

RULES OF THE BOARD OF ALDERMEN, ADOPTED APRIL 22, 2010

DRAFT

Meetings

Rule 1. Regular meetings of the board shall be held on the second and fourth Thursday evenings of each month at seven o'clock except when the Thursday falls on a holiday, in which case the meeting shall be held on the preceding Tuesday evening at seven o'clock. Special meetings of the board may be convened by the Mayor, by the president of the board, or by six members at any time upon such notification as the General Laws may provide.

Rule 2. The seats of the members of the board shall be numbered and assigned by drawing the names of the members and the numbers of the seats simultaneously, annually, at the first meeting of the board. The president and vice president shall sit in the last two seats, respectively.

Rule 3. ~~The agenda for a meeting shall be prepared by the city clerk printed and made available to all members of the board by 3 PM on the day of the meeting. No matter not submitted by a member shall appear be printed on the agenda of a meeting unless it is in the hands of the city clerk 84 hours (weekends and holidays excepted) prior to the meeting (7 AM Monday for a regular Thursday meeting) by the close of the previous business day. No matter submitted by a member shall be printed on the agenda of a meeting unless it is submitted to the Clerk of Committees by midnight of the previous day under the provisions of Rule 52. Any item submitted between 84 and 36 hours prior to the meeting (weekends and holidays excepted) shall be added to the agenda as a Supplemental Item, subject to the open meeting law (7 AM Wednesday for a regular Thursday meeting). Any item submitted after that shall be added to the agenda as a Supplemental Item, subject to the open meeting law, only when feasible. on the day of the meeting by the Mayor, by City Officers, or as New Business, shall be printed on a supplemental agenda made available to all members of the board and the public prior to the start of the meeting. The agenda and supplement shall be made available to all members of the board by 3 PM on the day of the meeting. Any All additional items not included in the printed on an agenda or supplement that the city clerk presents, if challenged, shall be accepted only by a two-thirds vote of the board.~~

Rule 4. A majority of the entire membership shall constitute a quorum for the transaction of business. The presiding officer shall take the chair at the hour fixed or to which the board has recessed, and shall convene the meeting. If a quorum is not present at such time, then the presiding officer shall recess such meeting until a quorum is in attendance, but if a quorum fails to materialize within thirty minutes of the time originally set forth, then the presiding officer shall adjourn such meeting forthwith.

Rule 5. No employee of the city government, except the city solicitor, shall be required to appear before the board unless one week's written notice shall have been given to the employee, following approval by a majority vote of the board. Such notice shall be prepared by the city clerk and shall describe the matter that that the board is interested in discussing.

Rule 6. Minutes of executive sessions shall be recorded by a recorder of the board's choosing. The recorder shall obtain the written preliminary approval of the minutes by the presiding officer within 24 hours, and shall then seal the minutes and present them to the city clerk, who shall thereafter maintain them. All executive session minutes shall remain confidential until the board votes in open session to release them. The city clerk and city solicitor shall regularly prepare a recommendation to the board as to which minutes should be released pursuant to the state open meeting law.

Presiding Officer

Rule 7. The president of the board or in his/her absence, the vice president, shall take the chair and preside at the meeting. At any meeting of the board, in the absence of the president and vice president the oldest in age of members present shall preside until a president pro tempore is elected.

Rule 8. The presiding officer shall preserve decorum and order and may speak to points of order in preference to other members. The presiding officer shall be entitled to call a recess of up to five minutes in duration when deemed appropriate. The presiding officer shall decide all questions of order and shall be the determinant on all interpretations of these rules. If any member wishes to appeal such decision or determination, he/she shall make a motion, and if it is seconded, then no other business shall be in order until the question on appeal is decided by a majority vote of the board.

Rule 9. The presiding officer may refuse to allow any items which in his/her opinion do not have a direct bearing on the business of the board. These items shall be placed on file and shall not be further considered.

