.
   e. Consulting with members and staff to prepare agendas.
   f. Ensuring that all needed materials are available to the Committee.
   g. Ensuring that any technology needs for the meeting are supplied.
   h. Establishing the calendar.
   i. Communicating regularly with the Select Board on Committee matters.
   j. Preparing and submitting an annual report for inclusion in the Annual Town
      Report.

4.3 Vice-Chair
The vice-chair serves as the chair whenever the latter is absent from meetings, along with
performing other necessary duties.

4.4 Committee Secretary/Clerk
Each committee must have a secretary/clerk. The clerk shall be responsible for
certification of the committee’s meeting minutes, observance of the public records law,
maintenance of other records of the body, and filing of minutes with the Town Clerk.

The staff liaison will generally complete the administrative tasks associated with the clerk’s
responsibilities:
   a. contacting any persons needing to be notified of committee actions.
   b. posting the approved and draft minutes.
   c. contacting any person needed for a presentation, etc. for the next meeting.
   d. drafting and circulating an agenda for the next meeting.
   e. forwarding draft minutes to committee members prior to the next meeting.
   f. following-up on any assigned tasks, etc.
In the absence of a staff liaison, the clerk will be responsible for completing those tasks.

4.5 Rotating Clerk
A committee may choose to have a rotating clerk. The rotating clerk holds the same identical responsibilities as the clerk.

4.6 Annual Town Report
All appointed committees must file an annual report of finances (if relevant), and of membership and activities with the Select Board’s Office for the Annual Town Report. The chair or committee clerk should be responsive when the request for committee reports is issued.

5: Guidelines and Procedures for Committees
5.1 Quorum
A quorum is necessary to conduct official business (the Zoning Board of Appeals is a special case, requiring all members of a three-member panel to be present for a hearing; regular quorum rules apply for ZBA administrative meetings). Generally, a quorum consists of greater than 50% of the full membership (i.e., a quorum for a six-member committee is four; quorum for a seven person committee is also four). A meeting occurs at any time a quorum of the committee (or subcommittee) gets together to discuss or consider any public business or policy over which the committee has some jurisdiction or advisory power. Under certain circumstances, members may participate in meetings from remote locations. These members can vote and participate in discussions, but remote participation cannot be used to count towards a quorum.

5.2 Staff Assistance
When possible, the Select Board may appoint a staff member to serve as liaison to each committee. For some committees, the liaison attends meetings. His/her responsibilities vary, depending on the charge of the committee, but generally include providing technical and administrative support, and information. The staff liaison is an employee of the Town, and is not answerable directly to the committee or the Chair. In conjunction with the committee chair, he/she keeps the Select Board informed about the committee’s work, particularly policy issues, significant problems or developments, workload difficulties, or other significant items. The Select Board may seek input from the committee chair prior to the annual performance review of the liaison. Requests for legal assistance from the Town Attorney should be directed to the Select Board through the committee’s staff liaison. Most administrative tasks will be performed by the committee. However, if no Town staff is assigned to attend meetings, duties fall to the chair or other designated committee members.

5.3 Posting
It is the responsibility of the committee (the chair, clerk or staff liaison) to give notice to the Town Clerk, so that the committee’s meetings -- time, date, place, and draft agenda -- may be posted 48 hours in advance of the meeting. Except for emergencies, meetings must be posted on the Town’s web site 48 hours in advance by the Town Clerk. Saturdays, Sundays or legal holidays are not included in the 48-hour period [MGL c. 30A, section 20]. In the case of emergency meetings (sudden, unexpected occasions which require immediate action by the body, and the body makes a written determination of the emergency), the 48-hour posting requirement is waived; however, the Town Clerk must be informed and the meeting posted as
soon as possible. The Town Clerk is responsible for maintaining a current listing of all posted meetings on the Town’s website at http://www.hadleyma.org, and in a binder available at the Town Clerk’s office during all working hours.

5.4 Prepare Agendas and Other Materials
The committee’s clerk and the chair prepare a formal agenda and compile all necessary supporting documents, including draft minutes of the prior meeting; for posting with the Town Clerk and the Town’s website; and for distribution to committee members at least 48 hours prior to the meeting date (with holidays and weekends not counted in the 48 hours). All documents submitted must be in a Microsoft Word (.doc or .docx) format, a text file (.rtf), or in Portable Document Format (.pdf).

