

TOWN OF HOPKINTON

TOWN CLERK'S OFFICE

(REVISED: 10-24-2014)

PROCEDURE FOR TOWN BOARDS/COMMITTEES MEETING POSTINGS IN ACCORDANCE WITH OPEN MEETING LAW: MGL c. 30A:§20

The Town Clerk's Office created the following procedure for posting meeting agendas in accordance with the Open Meeting Law, MGL c. 30A; §20. This procedure is to ensure that the Open Meeting Law requirements are met by all Town boards and committees,

POSTING MEETING AGENDAS PROCEDURE:

The officer calling the meeting is responsible for the posting requirements. Notices including agendas must be posted at least 48 hours in advance, except in an emergency*, excluding Saturdays, Sundays, and legal holidays. **Please keep in mind that the Town Clerk must receive the copy of meeting for posting prior to the deadline at least 48 hours prior to any meeting. The 48 hour clock is confirmed with time and date stamp on the printed agenda in the Town Clerk's office.** This will ensure that our office will process it before the office closes. It is recommended posting agendas greater than 48 hours in advance.

*For example, if our office receives a posting after the Town Clerk's Office closes (Monday, Wednesday, and Thursday at 4:30 PM, Tuesdays at 7:00 PM and Friday at 2:00 PM) within 48 hours of the meeting, and it is not time and date stamped, the meeting **will not be posted in accordance to MGL c. 30A, §20**; and the meeting, therefore, **will not** be in compliance with the Open Meeting Law.*

The Town Clerk's Office confirmed with the State Attorney General's office that, although the Board of Selectmen approved (April 2011) the posting of meetings on the Web Meeting Calendar as an alternative posting method, the 48 hour compliance does NOT begin when the agenda is posted on the Web Meeting Calendar; it begins when time and date stamped by the Town Clerk. Please see below scenarios of properly posted meeting:

MEETING DATE

Monday 5 pm Meeting
Tuesday 5 pm Meeting
Wednesday 5 pm Meeting
Thursday 5 pm Meeting
Friday 2 pm, Saturday, Sunday

MUST BE RECEIVED PRIOR TO

Thursday by 3:00 PM before the meeting
Friday by noon before the meeting
Monday by 3:00 PM before the meeting
Tuesday by 3:00 PM before the meeting
Wednesday by 3:00 PM before the meeting

Remember!! Saturday, Sunday and Legal Holidays are not counted in the 48 hours advance.

IF THERE IS A MONDAY HOLIDAY due dates change: *(If the holiday is on a different day, the due dates will change similarly i.e., Thanksgiving.)*

MEETING DATE

Monday holiday
Tuesday 5 pm Meeting
Wednesday 5 pm Meeting
Thursday 5 pm Meeting
Friday 5 pm, Saturday, Sunday

MUST BE RECEIVED PRIOR TO

No Meetings – Town Offices Closed
Thursday by 3:00 PM before the meeting
Friday by Noon before the meeting
Tuesday by 5:00 PM before the meeting
Wednesday by 3:00 PM before the meeting

EMERGENCY* MEETINGS:

In an emergency*, a public body shall post notice as soon as reasonably possible prior to such meeting. Notice shall be printed in a legible, easily understandable format and shall contain the date, time and location of such meeting including a listing of topics that the chair reasonably anticipates will be discussed at the meeting.

Please note that according to MGL c. 30A; §18, an "emergency" is a sudden, generally unexpected occurrence or set of circumstances demanding immediate action. **Not an Emergency meeting: In an event of a snow storm and a meeting must be cancelled, the new date must be posted and the 48 hour notice requirement must be met. ("Snow Cancellation" is not considered an emergency for the purposes of*

invoking the “emergency meeting” rule. Although, under MGL c. 30:§18 suggests that for important meetings or advertised public hearings that a snow date be posted and advertised (and later cancelled if it does not snow, which would eliminate the need to re-post and re-advertise. It’s also stated that a meeting cannot be continued to a second night without the second date having been posted for 48 hours in advance.)