

**Select Board
Regular Meeting Minutes
January 10, 2022, 7:00 pm**

Present: Chair Brian R. Keyes, Selectman Louis J. Arcudi, III, Selectwoman Glenda A. Hazard, Town Administrator Diana M. Schindler

Chair Keyes called the meeting to order at 7:01PM. Chair Keyes began the meeting with the Pledge of Allegiance. Chair Keyes thanked all Town Departments and Town First Responders who worked during the winter storm.

Consent Items

Approval of December 13, 2021 Regular Minutes

Approval of December 27, 2021 Regular Minutes

Regarding the December 13, 2021 Regular Minutes, Selectwoman Hazard asked for a revision to the portion that pole hearing. She asked to put the description of the hearing before the discussion and vote. Selectwoman Hazard's second revision is to update the sentence where she states that residents can reach out to her regarding her voting decision "tonight". She meant that residents can reach out to her regarding any of her voting decisions.

Selectman Arcudi moved to accept the December 13, 2021 and December 27, 2021 Regular Meeting Minutes. Selectwoman Hazard seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Accept Donation of \$200 to the Bancroft Memorial Library Marge Hattersley Memorial Fund (aka The Marjorie E. Hattersley Memorial Fund) from Fredrick G. Oldfield III

Selectwoman Hazard moved to accept the Donation of \$200 to the Bancroft Memorial Library Marge Hattersley Memorial Fund (aka The Marjorie E. Hattersley Memorial Fund) from Fredrick G. Oldfield III. Selectman Arcudi seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Accept Donation of \$200 from Rockland Trust to the Hopedale Cultural Council for 2022 Day in the Park

Chair Keyes thanked Rockland Trust for the generous donation.

Selectman Arcudi moved to accept the Donation of \$200 from Rockland Trust to the Hopedale Cultural Council for 2022 Day in the Park. Selectwoman Hazard seconded the motion.

Hazard – Aye, Arcudi – Aye, Keyes – Aye

Accept the Second Impact Fee from High Hopes, LLC of \$30,176.51

Selectman Arcudi stated that this deposit is from the impact fees, not the percentage received from marijuana sales that can be put towards Town expenditures, budget, etc. This impact fees deposit can only be put towards impact costs, which the state specifies.

Selectman Arcudi moved to accept the Second Impact Fee from High Hopes, LLC of \$30,176.51.

Selectwoman Hazard seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Appointments and Resignations

Appoint Select Board member as Finance Committee liaison

Selectman Arcudi stated that in the past, he was the Finance Committee Liaison due to his financial background. Typically, the liaison is the Chair of the Board, and is the person that is going to present the budget with the Finance Committee on Town Meeting Floor. Selectwoman Hazard stated that she does not have Selectman Arcudi's financial background. She is able to be the contact between the two Boards however, she is not comfortable being the liaison in the capacity that Selectman Arcudi was. Selectwoman Hazard stated she is willing to give being the liaison a try.

Selectman Arcudi moved to appoint Selectwoman Hazard as the Finance Committee Liaison.

Selectwoman Hazard seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Accept Appointment of David Cedrone to the Master Plan Steering Committee for an Unexpired Term, effective immediately

Selectwoman Hazard thanked David Cedrone for stepping up to the Master Plan Steering Committee and the Economic Development & Industrial Corporation Committee.

Selectwoman Hazard moved to appoint David Cedrone to the Master Plan Steering Committee for an Unexpired Term, effective immediately. Selectman Arcudi seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Accept Appointment of David Cedrone to the Economic Development & Industrial Corporation Committee for a Three-Year Term, effective immediately

Selectman Arcudi moved to appoint David Cedrone to the Economic Development & Industrial Corporation Committee for a Three-Year Term, effective immediately. Selectwoman Hazard seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Accept Resignation of Peter Robinson from the Hopedale Fire Department as a Call Fire Candidate
Chair Keyes read the letter of resignation regarding Peter Robinson from Fire Chief Daige. Chief Daige stated that Peter Robinson will be missed and was a great addition to the Fire Department while he was apart of it. The Select Board echoed Chief Daige's sentiments.

Selectwoman Hazard moved to accept the Resignation of Peter Robinson from the Hopedale Fire Department as a Call Fire Candidate. Selectman Arcudi seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes – Aye

Accept Appointment of Matthew Berger to the Hopedale Fire Department as a Firefighter/Paramedic effective January 1, 2022

Chair Keyes read the appointment letter provided by Fire Chief Daige. Chief Daige stated that Matthew Berger is an excellent addition to the Hopedale Fire Department. His skills and training will be a great help to the Department. Selectman Arcudi stated that it is a great opportunity to have Matt join the Hopedale Fire Department, Selectman Arcudi thanked Matt. Selectwoman Hazard also thanked Matt and stated she is more than happy to make this official.

Selectman Arcudi moved to accept the Appointment of Matthew Berger to the Hopedale Fire Department as a Firefighter/Paramedic effective January 1, 2022. Selectwoman Hazard seconded the motion.

Arcudi – Aye, Hazard – Aye, Keyes - Aye

New Business

Memorial 5K Run in Honor of David Hodgdon – Organized by Leah Hodgdon (Daughter), Tentative Date, June 25, 2022 (Vote)

Chair Keyes read the email provided by Leah Hodgdon regarding the request for a memorial 5K run. Town Administrator Schindler stated that Leah should coordinate with Police, Fire and the Highway Department. Under Chapter 90, the Select Board has authority over the roads, so the Select Board can close the roads during the race time. Schindler also stated that Leah should correspond with the Board of Health to get COVID guidance. Police Chief Giovanella asked Leah to give him a call and he can assist with setting up the event. Mary Arcudi informed Leah that the Park Commission has this item on their agenda January 20, 2022.

