

Leyden Select Board Meeting Minutes  
Leyden Town Office Building  
Regular Session  
Tuesday, September 3, 2024  
5:30 pm

**Select Board Members Present:** Katherine DiMatteo, Erica Jensen, Jeffrey Baker

**Others Present:** Michele Giarusso, Janell Howard, Marcia Miller, Jim Brodeur, Rachel Stoler, Karin Parks, Liz Kidder, Evan Abramson, Tom Raffensperger,

Katherine called the meeting to order at 5:33 pm.

Committee Introductions:

Committee chairs introduced themselves and gave an update and reported on plans for the coming year.

Mass General Law review:

Michele handed out a handout on the information shared (added as Addendum 1).

Mass in Motion:

Rachel Stoler Mass in Motion from FRCOG presented the [Age Friendly Plan](#).

The Mass in Motion Committee can keep in mind age friendly, not just seniors, activities designed to get people in the community to think about how to be active with little money or to leverage the little money that the State has allocated to FRCOG and the town. Committees should think about how to encourage an age-friendly community in all their projects and decisions, and even work with other committees on activities

Select Board/Committee roles, Elected versus Appointed Boards, Communication and Joint Projects, Office Hours:

Discussion on committees working together if something crosses their committee's jurisdiction.

Discussion on ways to improve roadways to facilitate walkers, bikers, runners etc., and how to work on Complete Streets which can be very difficult because of ledge and hills along road.

Administrative Assistant Role, Website procedures, Annual Town Report – Janell

- The Annual Report follows the fiscal year.
- Website – information that needs to be put on the website can be sent to Janell
- One of the Administrative Assistants roles is to support committees.

Town Policies/Procedures: Purchasing, Payment of invoice, Finance Team roles – Treasurer, Accountant, Assessors' Assistant – Michele

Michele handed out a handout on the information shared (added as Addendum 2)

Q/A

Suggestions from audience-

- The Select Board should do this training once a year.
- Have the training on a Saturday.

- Have food
- Open the meeting to any member of the committees.

Coming Agenda:

- 9-9-24 meeting at 9am.
- Vote on personnel policy.
- Appointments.
- Avery Field trails idea for Open Space and Recreation Committee.
- DLS Meeting.
- Filled out Special Employee form.
- Leyden asked to host a legislative breakfast on 10-11-24.
- Sign roof contract.

**Motion:** Erica moved, and Jeff seconded to approve the JS Smegal estimate for the rear middle low slope of roof and for the contract price of \$45,900, unanimously approved.

**Motion:** Erica moved, and Jeff seconded to approve the Voltrek contract for both the Town Hall and Town Office EVIP software updates totaling \$1817.00 and to approve Michele to sign it.

**ACTION:** Michele is going to the Citizen's Legislation Seminar on October 28th and 30th.

**Motion:** Erica moved, and Katherine seconded to adjourn the meeting at 8:04pm.

## Addendum 1

Accessibility, Transparency, Openness

Government works best when it's in the open

### 1. Open Meeting Law (OML)

Within two weeks of a member's election or appointment or the taking of the oath of office, whichever occurs later, all members of public bodies must complete the Certificate of Receipt of Open Meeting Law Materials certifying that they have received these materials, and that they understand the requirements of the Open Meeting Law and the consequences of violating it.

Open Meeting Law Training at <https://www.mass.gov/service-details/complete-public-body-member-certification> and present your certificate to the Town Clerk.

A part of the OML is **Executive Session** <https://www.mass.gov/info-details/guide-for-members-of-public-boards-and-commissions-appendix-b-reasons-for-entering-executive-session>

**All meetings of a public body** shall be open to the public.

**Public body:** a multiple-member board, commission, committee or subcommittee within the executive or legislative branch or within any county, district, city, region or town, however created, elected, appointed or otherwise constituted, established to serve a public purpose

**Subcommittees** are thus covered and subject to same requirements of the Open Meeting Law as the public bodies that they serve.

What is deliberation?

**Deliberation:** an **oral** or **written** communication **through any medium, including electronic mail**, between or among a quorum of a public body on any public business within its jurisdiction.

What is a Meeting?

**Meeting:** a **deliberation** by a public body with respect to any matter within the body's jurisdiction.

A member cannot transmit his or her **opinion** or those of another

member on a matter of public business to a quorum of the committee electronically or otherwise.