Rule 10. The president may express his/her opinion on any subject under debate, but in such case he/she shall leave the chair and the vice president shall preside. He/she may state facts and give his/her opinion on questions of order without leaving his/her place.

Rule 11. The presiding officer shall declare all votes, but if any member doubts the vote, the chair, without further debate, shall require the members to vote in the affirmative or negative by roll call. He/she shall declare the result only after all members present have voted. No member shall be recorded on any vote unless he/she is physically situated within the board's chambers.

Rule 12. The presiding officer shall name the member who shall first be heard, whenever two or more members address the chair at the same time.

Rule 13. When a question is under debate the presiding officer shall entertain no motion but:

- 1) to adjourn,
- 2) to lay on the table,
- 3) for the previous question,
- 4) to postpone to a day certain,
- 5) to refer to a committee,
- 6) to amend,

- 7) to postpone indefinitely, or
- 8) to recess.

These motions shall take precedence in the order in which they are arranged, and the first two shall be decided without debate. On a motion for the previous question no more than five minutes shall be allowed for debate and no member shall speak except in opposition to the motion or for more than two minutes. All questions of order arising after a motion for the previous question shall be decided without debate, except on appeal, and on appeal no member shall speak more than two minutes or more than once. The adoption of the previous question shall put an end to all debate and bring the board to a direct vote upon pending amendments, if any, and then upon the main question.

Rights And Duties Of Members

Rule 14. Every member when about to speak, shall address the chair as "Mister/Madame President", and shall confine himself/herself to the question under debate, avoiding personal remarks at all times.

Rule 15. Any member may sponsor an employee of city government to address the board on any matter properly before the board, or request the reading of any item in full, unless such sponsorship or reading is objected to by any member. Upon such objection, the address or reading shall occur only by majority vote of the board.

Rule 16. Any member may sponsor a member of the public to address the board on any matter properly before the board unless such sponsorship is objected to by any member. Upon such objection, the address shall occur only by a two thirds vote of the entire membership.

Rule 17. No member shall speak on the same question more than once unless all other members who wish to speak have already spoken. No member shall speak on any subject for more than five consecutive minutes without having first relinquished the floor to any other member who wishes to speak on the subject. No member shall interrupt another, except on a point of order, a point of information, or a point of personal privilege.

Rule 18. No member shall vote or serve on any committee where the subject under debate concerns his/her private as opposed to the public interest. Otherwise, every member who is present when a question is put shall vote in the affirmative or negative unless excused from doing so by the board. Application to be so excused shall be made before the vote is taken.

Rule 19. No member shall represent the board unless he/she is appointed to do so by the president.

Committees

Rule 20. The president shall annually, as soon after the organization of the board as may be convenient, appoint the members to the following standing committees, and any special committees he/she may choose to create. The president may, at any time, change the membership of any committee. The president shall not serve as chair or vice-chair of any standing committee.

The president and vice president shall be members of the committees on finance and legislative matters.

- 1) Confirmation of Appointments (five members)
- 2) Finance (five members)
- 3) Housing and Community Development (three members)
- 4) Information Technology (three members)
- 5) Land Use (three members)
- 6) Legislative Matters (five members)
- 7) Licenses and Permits (three members)
- 8) Public Health and Safety (three members)
- 9) Public Utilities and Works (three members)
- 10) Senior Services (three members)
- 11) Traffic and Parking (three members)
- 12) Veteran and Public Services (three members)
- 13) Youth Services (three members)

Rule 21. The member first named on each committee shall be its chair; and in the case of his/her resignation, inability to serve or absence, the other members in the order in which they are named shall call meetings of the committee and act as chair, subject to the provisions of Rule 20. The most recent edition of Robert's Rules of Order shall be the authority on all questions of debate in committee wherever they do not conflict with the several rules of the board that apply to committees.