5.5 Electronic Communication
All committee members are expected to be prepared to receive meeting materials and other communication electronically. If there are members who cannot access electronic copies, the chair will make alternative provisions upon request of that committee member. Committee members should remember that no electronic communications (e-mail, social media, etc.) concerning committee work should take place among members. All communications concerning committee work should occur publicly at the meetings. Emails and other electronic communications are considered to be subject to the Public Record Law.

5.6 Meeting Space
The Select Board requires most meetings be held in the Town Hall, Library, or School building (for the School Committee). In circumstances where there is not sufficient room in the Town Hall, a meeting may be held in other public and accessible locations. Several committees are expected to meet where their departments are located, e.g., Council on Aging (Senior Center) and the Library Board of Trustees (the Library).

Committee meetings should never take place in private residences.

Meeting rooms should be reserved according to the regular meeting schedule and expected turnout. The committee should identify a regular meeting day and time, and submit that information to the Select Board’s office to reserve appropriate meeting space. If a special meeting is needed, or if the expected number of attendees requires a larger meeting space, the Select Board’s office can alter the room reservation. Reserve all meeting spaces with the Select Board’s office and post meetings with the Town Clerk before the meeting.

5.7 Access to Town Hall
Meetings scheduled in the Town Hall after normal business hours will require access via a key to allow residents and committee members entry.

5.8 Meeting Schedule
Meeting frequency depends on a committee’s workload. Most meetings are held weekly, bi-monthly, or monthly. In some cases, a committee may only meet quarterly. The chair calls each meeting except for the first one, which is called by the appointing authority. Electing a chair and determining a regular meeting day, time and location, should be the committee’s first
priorities. Except in cases of emergency, committees do not meet on major religious or official holidays or if Town Hall is closed due to weather. Weekend meetings are discouraged unless they are required by specific event or circumstance.

5.9 General Guidelines
Committees follow Robert’s Rules of Parliamentary Procedure, or similar sets of procedural guidelines. Although most small committee discussions may seem too casual to be called debate, it is still advisable for the committee to observe generally accepted meeting procedures. Attentive guidance by the chair and adherence to adopted procedures increase efficiency and maintain objectivity and order. The Town Administrator has issued a standard format agenda to guide the committee’s business [see Appendix].

The chair should limit member discussion to concise, non-repetitive statements. In some cases, time limits may be advisable. All members who wish to speak should be allowed to do so before anyone is invited to speak a second time. Although desirable, it is not necessary for the committee to continue discussion until complete consensus is achieved. The chair may choose to call for a vote, postpone until more information is available, or refer to a subcommittee.

Careful preparation before meetings, e.g., organizing agenda items, distributing information in advance, posting all information on line, and anticipating possible questions, can expedite discussion, facilitate action and avoid long and exhausting meetings. Good public process may include vigorous dissent with civil discussion and mutual respect among individuals of diverse points of view. Discussion in committees includes the work of the committees, not personal comments, which are always out of order. The Select Board reserves the right to remove committee members for inappropriate personal attacks during meetings. Visitor participation in discussions or debates is at the discretion of the Chair.

The chair controls presentations and all meeting discussions. The chair may need to remind speakers of time limitations and warn against repetition, and if a visitor refuses to be silent after a warning from the chair, the chair has the authority to order the visitor removed from the meeting by the police, to call a recess, or to continue the meeting to another certain date and time. Nevertheless, all committee members represent and serve the Town. Visitors and committee members should always be treated with courtesy and consideration.

The Select Board requires that all committees reserve time on the agenda for public comment or participation in some form. Public participation is expected and desired during scheduled public hearings.

Often residents attending public meetings, especially when controversial topics are discussed, are doing so for the first time. These attendees may not know the proper protocol for public meetings.
Here are some tips for keeping the meeting productive and orderly:

a. Establish ground rules at the beginning of the meeting, such as “no one is allowed to interrupt and personal insults are forbidden,” and ask everyone to agree to the rules.

b. Make sure every speaker states his or her name and address before speaking, and if there is a non-resident speaker, the committee should vote to allow (or not allow) that person to speak.

c. Remind the audience that a 2 or 3-minute time limit will be strictly adhered to for every speaker. Acknowledge a speaker’s contribution, but if they’re going on too long, interrupt them tactfully.

d. Make sure everyone has had an opportunity to speak once before allowing a speaker to address the committee a second time.

e. Emphasize the need for constructive comments at the start of the meeting.

f. Do not be drawn into a speaker’s argument - respectfully acknowledge what they have said and move on.

g. Some attendees may be reluctant to speak. If appropriate, the chair may provide the opportunity to submit written comments to the committee and provide an email address for attendees to use. The Town website [admin@hadleyma.org] is appropriate to use for this purpose. Make sure the committee name is in the subject line.

