

TOWN OF HULL-LAW DEPARTMENT

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SECOND MEMORANDUM TO ALL BOARDS, COMMITTEES AND COMMISSIONS REGARDING REMOTE OPEN MEETING LAW (OML), MEETINGS AND HEARINGS

In response to the President's Declaration of an Emergency, Governor Baker's declaration of a public health emergency and the related Emergency Executive Order dated March 12, 2020 as well as the Hull Board of Selectmen's Declaration of Emergency on March 20, 2020, Boards or Committees ("Boards") which need to meet should meet remotely until further notice. The audioconferencing application **GoToMeeting** will be used for this purpose. An online link and telephone access number must be provided on all meeting agendas and posting notices (see example below) and also on the Board's or Committee's page on the Town's website. This application will permit the public to access and participate in Board meetings and hearings. Instructions for joining meetings in this manner should be provided on the Board's and Town Clerk's websites. We extend our thanks for your understanding and participation in this manner, which is intended to keep members of the Board and the public safe. **Important Reminder- all votes must be taken by roll call in a remote participation meeting or hearing.**

Some of you may already be familiar with GoToMeeting. It is important that Board staff and at least a few Board members become familiar with it. Training for it can be found at:

https://attendee.gototraining.com/5p6g1/catalog/6185640558473054208?tz=America/New_York.

Also, the IT Department staff is available to assist you, but you are urged to try the on-line training before calling IT as IT has limited staff and many matters to deal with.

I've also provided below a suggested model for the chair to use in conducting the remote participation meeting.

Be sure to follow current protocols, especially timeliness, for sending your notices to the Town Clerk for proper posting. **Postings will continue to only be made during normal office hours by the Town Clerk (unless otherwise necessary for an emergency meeting that meets the statutory definition of an actual emergency).**

Given that access is limited to the Town Hall and the Police Department to facilitate meeting notice postings during this time, the Board of Selectmen has designated the Town's website as the official posting method for notices. Notices will no longer be posted on the bulletin board at Town Hall or at the Police Department's three ring binder. The Town Calendar on the website will now be the official method for meeting notice postings for the duration of the present situation or unless changed sooner.

We will likely be making adjustments to our policies and practices as we go forward. Any suggestions are welcome. If you have questions or wish to discuss this, feel free to contact me (c-617-285-4561). As I, like most other Town employees, am working remotely, email and cell are the best ways to reach me.

Attached is the revised standard form meeting notice with references to remote participation.

ADDITIONAL NOTES FOR REMOTE MEETINGS

1. All or any of the members of the public body may choose to participate in a public meeting via remote access. Meetings may be virtual, in their entirety. All members who participate remotely must be clearly audible.
2. If due to special circumstances members of a Board are meeting in person, for everyone's safety, the public will not be allowed into a Board/Committee meeting, even where there are any members of the public body and/or town staff or official(s) physically present at the meeting location during the meeting. Remember also that Town Hall is closed to the general public.
3. However, the public will be provided with alternative access through which they can watch or listen to meetings "in real time," and meeting notices will specify the manner in which members of the public may access audio or video of the meeting as it is occurring.
4. If, despite our best efforts, our technological capabilities do not adequately support public access to virtual or remote meetings, the town will ensure that an audio or video recording, transcript, or other comprehensive record of the proceedings at the meeting is posted on the town's website as soon as possible after the meeting.
5. Notices for public hearings will contain additional information about how the public may participate via electronic/technological means.

6. For executive session meetings, public access to the meeting will be limited to the open session portion(s) of the meeting only. Public access to any audio, video, internet or web-based broadcast of the meeting will be discontinued when the public body enters executive session.

7. Where individuals have a right, or are required, to attend a public meeting or hearing, including executive session meetings, they will be provided with information about how to participate in the meeting/hearing remotely.

8. Meeting notices will still be posted at least 48 hours in advance (not counting Saturdays, Sundays, or legal holidays), unless it is an emergency meeting as defined under the Open Meeting Law. Minutes will still be taken.

SUGGESTED PROTOCOLS FOR CONDUCTING A MEETING
BY REMOTE PARTICIPATION

1. Announce that the meeting is being conducted by remote participation and explain how to log on, etc.
2. Introduce members who are participating and state names of who is not participating
3. If there is an applicant/representative, ask that they identify themselves
4. All motions must be clearly stated and announced who made the motion
5. Announce who seconded the motion
6. During the discussion (either before the motion or after) ask periodically if any members want to speak
7. Same thing for applicant or applicant representative
8. Same thing for public (if appropriate)
9. All votes must be made by roll call- "all in favor", "all opposed" "abstentions"

10. Executive Sessions, for the reasons allowed for an Executive Session, may be done remotely. It is important to ensure that only persons the Board wants in the Executive Session are participating remotely. Everyone who is participating in the remote Executive Session “needs to 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.”
11. If feasible, the chair or staff should distribute to the remote participants, in advance of the meeting, copies of any materials the chair “reasonably anticipates” will be discussed at the meeting. These materials, as with all materials, will be part of the official record of the meeting and listed in the minutes

Thanks for all your work to keep Hull operating!