Rule 22. A majority of a committee shall constitute a quorum for the transaction of business. The chair shall take the chair at the hour fixed or to which the committee has recessed, and shall convene the meeting. If a quorum is not present at such time, then the chair shall recess such meeting until a quorum is in attendance, but if a quorum fails to materialize within thirty minutes of the time originally set forth, then the chair shall adjourn such meeting forthwith, and ~~may~~ shall prepare a report of the committee indicating such.

Rule 23. The chair of any committee may call and preside at a meeting of the committee of the whole, to include all members of the board, pursuant to the open meeting law, whenever in his or her judgment such meeting shall facilitate the consideration of an item before the committee. In such case, a majority of the entire membership shall constitute a quorum for the transaction of business. In other respects, the provisions of Rule 22 shall apply to these meetings.

~~Rule 24. The chair of each committee shall endeavor to post the committee's agenda in the call of the meeting. In the event that an agenda is not distributed prior to the meeting, the committee report, if challenged, shall be accepted only by a majority vote of the board. Each standing and special committee shall cause records of its proceedings to be kept by the clerk of committees. No committee shall act by separate consultation and no report shall be received by the board unless the subject thereof shall have been considered in committee actually assembled. All reports of committee shall be signed approved by the chair, but in no case shall this preclude a member not in agreement from submitting a minority report, which shall be signed by that member included as part of the committee report.~~

Rule 25. All items of business reported adversely by a committee shall contain the endorsement, "Should Not Be Approved" on such order, ordinance, resolution, petition or other matter, and if the report is accepted, the matter shall be disposed of.

Order Of Business

Rule 26. At every meeting of the board the order of business shall be as follows:

- 1) Call of the meeting, with a prayer, salute to the Flag of the United States of America and a call of the roll of members.
- 2) Approval of the minutes of the previous meeting.
- 3) Citations.
- 4) Public Hearings.
- 5) Ordinances, orders, resolutions and motions of members.
- 6) Unfinished business.
- 7) Reports of committees.
- 8) Communications of the mayor.
- 9) Communications of city officers.
- 10) New business.

Rule 27. All items on the agenda shall be acted upon in the order in which they are read by the city clerk, unless the board shall otherwise direct by majority vote of the board. All items shall be read by their titles only, unless any member requests a reading pursuant to Rule 15.

Rule 28. No report of a committee shall be acted upon by the board unless it is printed on the agenda of a meeting.

Rule 29. After a motion or item is stated or read before the board it shall be deemed to be in possession of the board and shall be disposed of by vote, but the mover may withdraw it at any time before a decision or amendment if no objection is made.

Rule 30. Every motion shall be reduced to writing if the presiding officer so directs or if any member so requests. A motion need not be seconded, except as provided in Rule 8.

Rule 31. A question containing two or more propositions may be divided whenever such division can clearly be made, and such division shall be determined by a majority vote of the board.

Rule 32. Every item shall, after its passage, remain in the possession of the city clerk until twelve o'clock noon of the second weekday (Saturdays and holidays excepted) following the day of the meeting at which final action was taken. If, during that time, notice of intent to move for reconsideration is filed with the city clerk, then such item shall be considered unfinished business before the board. If, during that time, no notice of intent to move for reconsideration is filed with the city clerk, then such item shall be considered as having passed out of the custody of the board.

Rule 33. A motion for reconsideration shall only be made by a member on the prevailing side. No motion for reconsideration shall be made upon any of the following motions: to adjourn, for a

roll call vote, to lay on the table, or for the previous question. On a motion for reconsideration no more than twenty minutes shall be allowed for debate, and no member shall speak more than two minutes. No motion for reconsideration shall be made during a meeting at which final action on a matter has been taken except by two thirds vote of the entire membership. No motion shall be twice reconsidered, but this shall not prevent the board from reconsideration of any matter vetoed by the mayor.

Rule 34. Petitions for licenses or permits shall, upon their receipt by the board, be referred to the committee on licenses and permits unless a motion to approve without referral to committee is approved by two thirds of the entire membership.