5.10 Remote Participation
On occasion, a member may not be able to attend a meeting, and the Chair may wish to allow the absent member to participate remotely. The Town of Hadley’s remote participation policy is outlined in the Appendix. It is expected that remote participation will be used rarely.

6: Open Meeting Law Protocols
6.1 General Information
The Massachusetts Open Meeting Law [OML] requires all meetings of elected or appointed boards, committees, or subcommittees be open to the public, except in specific situations where Executive Session is permitted [See MGL c. 30A, section 21; See also Section 8 below]. No votes taken in open session by a governmental body may be by secret ballot. The law does not apply to chance meetings or social occasions however, but such meetings cannot be used to circumvent the requirement of discussing and deliberating at public meetings. The OML does not contravene other laws, such as the Privacy Act. If clarification is needed, particularly concerning Executive Session and the rights of individuals, the Committee Chair may request that the Select Board obtain advice on specific questions from legal counsel. The Select Board generally recommends cautious use of Executive Sessions since the vast majority of the public’s business should be conducted publicly.

6.2 Recordings
Any person may record a meeting (with the exception of Executive Session) with audio and/or video equipment provided it does not interfere with the meeting.
7: Requirements for Handling Minutes

7.1 Transparency

Committees should strive for transparency, posting minutes as soon as they become available, but never later than the day after they are approved. State law requires that a committee keep accurate records of its public meetings.

The Committee must vote to accept all minutes. Minutes are public information, and must be posted in electronic format and stored in an electronic archive via electronic procedures. It is the chair’s responsibility to ensure recording and posting of minutes although the task may be undertaken by another.

7.2 Content of Minutes

The Open Meeting Law states: “Minutes of all open sessions shall be created and approved in a timely manner. The minutes of an open session, if they exist, and whether approved or in draft form, shall be made available upon request by any person within 10 days” and “The minutes of any open session, the notes, recordings or other materials used in the preparation of such minutes, and all documents and exhibits used at the session, shall be public records in their entirety and not exempt from disclosure…”

Minutes must include:

a. the date, time and place of the meeting.
b. the members present or absent.
c. a brief summary of the discussions on each subject.
d. a list of documents and other exhibits used at the meeting.
e. the decisions made and the actions taken at each meeting, including the record of all votes.
f. 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 maintained as part of the official record of the session.

Minutes should include:

a. names of additional participants (not press or observers).
b. name of recorder.
c. time convened, and time adjourned.

Minutes may include a schedule of future meeting(s).
Minutes do not need to include the names of those moved and seconded motions.

7.3 Public Records Law

The Massachusetts Public Records Law [MGL c. 66, Section 10] provides right of access to public records, broadly defined to include all documentary materials, except eleven that are specific exemptions such as personnel and medical files, proposals and bids, and appraisals of property. The minutes, informational data, memoranda, and circulating materials of any Town Board or Committee are mostly all public information. Since use of personal e-mail addresses could subject a member’s personal e-mails to a records request, it is recommended that new committee members create a new e-mail address for themselves to use for Town and committee...
business. Free accounts can be found through g-mail or hot-mail, or other providers. The committee should consult its liaison if questions arise concerning freedom of information.

8: Guidelines for Executive Sessions
8.1 Conducting an Executive Session
Any committee contemplating an executive session is advised to contact the Town Administrator’s office prior to the meeting.

An Executive Session is closed to the public, but the committee must first convene in an Open Session for which notice has been posted. A majority of the members must vote, by rollcall vote entered into the minutes, in favor of a motion to go into Executive Session.

The motion must specify the reason and state whether or not the Open Session will reconvene following Executive Session. All votes taken in Executive Session are recorded by roll call and become a part of the record of that session. Topics discussed in Executive Session are confidential. Attendees shall not discuss these matters with anyone. Accurate minutes of the executive session shall be maintained and shall be released to the public only when the purpose for the Executive Session no longer exists.

Executive session may be held only for the purposes described in MGL c. 30A, Section 21. The following are the only acceptable reasons for an executive session:

• To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, an employee, staff member, or individual. This exception carries with it very strict guidelines, with which the committee must adhere. This reason for entering into executive session should be discussed with the Select Board prior to the meeting.

• To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel.

• To discuss strategy with respect to collective bargaining or litigation, if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body, and the chair so declares.

• To discuss the deployment of security personnel or devices, or strategies with respect thereto.

• To investigate charges of criminal misconduct or to consider the filing of criminal complaints.
• To consider the purchase, exchange, lease or 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.