Save it for the meeting.

### **What is a Quorum?**

**Quorum:** General rule: Quorum is a simple majority – unless otherwise provided in a general law, special law, executive order, or authorizing provision.

The public body is generally considered as constituted. This means that a quorum is measured by the total number of positions on the body, even if there is a vacancy – unless otherwise provided by law/order/authorizing provision (such as if it states “number of members serving”).

Think of it this way: **Meeting** = Public Body + Quorum + Deliberation

Members are not restricted from making comments to the public media but make sure you are not speaking for the committee unless you have discussed in a public meeting and taken a vote or state it is your opinion. Be careful of social media (subject to Town Social Media policies)

### **If you think you shouldn't, don't!**

. What is an Open Meeting?

### **REQUIREMENTS:**

**Notice** -(Agenda) 48 hours prior to the meeting. Except in an emergency, in addition to any notice required by law, notice shall be posted at least 48 hours prior to every meeting.

48 hours excludes Saturdays, Sundays, and legal holidays.

Meeting notices must be posted in a legible, easily understandable format; contain the date, time, and place of the meeting,

For local public bodies, meeting notices must be filed with the municipal clerk with enough time to permit posting of the notice at least 48 hours in advance of the public meeting. Notices may be posted on a bulletin board, in a loose-leaf binder, or on an electronic display (e.g. television, computer monitor, or an electronic bulletin board), provided that the notice is conspicuously visible to the public at all hours in, on, or near the municipal building in which the clerk's office is located. In the event that meeting notices posted in the municipal building are not visible to the public at all hours, then the municipality must either post notices on the outside of the building or adopt the municipal website as the official method.

**Recording/Minutes**-Minutes must contain:

- Date, time, and place of the meeting;
- List of the members present or absent (including members who participated remotely);
- Summary of discussions on each subject;

- List of documents and other exhibits “used” at the meeting; and
- Decisions made and actions taken at each meeting, including a record of all votes.
- Roll call votes must be recorded by individual vote

**Participation by Public-** Any member of the public has the right to attend an Open Session.

It is up to the chair to recognize people to speak usually during public comments or to question an agenda item. Remote meetings -all votes will be by roll call and recorded as such in the minutes.

**Public Hearings:** Having a public hearing is usually in the law you are governed by. You should all read the MA GEN Law (MGL) law you are governed by. Go to <https://malegislature.gov/Laws/GeneralLaws> and search for your committee/board/commission. For example: If searching for the Panning Board dutie all the sections of the law will pop up, you can read each one. There is one for a public hearing and what you have to follow for a special permit.

Most public hearings still must be posted in the local newspaper.

## **2.State Ethics-Conflict of interest training.**

**Within 30 days of taking the oath of office** all members of public bodies are required to complete the conflict of interest training.

You can find the Conflict-of-Interest training <https://massethicstraining.skillburst.com>.

You must acknowledge receipt of the conflict-of-interest summary annually and complete the online training program **every two years**.

You must abstain or recuse yourself from a matter under consideration by your public board if certain financial interests are affected. If a matter before your board creates an appearance of a conflict for you, you must first disclose the nature of the conflict in writing before participating in deliberations and voting on the matter. At a minimum, disclosure creates transparency and helps ensure accountability, impartiality and independence. It enhances the public’s confidence in the integrity and fairness of our government and its processes. It helps ensure the delivery of honest services unencumbered by personal interest or gain.

## **3.Office of the Inspector General (OIG)**

This office has put out a guideline for all members of public Boards and Commissions

Inspector General Guide for Members of Public Boards and Commissions.

This lays the foundation for how boards and committees should operate.

You should understand the board’s role and responsibilities in order to guide the public organization toward the realization of its mission, goals and objectives.

Public boards should meet regularly to facilitate open, vigorous and indepth discussions in compliance with the Massachusetts Open Meeting Law, which is outlined later in this guide.

Your board may be responsible for approving budgets, capital projects and other expenditures. If that is the case, your public board ensures that a public organization utilizes its finite public resources wisely and complies with the laws that govern the use of those resources. You must comply with all procurement laws. You are the steward of those resources as a public board member.