Rule 35. Appointments and reappointments subject to confirmation shall, upon receipt by the board, be referred to the committee on confirmation of appointments unless a motion to approve without referral to committee is approved by two thirds of the entire membership.

Rule 36. Mayor's requests for direct appropriations, transfers, tax levies or loans shall, upon receipt by the board, be referred to the committee on finance unless a motion to approve without referral to committee is approved by two thirds of the entire membership.

Rule 37. Proposed ordinances relating to pedestrians or vehicular traffic, the parking of vehicles on the public ways, or to taxicabs shall, upon receipt by the board, be referred to the committee on traffic and parking.

Rule 38. Proposed ordinances relating to zoning shall, upon receipt by the board, be referred to the committee on land use and to the Planning Board.

Rule 39. Proposed ordinances not above described shall, upon receipt by the board, be referred to the committee on legislative matters.

Rule 40. On all matters not described in Rules 34 through 39, the presiding officer shall determine how the matter shall be disposed of, unless a majority of members present shall vote otherwise.

Rule 41. No endorsement of any kind, except reports of committees, shall be made upon any items referred to committee.

Rule 42. Any item referred to a committee and not acted on within sixty days of such referral may be ordered for discharge from that committee by any member upon a vote of a majority of the entire membership.

Orders, Ordinances and Resolutions

Rule 43. All orders, ordinances and resolutions shall be signed by the member who presents them, or by an authorized representative.

Rule 44. In all votes, when the board expresses an action by way of command the form of expression shall be, "ordered"; and when the board expresses an opinion, principles, facts or request, the form shall be "resolved."

Rule 45. Every order and resolution shall be read a single time before the question on final adoption is taken, unless it is referred to a committee.

Rule 46. Every proposed ordinance and home rule petition shall be printed and a copy made available to each member at the start of the meeting at which its approval is expected to be under consideration.

Rule 47. Every ordinance, before being enrolled, shall be printed and a copy made available to each member. No ordinance once enrolled shall be amended. No ordinance shall be passed through all its stages of legislation at the same session, except by a two thirds vote of the entire membership taken by roll call. ~~Once ordained, each ordinance shall be signed by the presiding officer.~~

Rule 48. Any order, ordinance, resolution or final vote may be passed through all its stages of legislation at one session, provided that no member objects thereto; but if a single member objects, the measure shall be postponed for that meeting, and if when it is next brought up, three or more members object to its passage, a second postponement of at least one week shall take place. The invocation of a member's rights under this Rule or under Section 15 of the City Charter shall automatically halt discussion of the matter. Any matter postponed under this Rule shall be considered unfinished business at subsequent meetings, but shall remain on the table until removed by a majority vote of the board.

Rule 49. Every order, ordinance, resolution or final vote of the board, except as relates to its internal affairs, shall be presented to the mayor. If he/she approves, he/she shall so signify ~~by signing it~~; but if he/she does not approve, he/she shall return it with his/her objections to the board. The matter shall then be considered not approved, unless the board proceeds to reconsider it, and two thirds of the entire membership vote to pass it notwithstanding the objections of the mayor, in which case it shall be finally approved. In all cases, the vote to reconsider shall be by roll call. If such order, ordinance, resolution or final vote is not returned to the board within 10 days after it has been presented to the mayor, it shall be considered approved.

Rule 50. After an order or resolution is adopted by the board, the board, by a majority vote, may refer such item to a committee of the board for further action. In that event, the clerk shall note on the item that it was adopted by the board and referred to a committee for further action. Whenever the committee discusses such item at a committee meeting, the committee report for that meeting shall list the item number and report on the action taken by the committee on that item. When the committee, by a majority vote at a committee meeting, has determined that it has completed its work on the item, the committee report shall note that it is the recommendation of the committee that the item be returned to the full board. If the committee's recommendation is accepted by the board, then the clerk shall note on the item that it was returned by the committee to the board with the date. If an item is referred by the board to more than one committee, then any action taken by the committees on that item must be at joint meetings of the two committees.