• To comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements.

• To consider or interview applicants for employment or appointment by a preliminary screening committee if the chair declares that an open meeting will have a detrimental effect in obtaining qualified applicants; provided, however, that this clause shall not apply to any meeting, including meetings of a preliminary screening committee, to consider and interview applicants who have passed a prior preliminary screening.

• To meet or confer with a mediator, as defined in MGL c. 233, section 23C, with respect to any litigation or decision on any public business within its jurisdiction involving another party, group or entity, provided that (i) any decision to participate in mediation shall be made in an open session and the parties, issues involved, and purpose of the mediation shall be disclosed, and (ii) no action shall be taken by any public body with respect to those issues which are the subject of the mediation without deliberation and approval for such action at an open session.

9: Conducting Public Hearings
9.1 Purpose.
A committee may be required to hold a public hearing, or a committee may opt to hold a public hearing to take comment from the public. When conducting a public hearing, the chair is responsible for running the meeting. Generally, the purpose of a public hearing is for committee members to listen to comments from the public, and not to play a significant role in the meeting.

9.2 General Guidance
9.2.1 The committee chair with help from the staff liaison should ensure the following:
   a. That electronic displays are in working order.
   b. That all materials being presented in the public hearing should be clearly visible to the public present.
   c. That a sound amplification system is in working order prior to the start of the hearing.
   d. That meeting minutes are being properly recorded.
   e. If required, that a certified stenographer/court recorder is present. (The instances requiring such a recorder are rare; arrangements can be made for this through the Select Board’s office.)
9.2.2 Points to remember:
   a. A public hearing is designed for the committee members to listen to the public. Be prepared to receive passionate, sometimes angry speakers.
   b. Generally, do not engage with speakers in any way. Simply listen and thank them for their input. If a procedural question is asked of the committee, the chair may opt to answer it. During the public comment portion of the hearing, the chair should never answer questions concerning the merits of the application or proposal.
   c. The chair can remind the public that the hearing is for residents to comment on the proposal. Any questions will be recorded and if appropriate, will be answered later.
   d. If the chair chooses to engage, he/she should make sure it is only to ask for clarification. No opinions should be forthcoming from the chair or the committee members. Allow people to speak a second time only after all others have been given the chance to speak. The chair may close the hearing once he/she is assured that all reasonably pertinent comments have been expressed.

9.3 Conducting Hearings:
   If appropriate, require all attendees to sign-in with name, organization (if any), address, phone, and email.

   Provide a separate sign-up form for those who wish to speak. This form “documents” (serves to record) participation in the hearing, and provides an orderly process for speakers. It also provides the chair with the ability to better control the meeting.

   Open the public hearing by defining the purpose, objectives, legal requirements and any general law or regulatory constraints. Generally reading the public notice into the record will satisfy this section.

   Make the following announcements:
   a. Indicate that the meeting is being recorded and all participants should speak into the microphone.
   b. Clearly convey the process, expected conduct, and documentation provisions (e.g., committee secretary’s notes, stenographer, recording, etc.
   c. Clearly articulate the hearing rules (a hand out is always helpful).
   d. Set a time limit for each speaker (other than the applicant); three minutes is often used as a limit. Explain who will be keeping time.
   e. Provide the Town email and physical addresses for submissions.
   f. Make clear that the written comment period is open until a date certain, and provide the e-mail address and physical address for submission. (The committee name must be in the subject line). If there is no staff liaison, written submissions can be viewed on the Town’s web site: admin@hadleyma.org.
g. Explain how responses to public comments and questions will be handled (i.e., a specific response document; through formal meeting discussions; committee consideration, etc.). If known, announce when a decision will be made once the hearing is closed.

The applicant/proponent is invited to give its presentation to the committee. This presentation should not be interrupted by the members or the public. The chair may subject the presentation to a time limit. The chair will invite public comment. Generally, speakers must use the microphone and announce their names and addresses.

Unless an order of speakers is otherwise stipulated, speakers should be called in the following order:
   a. Elected officials in order of elective office (i.e. federal, state, county, local).
   b. Town Officers.
   c. Public, with abutters given priority.
   d. Others, in the order they signed up.

Only close the hearing after all participants have been given a reasonable chance to speak. If the hearing needs to be continued, it should be continued to a date certain -- generally the next normal meeting time for the committee. A hearing should be continued if its objectives have not been accomplished. For large, complex problems or issues, a series of hearings is often appropriate, with specific components or topics heard on specific dates). Once the hearing is closed, it is time for the committee to make a decision.

