



**TOWN OF HULL  
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America's 1<sup>st</sup> Lighthouse  
Boston Light  
Hull, MA, pic. circa 1900

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**TO: NEWLY ELECTED/RE-ELECTED/APPOINTED/RE-APPOINTED  
BOARD MEMBERS & OFFICIALS**  
**FROM: JAMES B. LAMPKE, ESQ., TOWN COUNSEL**  
**RE: OPEN MEETING LAW AND MINUTES REQUIREMENTS  
CONFLICT OF INTEREST LAW**  
**DATE: MAY 20, 2019**

**NOTE: THIS MEMO CONTAINS IMPORTANT INFORMATION ABOUT LAWS THAT  
PERTAINS TO YOU. PLEASE READ CAREFULLY.**

Congratulations on your recent election/re-election/appointment/re-appointment to public office. Public service is a tremendously rewarding pursuit. I look forward to working with you for the betterment of our community.

In conjunction with Town Clerk Lori West, the attached information is being given to you.

**OPEN MEETING LAW-**

To assist you in your service as a public official of the Town of Hull, I have prepared the attached ***MEETINGS AND MINUTES GUIDE FOR BOARDS, COMMISSIONS AND COMMITTEES "INCLUDING EXECUTIVE SESSION QUICK INDEX MOTIONS GUIDE"***.

This document is designed to give you a better understanding of how the Open Meeting Law works and how to comply with the important requirement that all public bodies take and maintain minutes of their meetings.

**Also as required by law, a copy of the Open Meeting Law (contained within the attached Open Meeting Law Guide from the Attorney General's office), its regulations and educational materials are attached. Please be sure see the Town Clerk to sign the written acknowledgement form within 2 weeks.**

In reference to public meetings, it is important to observe the Open Meeting Law. Most of the public's business can be and should be done in Open Session. Executive Sessions are the exception, not the rule, and should be used only when necessary. A failure to comply can result in actions being overturned and fines being imposed.

Copies of these documents or similar versions have been distributed to your fellow board members in the past. If additional copies are needed, copies can be made or just contact me.

While these documents are designed to be informative, there may be situations where additional guidance is needed. If at any time you are in doubt or have a question, I urge you to contact me. Many problems can be avoided with some additional preparation and discussion.

## **CONFLICT OF INTEREST LAW-**

### **IMPORTANT NOTE RE: THE CONFLICT OF INTEREST LAW**

a. you are to receive within 30 days of becoming, for Conflict of Interest Law purposes, a municipal employee (such as by election, appointment or hire, regardless of whether you are compensated by the Town; note that under many circumstances consultants will be considered municipal employees for the purposes of the Conflict of Interest Law) information prepared by the State Ethics Commission on the Conflict of Interest Law; summaries usually will be distributed annually between September 15 and December 15; the Town Clerk may also re-distribute this summary to you if deemed necessary; you must acknowledge receipt of the summary;

Accordingly, also attached please find a copy of the Summary of the Conflict of Interest Law for Municipal Employees issued by the State Ethics Commission. You need to acknowledge receipt of this information with the Town Clerk within 10 days.

b. you must take an online training program and test.

The online training and test must be taken within 30 days of your becoming, for Conflict of Interest Law purposes, a municipal employee (such as by election, appointment or hire, regardless of whether you are compensated by the Town; note that under many circumstances consultants will be considered municipal employees for the purposes of the Conflict of Interest Law) and you must file a certificate evidencing completion of the training and test, issued when you take the test, with the Town Clerk.

You can access the online training and test (as well as other helpful information) at the State Ethics Commission website, <https://www.mass.gov/orgs/state-ethics-commission> . On the center of the home page click onto "On-Line Conflict of Interest Law Training.

Compliance with these Conflict of Interest Law requirements is very important and failure to do so may have consequences as to the decisions and actions you take as well as open you up to possible enforcement action and financial penalties by the State. If you experience any difficulty in completing these requirements, be sure to contact me. Be sure to timely file your required acknowledgments with the Town Clerk.

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Also, please find attached a copy of G.L. c. 268A, sec. 23, Standards of Conduct.

From the State Ethics Commission website, important information on the summary of the law and on-line testing:

### **Summary of the Conflict of Interest Law for Municipal Employees**

On an annual basis, all current municipal employees must be provided with this summary of the conflict of interest law. Municipal employees hired after December 15, 2010, should be provided with the summary within 30 days of the date on which they commence employment, and on an annual basis thereafter. Every municipal employee is required to sign a written acknowledgment that he has been provided with the summary.

### **Online Training Program**

Every 2 years [in Hull this is by policy done every year] , all current state, county and municipal employees must complete online training. New public employees must complete this training within 30 days of beginning public service, and every 2 years thereafter. This training is designed primarily for state employees. County and municipal employees should also use this training until it is revised with one tailored to them. Upon completing the program, employees should print out the completion certificate and keep a copy for themselves. Employees will be required to provide a copy of the completion certificate to the Town or City Clerk (municipal employees), their employing agency (appointed state and county employees), or to the Ethics Commission (elected state and county employees). Completing the single program will be considered by the Commission as meeting the Bill's training requirements until a second program is added. PLEASE NOTE: When multiple users attempt to complete the current training program using the same computer they may experience a problem accessing the beginning of the program. The user will need to open their internet browser, click on "Tools", then "Internet Options", select "Delete Cookies", then click "OK". The user will be able to click back on the Online Training module on the Commission's website and start at the beginning.

[If you continue to have difficulty, the State Ethics Commission staff can help you access the correct information. Call the Commission at (617) 371-9500.

If you are in the need of additional guidance concerning the Open Meeting Law and/or Conflict of Interest Law, do not hesitate to contact me.

Again, congratulations and good luck in your position for the Town of Hull. If I can be of assistance in your service to the community, please do not hesitate to contact me. I can best be reached at the following numbers: Town Hall- 781-925-2000, ext. 0 Hingham office- 781-749-9922; Hull residential office- 781-925-1587; cell phone- 617-285-4561; or by email- [jlampke@town.hull.ma.us](mailto:jlampke@town.hull.ma.us) .

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