Rule 51. Whenever any order, ordinance, resolution or other matter shall have been finally rejected by vote of the board, no measure embodying substantially the same subject matter shall be acted upon by the board, by any committee or member within six months of the date of its rejection.

Duties Of The Clerks

Rule 52. The city clerk shall have charge of all journals, records and documents of the board and shall attest all warrants. He/she shall be the clerk of the board, shall attend all meetings, shall record the names of the members present and shall keep a record of all votes and proceedings. He/she may make changes to correct the form of an item once acted on by the board but prior to its presentation to the mayor, provided that its substance is not thereby affected. He/she shall maintain the papers and all documents for which no other provision has been made by law or ordinance. He/she shall also keep and submit minutes of every meeting of the board, which shall become the official record of the board's actions upon acceptance by the board. In his/her absence, the assistant city clerk shall serve as clerk of the board pro tempore, who shall be sworn to the faithful performance of his/her duties.

Rule 53. The clerk of committees or in his/her absence the assistant clerk of committees shall keep a list of committees and their respective memberships posted in a convenient place in the committee room of the board. He/she shall also prepare correspondence for each committee, and keep a record of every item of business before each committee. The clerk of committees shall notify every member of the board of all committee meetings and shall prepare the minutes of each committee meeting ~~at which items are acted on or the chair otherwise requests.~~ The clerk of committees shall also prepare and deliver to the city clerk all orders, ordinances and resolutions in advance of the board meeting, and shall deliver to the city clerk, by the start of the business day of the meeting, only those items received by the prior midnight, for inclusion on the agenda. The clerk of committees and his/her assistants shall be directly responsible to the president of the board. He/she shall conduct research, prepare reports and perform such other functions and have such other duties as the president or any committee, by majority vote, shall from time to time direct.

Rule 54. The city clerk shall schedule usage of the aldermanic chambers and committee room for the board of aldermen or other city boards, committees, commissions, or departments. The committee room, however, shall only be scheduled business days between the hours of 8:30 AM and 4:30 PM. The board of aldermen reserves the right to use the rooms at any time, even if they had previously been scheduled by another entity. The rooms may be used if available, but may not be scheduled, by individuals for a wedding ceremony licensed by the city clerk's office. The rooms may not be used by other entities without the expressed consent of the president. Use of the rooms may be withheld from any group that, in the opinion of the president or city clerk, does not leave them in a clean and orderly condition.

Suspension Or Alteration Of the Rules, Parliamentary Authority

Rule 55. No standing rule of the board shall be suspended unless either two thirds of the entire membership consents or the rule to be suspended specifies otherwise. No objection to suspension of the rules shall be deemed as an objection under Rule 48 or Section 15 of the City Charter.

Rule 56. Every amendment to a rule, proposed new rule or repeal of a rule shall be forwarded to each member of the board and shall be referred to the committee on legislative matters, or any appropriate special committee, which shall recommend its adoption or rejection. Two thirds vote of the entire membership shall be required to amend, add or repeal a rule of the board.

Rule 57. The rules of parliamentary procedure, as contained in the most recent edition of Robert's Rules of Order and interpreted by the city clerk, shall be the authority on all questions of debate or parliamentary usage wherever they do not conflict with the rules of the board.

OPEN MEETING LAW QUICK GUIDE

- The Open Meeting Law applies to any multiple member body, i.e., any board, commission, committee, or subcommittee.
- Upon qualification for office, the city clerk will give every member a copy of the Open Meeting Law. Every member is required to sign an acknowledgement of receipt of the law.
- At least forty-eight hours notice of a meeting must be given but Saturdays, Sundays and holidays are *not* counted for giving the required forty-eight hours notice.
- The meeting notice must include a "listing of topics" reasonably expected to be discussed at the meeting.
- At the beginning of the meeting the chair must announce if anyone, including the body itself, is making a video or audio recording of the meeting.
- The Attorney General can allow remote participation by a member. However, a quorum must actually be present and remote participation must be requested and authorized prior to the meeting.
- Votes by secret ballot are not allowed. A roll call vote is required in an executive session.