Compile a concise set of issues raised by the public and the committee members with both pro and con concerns. Conduct the committee discussions under the modified Robert’s Rules of Order. Discuss possible solutions to the issues in a public session(s). Put forward solutions with rationale via a formal process. Make sure to document discussions and decisions in the minutes with enough detail to document the substantive reasons for the decision.

Inform the project proponents of the committee’s decision through official written correspondence. Establish a set of all written correspondence, meeting materials, and minutes as the official record of the hearing. This set will be stored electronically and, when required, in paper form as part of the Town’s archives.

10: Money Matters
10.1 Committee Budgets
In general, a committee does not have a budget unless one is authorized by Town Meeting, the Select Board, or by law. Any expenses incurred by a committee are budgeted by the Department Directors and absorbed in the Department’s expenditures.
10.2 Disbursements
Although committees will not generally receive invoices, if bills are incurred by the committee, the committee’s staff liaison submits invoices to the Department Director, attaching all appropriate receipts, paperwork, etc. If there is no staff liaison, the committee’s Clerk/Secretary should submit the same material to the Select Board’s office for processing.

10.3 Purchases
Generally, Committees do not purchase items or services. If a concerning situation occurs, contact the Select Board’s office for more particular direction.

Always feel free to ask the Select Board’s office staff if there are any questions concerning your Committee’s work!
APPENDIX CONTENTS

SOURCES OF INFORMATION

1. MGL Ch. 4, Section 7 (Clause 26): Definition of a Public Record

2. MGL Ch. 30A, §§ 18-25: Open Meeting Law

3. MGL Ch. 268A: Conflict of Interest


SAMPLE COMMITTEE AGENDA

1. Approval of Minutes
2. Announcements from the Chair
3. Citizen Open Forum
4. Hearings
5. Presentations
6. Staff Report
7. Discussions
8. Subcommittee Reports
9. Old Business – List Items
10. New Business – List Items
11. Committee Comments
12. Executive Session (if necessary)
13. M. Adjourn
SAMPLE COMMITTEE MINUTES FORM

1. CALL TO ORDER: The meeting was called to order at ________ o’clock in the
   ___________ ROOM of the Municipal Office Building or (specify other)

2. COMMITTEE MEMBERS IN ATTENDANCE (mandatory)

3. COMMITTEE MEMBERS ABSENT (mandatory)

4. STAFF IN ATTENDANCE (mandatory)

5. OTHERS PARTICIPATING (recommended)

6. OTHERS IN ATTENDANCE (optional)

7. COMMITTEE AGENDA (mandatory)

8. DISCUSSIONS – A BRIEF DESCRIPTION OF ANY DISCUSSION ITEMS (summary
   mandatory)

9. COMMITTEE ACTION ON EACH AGENDA ITEM – BY VOTE OR CONSENSUS
   (mandatory)

10. EXECUTIVE SESSION-Please note special protocol required for Executive Session

11. ADJOURNMENT (mandatory)

12. Voted unanimously to adjourn at ___ o’clock

13. SUBMITTED BY (mandatory)
# Department Contact Information

(e-mail addresses and Phone Numbers)

