

RECEIVED

By Town Clerk at 1:05 pm, Aug 14, 2019

ADOPTED: August 12, 2019

REMOTE PARTICIPATION POLICY
TOWN OF BURLINGTON

1. PURPOSE.

To enable members of local public bodies in the Town of Burlington ("Town Board(s)") to remotely participate, in limited circumstances, in open meetings. All members of Town Boards should strive to attend meetings in person when possible. The intent of this policy is to establish guidelines on the practice of remote participation of all local public bodies under the Open Meeting Law, M.G.L. 30A, § 18-25.

2. AUTHORITY.

In accordance with 940 CMR 29.10(2)(a), the Board of Selectmen of Burlington on August 12, 2019 voted to authorize remote participation by members of public bodies.

3. MINIMUM REQUIREMENTS FOR REMOTE PARTICIPATION.

No member of a Town Board shall remotely participate in a meeting unless the following requirements are met:

- a) Member(s) of the Town Board who participate remotely and all persons present at the meeting location must be clearly audible to each other;
- b) A quorum of the Town Board, including the chair or the person authorized to chair the meeting, must be physically present at the meeting location;
- c) Members who participate remotely may vote and shall not be deemed absent.

4. PERMISSIBLE REASONS FOR REMOTE PARTICIPATION.

A member of a Town Board shall be permitted to participate remotely in a meeting if the person chairing the meeting determines that one or more of the following factors makes the member's physical attendance unreasonably difficult:

- a) Personal illness;
- b) Personal disability;
- c) Emergency;
- d) Military service; or
- e) Geographic distance.

5. TECHNOLOGY.

- a) Use of any of the following media is acceptable for remote participation:
 - i. Telephone, internet, or satellite enabled audio or video conferencing;
 - ii. any other technology that enables the remote participant and all persons present at the meeting locations to be clearly audible to one another.
- b) When video technology is in use, the remote participant shall be clearly visible to all persons present in the meeting location;

- c) Accommodations shall be made for any Town Board member who requires TTY service, video relay service, or other form of adaptive telecommunications.
- d) If technical difficulties arise which inhibit the progress of the meeting, the chair shall elect how to address those difficulties. Addressing the difficulties may include, but not be limited to, discontinuing the participation of the member, suspending discussion while the technical issues are addressed, or continuing discussion and terminating the connection with the remote participant.
- e) The time of termination with the remote participant shall be noted in the meeting minutes.

6. PROCEDURES FOR REMOTE PARTICIPATION.

- a) Any member of a Town Board who wishes to participate remotely shall, as soon as reasonably possible prior to the meeting, notify the person chairing the meeting, of his or her desire to do so and the reason/s for and facts supporting the request.
- b) If the person chairing the meeting approves the request, which it is not required to do, the person requesting remote participation shall make all necessary technological arrangements to ensure that required equipment is available. If the necessary equipment is not available, the person chairing the meeting shall deny the request.
- c) At the start of the meeting, the person chairing the meeting shall announce the name of the person participating remotely and the reason for the remote participation. This information shall be recorded into the meeting minutes.
- d) All votes taken during any meeting in which a member participates remotely shall be taken by roll call vote.
- e) A member participating remotely may participate in 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 presence of the other person is approved by a simple majority vote of the public body.
- f) When feasible, 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.
- g) The member of a Town Board requesting to participate remotely shall be responsible for any out-of-pocket costs associated with such participation. The Town shall not responsible for reimbursement of such costs. [The Town should determine if this is acceptable. It can choose to do this or not.]
- h) Members participating remotely are reminded that the same obligations of consideration apply as in any physical meeting. Remote participants should direct their attention to the meeting and should make comments and decisions based upon information available to all other participants in the meeting.

7. DISTRIBUTION.

This policy shall be distributed to all multi member boards in the Town of Burlington who shall acknowledge receipt thereof.

This vote and policy applies to all town bodies that are subject to the Open Meeting Law.

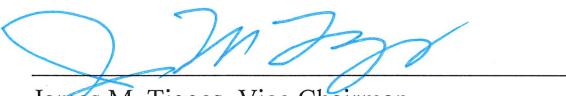
Approved by the Burlington Board of Selectmen in regular session on August 12, 2019.

BURLINGTON, MA BOARD OF SELECTMEN



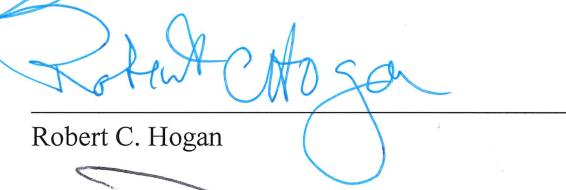
Joseph E. Morandi

Joseph E. Morandi, Chairman



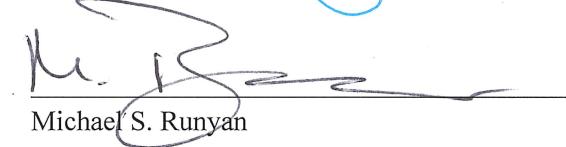
James M. Tigges

James M. Tigges, Vice Chairman



Robert C. Hogan

Robert C. Hogan



Michael S. Runyan

Michael S. Runyan



Nicholas C. Priest

Date: August 12, 2019