- Email between or among a quorum of a public body is considered a deliberation and subject to the Open Meeting Law. Distribution of agendas, scheduling information or reports to be discussed at an upcoming meeting are permitted via email provided no opinion is expressed by any member.

EXECUTIVE SESSION

- Before going into executive session, the chair must declare the reason the executive session is required. A majority of the members must vote to enter executive session and a roll call vote must be taken and recorded in the minutes. The chair must also announce whether open session will reconvene after the executive session.
- If the board will be discussing collective bargaining or litigation strategy, acquisitions, leases or values of real property, or to consider or interview applicants for employment, the chair must also state that conducting the business in open session will have a detrimental effect on the public body's strategic or negotiating position.
- If the reason for executive session is to discuss the character, reputation, physical or mental condition of someone; to discuss the discipline of someone; or to discuss complaints about someone; then the individual

involved can require that the meeting be open. If executive session is held, the individual has the right to be present, has the right to counsel, has the right to speak on his own behalf and the right to have an independent record of the session made by audio-recording or transcription, at the individual's expense.

MINUTES

- Minutes must include the following: 1) a summary of every discussion held on each subject 2) a list of all documents and exhibits used at the meeting and 3) decisions made and actions taken, including a record of every vote.
- Anything used at the meeting, i.e., documents, exhibits, plans, etc., must be part of the record and must be preserved.
- Minutes must be made available within 10 days if requested by a member of the public, whether approved or not, or whether they are final or in draft form.
- The chair or designee is required to review the minutes of executive sessions to determine if the minutes can be released.

If you have any questions or concerns, please contact the City Solicitor's office at (617) 625-6600, ext. 4400 or via email at law@somervillema.gov

	ORIGINAL RULE 3	PROPOSED RULE 3
1	Rule 3. The agenda for a meeting shall be printed and made available to all members of the board by 3 PM on the day of the meeting.	Rule 3. The agenda for a meeting shall be prepared by the city clerk. <i>(Taken from below: The agenda and supplement shall be made available to all members of the board by 3 PM on the day of the meeting.)</i>
2	No matter not submitted by a member shall be printed on the agenda of a meeting unless it is in the hands of the city clerk by the close of the previous business day. No matter submitted by a member shall be printed on the agenda of a meeting unless it is submitted to the Clerk of Committees by midnight of the previous day under the provisions of Rule 52.	No matter shall appear on the agenda of a meeting unless it is in the hands of the city clerk 84 hours (weekends and holidays excepted) prior to the meeting (7 AM Monday for a regular Thursday meeting).
3	Any item submitted on the day of the meeting by the Mayor, by City Officers, or as New Business, shall be printed on a supplemental agenda made available to all members of the board and the public prior to the start of the meeting.	Any item submitted between 84 and 36 hours prior to the meeting (weekends and holidays excepted) shall be added to the agenda as a Supplemental Item, subject to the open meeting law (7 AM Wednesday for a regular Thursday meeting). Any item submitted after that shall be added to the agenda as a Supplemental Item, subject to the open meeting law, only when feasible.
4		The agenda and supplement shall be made available to all members of the board by 3 PM on the day of the meeting.
5	All additional items not printed on an agenda that the city clerk presents, if challenged, shall be accepted only by a two-thirds vote of the board.	Any additional item not included in the agenda or supplement that the city clerk presents, if challenged, shall be accepted only by a two-thirds vote of the board.