<table>
<thead>
<tr>
<th>Department</th>
<th>Phone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Emergency - Fire, Police, Ambulance</strong></td>
<td>911</td>
</tr>
<tr>
<td>Police Department</td>
<td>413-584-0883</td>
</tr>
<tr>
<td>Fire Department</td>
<td>413-584-0874</td>
</tr>
<tr>
<td>Select Board</td>
<td>413-586-0221</td>
</tr>
<tr>
<td>Select Board Email: <a href="mailto:info@hadleyma.org">info@hadleyma.org</a></td>
<td></td>
</tr>
<tr>
<td>Town Administrator</td>
<td>413-586-0221</td>
</tr>
<tr>
<td>Town Administrator Email: <a href="mailto:admin@hadleyma.org">admin@hadleyma.org</a></td>
<td></td>
</tr>
<tr>
<td>Accountant</td>
<td>978-481-7125</td>
</tr>
<tr>
<td>Accountant Email: <a href="mailto:support@bmaginc.com">support@bmaginc.com</a></td>
<td></td>
</tr>
<tr>
<td>Licensing Coordinator</td>
<td>413-586-0221</td>
</tr>
<tr>
<td>Licensing Coordinator Email: <a href="mailto:info@hadleyma.org">info@hadleyma.org</a></td>
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</tr>
<tr>
<td>Animal Inspector:</td>
<td>413-246-4940</td>
</tr>
<tr>
<td>Assessor</td>
<td>413-586-6320</td>
</tr>
<tr>
<td>Assessor Email: <a href="mailto:assessor@hadleyma.org">assessor@hadleyma.org</a></td>
<td></td>
</tr>
<tr>
<td>Board of Health</td>
<td>413-584-4562</td>
</tr>
<tr>
<td>Building Inspector</td>
<td>413-586-7274</td>
</tr>
<tr>
<td>Building Inspector Email: <a href="mailto:inspections@hadleyma.org">inspections@hadleyma.org</a></td>
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<tr>
<td>Town Clerk</td>
<td>413-584-1590</td>
</tr>
<tr>
<td>Town Clerk Email: <a href="mailto:clerk@hadleyma.org">clerk@hadleyma.org</a></td>
<td></td>
</tr>
<tr>
<td>Town Collector</td>
<td>413-584-4246</td>
</tr>
<tr>
<td>Town Collector Email: <a href="mailto:collector@hadleyma.org">collector@hadleyma.org</a></td>
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<tr>
<td>Conservation Commission</td>
<td>413-584-4236</td>
</tr>
<tr>
<td>Conservation Commission Email: <a href="mailto:conservation@hadleyma.org">conservation@hadleyma.org</a></td>
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<tr>
<td>Council on Aging/ Senior Center</td>
<td>413-586-4023</td>
</tr>
<tr>
<td>Council on Aging/ Senior Center Email: <a href="mailto:coa@hadleyma.org">coa@hadleyma.org</a></td>
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</table>

Hadley Volunteer’s Handbook
<table>
<thead>
<tr>
<th>Department</th>
<th>Address</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accountant</td>
<td>Town Hall, 2nd floor&lt;br&gt;100 Middle Street&lt;br&gt;Hadley, MA 01035</td>
<td>(413) 225-1315</td>
</tr>
<tr>
<td>Administrator</td>
<td>Town Hall&lt;br&gt;100 Middle Street&lt;br&gt;Hadley, MA 01035</td>
<td>(413) 586-0221</td>
</tr>
<tr>
<td>Adult Services</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Board of Assessors</td>
<td>Town Hall&lt;br&gt;100 Middle Street&lt;br&gt;Hadley, MA 01035</td>
<td>(413) 586-6320</td>
</tr>
<tr>
<td>Board of Health</td>
<td>Town Hall, 1st floor&lt;br&gt;100 Middle Street&lt;br&gt;Hadley, MA 01035</td>
<td>(413) 584-4562</td>
</tr>
<tr>
<td>Council On Aging</td>
<td>Hadley Senior Center&lt;br&gt;125 Russell Street&lt;br&gt;Hadley, MA 01035</td>
<td>(413) 586-4023</td>
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<tr>
<td>Department of Public Works</td>
<td>230 Middle Street&lt;br&gt;P.O. Box 406&lt;br&gt;Hadley, MA 01035</td>
<td>(413) 586-2390</td>
</tr>
<tr>
<td>Emergency Management</td>
<td>15 East Street&lt;br&gt;Hadley, MA 01035</td>
<td>(413) 584-0874</td>
</tr>
<tr>
<td>Fire Department</td>
<td>15 East Street&lt;br&gt;Hadley, MA 01035</td>
<td>(413) 584-0874&lt;br&gt;Alternate: (413) 584-1112</td>
</tr>
<tr>
<td>Hadley Media</td>
<td>Office&lt;br&gt;50 Middle Street&lt;br&gt;Goodwin Library - Top floor&lt;br&gt;Hadley, MA 01035</td>
<td>(413) 584-1203</td>
</tr>
<tr>
<td>Hadley Police Department</td>
<td>15 East Street&lt;br&gt;Hadley, MA 01035</td>
<td>(413) 584-0883</td>
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<tr>
<td>Inspection Services</td>
<td>Town Hall&lt;br&gt;100 Middle Street&lt;br&gt;Hadley, MA 01035</td>
<td>Office: (413) 586-7774&lt;br&gt;Electrical Inspector: (413) 695-9437&lt;br&gt;Plumbing Inspector: (413) 320-7469</td>
</tr>
<tr>
<td>Library</td>
<td>Goodwin Memorial Library&lt;br&gt;50 Middle Street&lt;br&gt;Hadley, MA 01035</td>
<td>(413) 584-7451</td>
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<tr>
<td>Park &amp; Recreation</td>
<td>Town Hall&lt;br&gt;100 Middle Street&lt;br&gt;Hadley, MA 01035</td>
<td>(413) 586-6375</td>
</tr>
<tr>
<td>Schools</td>
<td>Hadley Public Schools&lt;br&gt;125 Russell Street&lt;br&gt;Hadley, MA 01035</td>
<td>(413) 586-0822</td>
</tr>
<tr>
<td>Select Board</td>
<td>Town Hall&lt;br&gt;100 Middle Street&lt;br&gt;Hadley, MA 01035</td>
<td>(413) 586-0221</td>
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<tr>
<td>Town Clerk</td>
<td>Town Hall&lt;br&gt;100 Middle Street&lt;br&gt;Hadley, MA 01035</td>
<td>(413) 584-1590</td>
</tr>
<tr>
<td>Town Collector</td>
<td>Town Hall&lt;br&gt;100 Middle Street&lt;br&gt;Hadley, MA 01035</td>
<td>(413) 584-4246</td>
</tr>
<tr>
<td>Treasurer</td>
<td>Town Hall&lt;br&gt;100 Middle Street&lt;br&gt;Hadley, MA 01035</td>
<td>(413) 586-3354</td>
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# Board Addresses and Phone Numbers

