



TOWN OF DOVER

5 SPRINGDALE AVENUE
P.O. BOX 250
DOVER, MASSACHUSETTS 02030

TELEPHONE (508) 785-0032
www.doverma.org

MEMORANDUM

DATE: March 12, 2019

TO: Town Staff
Town Board and Committee Chairs

FROM: Carl F. Valente (MD)
Interim Town Administrator

RE: Dover's Remote Participation Policy

At their February 28, 2019 meeting, the Board of Selectmen voted to adopt Dover's Remote Participation Policy, effective March 18, 2019, that will permit the Town's board and committee members to participate remotely, via phone or otherwise, in public meetings that they are unable to attend. Attached is a copy of the Policy and the Participation Guide; please distribute copies to your staff and/or members. Additionally, we expect to have available shortly conference call capability/equipment for meeting rooms.

If you have any questions or concerns, please do not hesitate to call the Selectmen's office at 508-785-0032, x211.

CFV/md

TOWN OF DOVER REMOTE PARTICIPATION POLICY

1. Purpose Statement

This policy establishes guidelines for remote participation in meetings of Dover public bodies. The policy promotes greater participation in public meetings by allowing board and committee members to participate by telephone, internet, video conferencing, or other forms of adaptive telecommunications when specific circumstances prevent them from being physically present. However, all members of public bodies are strongly encouraged to attend meetings in person whenever possible.

2. Enabling Authority

The Open Meeting Law regulations at 940 CMR 29.00, amended by the Office of the Attorney General and adopted by the Dover Board of Selectmen on February 28, 2019, allow members of public bodies to participate remotely in meetings when specific circumstances prevent them from being physically present. 940 CMR 29.10 (8) allows a municipality to prohibit or further restrict remote participation, but does not provide for making those regulations less stringent.

3. Applicability

This policy shall apply to all Dover public bodies subject to the Open Meeting Law (e.g. boards, committees, commissions and subcommittees) including the School Committee, whether appointed or elected.

4. Technology

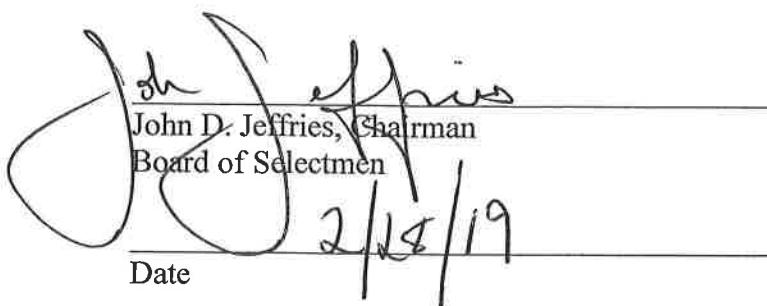
- A. The Town does not guarantee that sufficient technology for remote participation will be available for any given meeting.
- B. If hearing assist devices are in use, the technology employed for remote participation must effectively connect with the hearing assist system.

5. Dover Restrictions Governing Remote Participation

Any costs incurred by a remote participant will not be reimbursed by the Town.

6. References

Policy adopted by the Board of Selectmen on February 28, 2019.
Remote Participation Guide



John D. Jeffries
Chairman
Board of Selectmen
2/28/19

TOWN OF DOVER REMOTE PARTICIPATION GUIDE

The Remote Participation Policy, as adopted by the Board of Selectmen, permits remote participation by members of public bodies at public meetings in accordance with 940 CMR 29.10 and outlines local restrictions as allowed under the law.

The State's regulations on remote participation may be found at:

<http://www.mass.gov/ago/government-resources/open-meeting-law/940-cmr2900.html#Remote>.

You are encouraged to read the entire document, but this guide is intended to be an outline of the Attorney General's regulations for remote participation. Should there be any discrepancy between the law and this guide, the law shall prevail.

The chair, or in the chair's absence the person authorized to chair the meeting, is responsible for compliance with this policy.

1. Permissible Reasons for Remote Participation

It is the express desire of the Board of Selectmen that remote participation in meetings be an infrequent event, for both individual board members and public bodies as a whole. Chairs of public bodies are encouraged to interpret these rules in a strict fashion and to continue to persuade all members to attend meetings in person as a general rule due to the inherent benefits of physical presence at a meeting. Chairs are encouraged to inform their colleagues that remote participation will not be permitted simply as a matter of convenience.

A member may remotely participate in a meeting should his/her physical presence be unreasonably difficult.

2. Minimum Requirements for Remote Participation

- A. Remote participants and all persons present at the meeting location shall be clearly audible to each other. If video conferencing technology is also in use, the remote participants shall be clearly visible to all persons present in the meeting location.
- B. A quorum of the body including the chair, or in the chair's absence the person authorized to chair the meeting, shall be physically present.

3. Procedures for Remote Participation

- A. Any member of the body wishing to participate remotely should notify the chair as soon as reasonably possible prior to the meeting. The chair has the authority to grant or deny requests to participate remotely.
- B. At the start of the meeting, the chair must announce the name of any member who will be participating remotely and the reason for his/her remote participation. This information shall be recorded in the meeting minutes.

- C. All votes taken during a meeting in which a member participated remotely shall be by roll call vote.
- D. When feasible, the chair, or in the Chair's absence the person authorized to chair the meeting, shall distribute to remote participants, in advance of the meeting, copies of any documents or exhibits that he/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, sec. 22.

4. Technology

- A. The minimum technology required will be a speakerphone of sufficient quality to be intelligible to all in the meeting.
- B. If communication problems inhibit the progress of the meeting, the chair must decide whether to continue the meeting, suspend the meeting, or terminate the participation of the remote participant. In the event that more than one member remotely participates, the chair shall evaluate each connection separately and may elect to terminate the participation of one or more of the remote participants should technical difficulties inhibit the progress of the meeting. The meeting minutes must reflect any such decision.