

**TOWN OF TEWKSBURY
BOARD OF SELECTMEN**

Town Board Remote Participation Policy

The Board of Selectmen authorizes remote participation for all appointed and elected Town Boards, Committees, and Commissions in accordance with the requirements of the Massachusetts Open Meeting Law, M.G.L. c. 30A, § 20(d) and 940 CMR 29.00, section 29.10: Remote Participation, in the following manner. The Selectmen emphasize that pursuant to the requirements of the Remote Participation provisions of the Regulations issued by the Attorney General, a quorum of the public body, including the chair or, in the chair's absence the person authorized to chair the meeting, must be physically present at the meeting location, as required by M.G.L. c. 30A, § 20(d); and members of public bodies who participate remotely may vote and shall not be deemed absent for the purposes of M.G.L. c. 39, §. 23D.

Reasons for Remote Participation:

- Personal illness
- Personal disability
- Emergency
- Military service
- Geographic distance

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TOWN OF TEWKSBURY
BD SELECTMEN/TOWN MANAGER

Approved Technology for Remote Participation

The following media are acceptable methods for remote participation. Remote participation by any other means is not permitted. (Accommodation shall be made for any public body member who requires TTY service, video relay service, or other forms of adaptive telecommunications).

- Telephone, internet, or satellite enabled audio or video conferencing.
- Any other technology that enables the remote participant and all persons present at the meeting location to be clearly audible to one another.
 - When video technology is in use, the remote participant shall be clearly visible to all persons present in the meeting location.
 - 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, wherever possible, to suspend discussion while reasonable efforts are made

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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, that fact and the time at which the disconnection occurred shall be noted in the meeting minutes.

The public body using remote participation may determine which of the foregoing acceptable methods will be used by its members.

Procedure for Utilizing Remote Participation:

Step 1: 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.

Step 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. The chair's statement does not need to contain any detail about the reason for the member's remote participation. This information shall also be recorded in the meeting minutes.

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

Step 4: 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 the presence of that person is approved by a simple majority vote of the public body.

Step 5: When feasible, the chair or, in the chair's absence the person chairing the meeting, shall distribute to remote participants, in advance of the 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 M.G.L. c. 30A, § 22.

The Board of Selectmen reserves the right to revoke Town Board remote participation at any time under 940 CMR 29.10(3).

This policy shall be reviewed within one year of implementation.

EFFECTIVE DATE:

This Policy shall become effective on _____, 2012.

TOWN OF TEWKSBURY

AUTHORIZATION TO UTILIZE REMOTE PARTICIPATION

Certification Pursuant to 940 CMR 29.10(7)

I, _____ (printed name), being a member of the
_____(Board, Committee, or Commission),
request to participate remotely at the meeting to be held on _____ (date).

I certify to the chair that my absence is the result of one or more of the following
factors which make my physical attendance unreasonably difficult:

- ___ Personal illness
- ___ Personal disability
- ___ Emergency
- ___ Military services
- ___ Geographic distance

Explanation: _____

(Signature of Member) Approved: _____
(Signature of Chair)