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<thead>
<tr>
<th>Board</th>
<th>Address</th>
<th>Phone</th>
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<tbody>
<tr>
<td>Agricultural Commission</td>
<td>Town Hall 100 Middle StreetHadley, MA 01035</td>
<td>(413) 586-0221</td>
</tr>
<tr>
<td>Board of Assessors</td>
<td>Town Hall 100 Middle StreetHadley, MA 01035</td>
<td>(413) 586-6320</td>
</tr>
<tr>
<td>Board of Health</td>
<td>Town Hall, 1st Floor 100 Middle StreetHadley, MA 01035</td>
<td>(413) 584-4562</td>
</tr>
<tr>
<td>Cemetery Committee</td>
<td>230 Middle Street Hadley, MA 01035</td>
<td>(413) 586-2390</td>
</tr>
<tr>
<td>Community Preservation Committee</td>
<td>Town Hall 100 Middle Street Hadley, MA 01035</td>
<td></td>
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<tr>
<td>Conservation Commission</td>
<td>Town Hall, Room 101 100 Middle Street Hadley, MA 01035</td>
<td>(413) 584-4236</td>
</tr>
<tr>
<td>Council On Aging</td>
<td>Hadley Senior Center 120 Russell StreetHadley, MA 01035</td>
<td>(413) 586-4023</td>
</tr>
<tr>
<td>Cultural Council</td>
<td>Town Hall 100 Middle Street Hadley, MA 01035</td>
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<tr>
<td>Finance Committee</td>
<td>Town Hall 100 Middle Street Hadley, MA 01035</td>
<td>(413) 586-0221</td>
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<tr>
<td>Historical Commission</td>
<td>Town Hall 100 Middle Street Hadley, MA 01035</td>
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<tr>
<td>Library Trustees</td>
<td>Goodwin Memorial Library 50 Middle Street Hadley, MA 01035</td>
<td>(413) 584-7451</td>
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<tr>
<td>Municipal Buildings Committee</td>
<td>Town Hall 100 Middle Street Hadley, MA 01035</td>
<td>(413) 586-7274</td>
</tr>
<tr>
<td>Planning Board</td>
<td>Town Hall 100 Middle Street Hadley, MA 01035</td>
<td>Business Hours (Dwyer): (413) 584-1275</td>
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<tr>
<td></td>
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<td>After Hours (Maksimovski): (413) 586-3973</td>
</tr>
<tr>
<td>Select Board</td>
<td>Town Hall 100 Middle Street Hadley, MA 01035</td>
<td>(413) 586-0221</td>
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<tr>
<td>Senior Center Building Committee</td>
<td>Town Hall 100 Middle Street Hadley, MA 01035</td>
<td></td>
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<tr>
<td>Zoning Board of Appeals</td>
<td>Hadley Town Hall 100 Middle St. Hadley, MA, 01035 Room 201 Hadley, MA, 01035</td>
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</table>
REMOTE PARTICIPATION POLICY
TOWN OF HADLEY
ADOPTED 6/6/12
REVISED 10/18/17

PURPOSE STATEMENT

The Office of the Attorney General amended the Open Meeting Law regulations at 940 CMR 29.00 to allow members of public bodies, in limited circumstances, to participate remotely in meetings. While all members of Town Boards and Committees should try to attend meetings in person, the new regulations seek to promote greater participation in government meetings by allowing members to participate remotely when certain specific circumstances prevent them from being physically present.