*


Chubbis
20
LAW-CR00
*



CITY OF SOMERVILLE, MASSACHUSETTS
LAW DEPARTMENT

MEMORANDUM

TO: Honorable Joseph A. Curtatone, Mayor
Honorable Board of Aldermen
Honorable School Committee Members
All Boards, Commissions and Department Heads of the City of Somerville

FROM: Francis X. Wright, Jr., City Solicitor 

DATE: June 21, 2010

RE: Revised Open Meeting Law

The Massachusetts Open Meeting law has recently been revised as part of the 2009 Ethics Reform Bill. Part of the revisions centralize state-wide enforcement of the law with the Office of the Attorney General. The scheduled effective date for these revisions is July 1, 2010.

The overriding purpose of the Open Meeting Law ("Law") is for deliberations and decisions upon which public policy is based to be held in public. The Law requires that most meetings of governmental bodies be held in public, with proper notice. However, there are certain exceptions within the Law that ensure public officials are not "unduly hampered" by requiring every discussion among public officials be held in public. Consequently, the Law provides for certain circumstances under which a meeting may be held in executive, or closed, session. The following, in summary form, is a list of the relevant changes to the Law:

1. The law applies to all public bodies. The law defines a public body as "a multi-member board, commission, committee or sub-committee, however created, elected, appointed or otherwise established" Please contact this office if you have any questions regarding applicability of the law.



2. New requirements for all persons serving on "public bodies" to receive Attorney General's version of Open Meeting Law, regulations and educational material; the City Clerk or a designee shall maintain written certifications of receipt. In a follow-up communication, you will be notified how to comply with this provision.
3. 48 hour notice is still required under the Law. However, Saturdays, Sundays and legal holidays cannot be counted as part of the notice requirement. (As an example, a Monday night meeting must be posted before the preceding Thursday night.) As a practical matter, be sure that the City Clerk receives all meeting notices for posting no later than Wednesday of the week prior to the meeting.
4. All notices of public meetings must: (1) include a list of topics the chair reasonably anticipates will be discussed; and (2) be posted in or on a municipal building to be visible to the public at all hours of the day. Your meeting posting must include a list of topics that the Chair expects will be discussed. This does not prevent the meeting from addressing items that the Chair did not reasonably expect to be discussed.
5. Emails are expressly included in the definition of "deliberation" under the Law. Such communications are prohibited outside of an open session. However, please note that distribution of agendas, scheduling information or reports to be discussed at an upcoming meeting are permitted via email.
6. Attendance by a quorum of members at a particular event or location is not a "meeting" if it is not intended to conduct business and no deliberation occurs. (As an example, attending a conference, social event, or a meeting of another municipal board is permitted.)
7. The Law now requires that minutes of meetings must contain more detailed information. In addition to "date, time, place and matters discussed," minutes must also include summaries of matters discussed, list of documents used, and all decisions made/votes taken. Even before they are formally approved by the body, minutes must be generated, maintained, and made available within 10 days of a request.
8. Documents and other exhibits, such as photographs, recordings or maps, used by the body at an open executive session shall, along with the minutes of a meeting, become part of the official public record of the session. You may want to ask participants of your meeting to bring additional copies for the record of any materials they intend to submit during the meeting.
9. Chairs of bodies are required to periodically review executive session minutes and determine if they should be released, or if the purpose for convening the executive session is still ongoing, thus requiring that the minutes of said session be kept as confidential.



10. The Attorney General will assume all interpretation and enforcement authority over the Law, and District Attorneys will no longer be involved. The Law also grants unto the Attorney General broad enforcement authority.
11. Under the Law, citizens seeking to make complaints of violations of the Law must now first file a written complaint with the governmental body. Upon receipt, the governmental body is required to reply to the complaining party and forward its reply to the Attorney General. If you receive any complaints of violations of the open meeting law, please forward them to the Law Office immediately.

I have also attached for your convenience a one page guide to the changes in the open meeting law.

Although there is discussion at the state level about delaying implementation of the above changes to November 1, 2010, please assume that these changes will take effect on July 1, 2010.

If your respective bodies have specific questions relative to these changes, please do not hesitate to contact this office.