#### **4. Public records**

The public records definition is **all** books, papers, maps, photographs, recorded tapes, financial statements, statistical tabulations, or other documentary materials or data, regardless of physical form or characteristics, **made or received**” by any officer or employee of any public entity, unless specifically exempted.

In all proceedings under the Public Records Law and regulations, there shall be a presumption that the record sought is public.

The Massachusetts Public Records Law

- M.G.L. c. 4, § 7(26) and c. 66, §§ 10 and 10A
- 950 CMR 32.00

## Addendum 2

**Town Policies/Procedures** -are now on our website

**The Financial Team** consists of Town Accountant, Treasurer, Tax Collector, Assistant Assessor and Town Coordinator.

We will be adopting financial policies that the DOR has recommended we adopt. Those should be coming out sometime this fall.

**Town Accountant responsibilities**- processes all the expenditures and revenues of all town expenses, examines all vouchers, department bills for accuracy, legality and availability of funds before payment by the Treasurer, oversees preparation and authorizes biweekly town warrants for payroll and bills before submitting to the Board of Selectmen for approval.

- Prepares year-end financial statements as required by the Department of Revenue for the certification of Free Cash.
- Prepares and submits federal, state and town reports
- All bill schedules go to the accountant for payment with appropriate back up invoices. The town accountant can deny any request for payment until the requirements for payment are fulfilled. Any new vendor must provide a W-9 to be paid.
- Each requested expense will be placed on the AP/payroll warrant only after validating:
  - Procurement laws were adhered to
  - The submission is legal
  - No fraud is evident
  - Adequate funds exist
- The town accountant prints the general ledger and other fund balances once or twice per month.

**Treasurer responsibilities**-responsible for biweekly payroll, receives and safeguards all funds belonging to the Town. Issues all town debt authorized at Town Meeting, and to pay the bills and payrolls of the town in an efficient and timely manner.

- Maintaining and updating employee leave time balances database on both pay period and annual accrual bases
- Reviewing the AP warrant and withholding from disbursement any amounts owed to the town by listed payees

- Upon receipt of payroll and AP warrants signed by the Select Board, funding the gross payroll warrant, the Town's portion of Medicare tax, and the gross AP warrant in the associated bank accounts
- Imprinting the AP and payroll checks with the disbursement data using the office printer
- EFT or mailing out all AP checks to the vendors
  - The Treasurer will not give any vendor checks to department heads or other employees to mail
- Updating the cashbook to document the disbursement activity

**The Tax Collector** ensures the efficient and timely processing of excise and property tax bills, and collection of all monies due to the Town. The Tax collector duties include collection of tax delinquencies and tax title.

**Assessor's Assistant responsibilities-** responsible for assisting the Board of Assessors to determine the full and fair cash value of all real and personal property for the purpose of levying a property tax in the Town of Leyden in accordance with the State Department of Revenue guidelines and the provisions of M.G.L. Chapter 41, Section 25A. Views changes in value to real and personal property, performing field measurements and inspections as necessary; appraises residential properties using approved or accepted appraisal techniques.

Examines and evaluates new properties and additions to existing properties to determine fair market value and establish assessments. Analyzes type of construction, grading, other relative values in area and other pertinent factors; reviews available data, plans, costs, purchase price and makes physical inspection of property when required.

Processes abatement and exemption applications including automobile excise and exemptions for elderly, veterans and blind persons; processes deeds to compile necessary information for sales and ratio reports and makes necessary changes to appraisal cards; assists in the maintenance of necessary records; updates files from building permits and deeds for changes.

**Town Coordinator acts as the coordinator of the financial team.**

Meetings of the team are scheduled quarterly.

Agenda topics will include:



- Updating the status of assigned responsibilities and due dates related to cyclical procedures
- Reviewing budget preparation, including financial forecasting and capital funding analysis
- Monitoring monthly revenue and expenditure reports and analyzing cash flow
- Developing corrective action plans for citations in the external auditor's management letters
- Reviewing the effectiveness of internal controls, including the status of monthly reconciliations
- Proposing internal audits
- Coordinating submissions to the Division of Local Services
- Review the status of special projects assigned by the Select Board or others
- Pursuing professional development and training opportunities

Town Coordinator has completed the OIG's procurement course and is waiting for Mass Certified Public Procurement Official (MCPPO) status. This certification will be good for 3 years. A purchasing policy will be coming.