The intent of this policy is to establish clear guidelines on the practice of remote participation by Town Boards and Committees under the Open Meeting Law MGL Chapter 30A, Sections 18-25.

ENABLING AUTHORITY

A municipality may adopt a policy that any person or entity with the authority to adopt remote participation pursuant to 940 CMR 29.10(2) may enact policies, laws, rules or regulations that define, prohibit or further restrict the use of remote participation by public bodies within that person or entity’s jurisdiction, provided those policies, laws, rules or regulations do not violate state or federal law.

ADOPTION OF REMOTE PARTICIPATION

In accordance with 940 CMR 29.10(2)(a), the Select Board hereby adopts 940 CMR 29.10 so that remote participation is permitted in the Town. In accordance with 940 CMR 29.10(3), the Select Board may revoke its adoption at any time in accordance with 940 CMR 29.10.

This policy and 940 CMR 29.10 shall apply to all Town boards, committees, commissions, sub-committees and working groups regardless of whether such public bodies are appointed or elected. Where the Remote Participation Policy is more stringent than 940 CMR 29.10, the Policy shall control. This policy may be amended by the Select Board at any time in accordance with 940 CMR 29.10.

MINIMUM REQUIREMENTS FOR REMOTE PARTICIPATION

Members of the public body who participate remotely and all persons present at the meeting location shall be clearly audible to each other.

Given 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 30A, Section 20(d).

Members of the public body who participate remotely must have access to the same materials being used at the meeting location.

Members of the public bodies who participate remotely may vote and shall not be deemed absent for the purposes of MGL Chapter 39, Section 23D.

Hadley Volunteer’s Handbook
PERMISSIBLE REASONS FOR REMOTE PARTICIPATION

It is the express intent of the Select Board that remote participation in meetings be an infrequent event, for both individual public body members and Town Boards and Committees as a whole. Chairs of public bodies are encouraged to interpret these rules in a strict fashion and to continue to induce all members to attend meetings in person as a general rule, due to inherent benefits of physical presence in a meeting.

A Board or Committee member may attend a meeting through electronic conferencing if his or her physical presence at the meeting presents unreasonable difficulties.

The determination by the person chairing the meeting to allow or not to allow remote participation shall be final and shall not be appealable. Factors in this determination may include, but shall not be limited to, the specific challenges faced by the board or committee member to attend all or part of the meeting; the relative importance of the items on the agenda to be discussed and decided upon; the ability of the board or committee to provide access to meeting materials.

ACCEPTABLE METHODS OF REMOTE PARTICIPATION

1. Telephone, Internet, or satellite enabled audio or video conferencing.

2. Any other technology that enables remote participation, and all persons present at the meeting location to be clearly audible, and if possible, clearly visible to all persons present at the meeting location.

3. The focus of the chair should always be on maintaining the flow of the meeting. If the chair determines that technical difficulties are inhibiting the progress of the meeting, the chair may elect to terminate the participation of the remote member. If technical difficulties arise as a result of utilizing remote participation, the chair should suspend discussion while reasonable efforts are made to correct any problem that interferes with remote participants’ ability to hear or be heard clearly by all persons 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 and subsequent reconnection if achieved shall be noted in the meeting minutes. If a public hearing occurs after disconnection, the member shall be noted as absent.

Accommodations shall be made for any public body member who requires TTY service, video relay service, or other form of adaptive communication.

PROCEDURES FOR REMOTE PARTICIPATION

Any member of a public body who wishes to participate remotely shall, within 48 hours or as soon as reasonably possible prior to the meeting, notify the chair or person chaining the meeting of his or her desire to do so and the reasons for and facts supporting his or her request.

1. Prior to the meeting, the chair shall make every effort to ensure the equipment is available and functioning properly. If the required equipment is not available, then the chair shall deny the request for remote participation.
2. 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.

3. All votes taken during any meeting in which a member participates remotely shall be by roll call vote.

4. Remote participants shall preserve the confidentiality of executive session. The remote participant shall state at the start of any such session that no other person is present or is able to hear or witness the discussion at the remote location, unless presence of that person is approved by simple majority vote of the public body. The session shall not be recorded by any device at the remote location.

5. The Town shall not be responsible for the reimbursement of any out-of-pocket costs associated with the remote participation of Board or Committee members.

6. Members participating remotely are cautioned that the same obligations of consideration apply as in any physical meeting. Remote participants should direct all their attention to the meeting, and should make their decisions based upon the same information as is available to all other participants at the meeting.