

Balmer, Nan

To: DiNapoli, MaryAnn
Subject: FW: Open Meeting Law
Attachments: oml-guide[1].pdf

Dear Board and Committee Members and Department Heads,

We very much appreciate your service to the Town and would like to support you in any way possible to comply with the requirements of the Massachusetts Open Meeting Law. This year through March 31st, the Town has spent significant staff and volunteer time and over \$10,000 on legal costs associated with reviewing and responding to Open Meeting Law complaints. With your help and continued diligence, we can ensure the Town's ongoing compliance with the Open Meeting Law's requirements and increase credibility with the public, which, will, in turn, significantly reduce personnel time to respond to complaints, as well as reduce the costs associated with responding to complaints, as required by law.

Most Open Meeting Law complaints are filed in the following areas:

1. Board, Committee or Commission meeting minutes are not prepared and approved in a timely manner.
 - Recommendation: As a general rule, meeting minutes should be prepared as soon as possible and approved at the next regularly scheduled meeting or, at the latest, within two months of a meeting.
2. Listing of an agenda item is not specific on a meeting notice for an open session and/or an executive session.
 - Recommendation: The Chair should ensure that all meeting agendas include all items that will be discussed and are written with enough specificity that a member of the public will understand what is being discussed and what may be acted upon. Please remember that where there are no anticipated topics for discussion in open session other than the procedural requirements for convening an executive session, the Attorney General's Office requires that the public body list "open session" as a topic, in addition to the executive session, so the public is aware that it has the opportunity to attend and learn the basis for the executive session.
3. Executive Sessions do not cite the correct exception under the Open Meeting Law or the specific matter which will be discussed
 - Recommendation: Always carefully consider whether there is a legal basis under the 10 Open Meeting Law exceptions for discussion of board or committee business in Executive Session. Please don't hesitate to ask for help from the Selectmen's Office or Attorney General - (617) 727-2200 when you are unsure about how to describe the matter on the meeting agenda.

Please provide your suggestions on the type of information resources and educational sessions that would be helpful to you. The Board of Selectmen will be discussing Open Meeting Law training at an upcoming meeting and your suggestions would be very welcome.

For your background, I have also attached a copy of the Attorney General's Office Open Meeting Law Guide which provides relevant information regarding the law's requirements. There is also a list of the Attorney General's Office Open Meeting Law's Frequently Asked Questions, which was most recently updated on March 10, 2017, that is a helpful resource. The document is available online at <http://www.mass.gov/ago/government-resources/open-meeting-law/oml-faqs/>.

Thank you for your service to the Town! We hope to hear your ideas on this important matter.

Nan

Nan Balmer, Town Administrator
Town of Wayland
41 Cochituate Road
Wayland, MA 01778
(508) 358-3620 office
(508) 237-1330 cell