Selectwoman Hazard moved to approve the Memorial 5K Run in Honor of David Hodgdon – Organized by Leah Hodgdon (Daughter), Tentative Date, June 25, 2022. Selectman Arcudi seconded the motion. Arcudi – Aye, Hazard – Aye, Keyes – Aye

Address Open Meeting Law Complaint of Jayme Solomon-Zissu and Discuss Proposed Response (Vote)

Chair Keyes stated that he is removing himself from this agenda item and asked Town Administrator Schindler to provide an update. Schindler stated that the Town received an Open Meeting Law complaint, this complaint is in the packet if residents wish to review. Schindler stated that it is required by the Select Board to have the complaint as an agenda item and hold a discussion. There was a response from the Town provided by Town Counsel, Attorney Brian Riley. This response stated that technically the complaint is not a violation of open meeting law. The vote is to send the response to the Attorney General and Jayme Solomon-Zissu (Complainant). Selectman Arcudi stated that his seems more of a conduct issue than an open meeting violation.

Selectman Arcudi moved to send the response to the Attorney General and Jayme Solomon-Zissu. Selectwoman Hazard seconded the motion.

Selectman Arcudi motioned to move agenda item #6, Review Code of Conduct for Municipal Boards/Committees/Departments to current discussion. Selectwoman Hazard seconded the motion. Arcudi – Aye, Hazard – Aye, Keyes – Aye

Review Code of Conduct for Municipal Boards/Committees/Departments

Selectman Arcudi stated that during his office hours, the topic of a code of conduct has come up multiple times and that this is something the public wants. Selectman Arcudi drafted a code of conduct (provided in packet) by combining other Town's code of conducts to create something specific to Hopedale. Chair Keyes stated that a final draft should be provided and voted on by the next or a future meeting. Selectwoman Hazard stated that there should be clear definitions provided in the code of conduct, for example the term "bullying". The Board stated that if the public has any input to let them know or send an email to the Town Administrator. Selectman Arcudi asked Town Administrator Schindler to notify the Boards/Departments of the draft code of conduct at her next department head meeting.

Address Request to Eliminate Impact Fees in Host Community Agreements for Marijuana Establishments – No Vote Taken

Chair Keyes clarified that this would potentially eliminate impact fees. A representative from Caroline's Cannabis and a representative from High Hope's were present during this meeting. Chair Keyes that this agenda item was put on at his request, this agenda item stemmed from conversations that he's had with the Town Administrator, and the Owners of the retail cannabis businesses in Town. Chair Keyes asked for a list of the impacts and costs that the Town is currently facing. Selectman Arcudi stated that the 3% that is added to the revenue stream cannot be negotiated, that is governed by the State. The impact fees are based on the Towns discretion but cannot exceed 3%. Caroline, Owner of Caroline's Cannabis stated that she is looking for the Select Board's support in eliminating the impact fee. To her knowledge, there has been no negative impact on Hopedale. She would like to revise the host community agreement (HCA) to eliminate the impact fee unless a specific impact comes up related to a specific business. Caroline stated that other Town's and communities are following this practice. Caroline stated that they are not seeing the documentation from other Town's they are located in regarding the impacts that the Town faces. Chair Keyes and the marijuana Representatives were in agreement that if the Board does away with the 3% impact fee premium, then any impact costs that come to light, they will be paid by the businesses. Selectwoman Hazard suggested that the Board could reduce the fee for a limited amount of time, during this time the Town would investigate the impact costs. If there were no costs, then the Board would possibly do away with the impact fee. The Board and representatives discussed additional courses of action that could take place. Chair Keyes stated that he would like the Select Board to speak with the Police and Fire Chief's, Highway Superintendent, Water Commission, and the Zoning Board of Appeals regarding impact fees. Chair Keyes requested to continue this discussion and have a possible vote at the next Select Board meeting once a finalized product is made.

Address Request for Response from GU RR re: Fly Ask Silos Monitoring and Emergency Plans (Vote)
Town Administrator Schindler stated that the vote for this item tonight is for the Select Board to approve the letter (in packet) and send the response. Selectman Arcudi stated that the Town should ask for the engineer specs because it was part of the agreement. Selectman Arcudi stated that there should be more information provided prior to the Select Board vote on the letter. Selectman Arcudi stated that there should be no vote tonight. The Town Administrator should send a letter to the Railroad notifying them that the Select Board is expecting an update and possibly put the Railroad on a future Board meeting.

Address Violations of Class II Licensing; Patriot Auto and Costa Auto (Vote)
Town Administrator Schindler stated that the Town authority that is enforcing this is the Zoning Enforcement Office/Building Inspector, Tim Aicardi. Schindler stated that there is a secondary enforcement because of the Class II license (issued by the Select Board). Schindler stated that Patriot Auto has been corresponding with the ZBA to apply for a new special permit. Tim Aicardi has instructed these two businesses that they need to become compliant with the zoning parameters. Chief Giovanella stated that regarding the Class II license, the businesses have been notified of their violations to the Class II licenses. Selectman Arcudi stated that he feels these businesses are taking advantage of the Town. The Town does not receive monies from their businesses just because they are located in Hopedale. Selectman Arcudi feels that the businesses need to be shut down as of today until they become compliant with their special permit/Class II license.

Selectman Arcudi moved to shut down Patriot Custom Auto and Costa Auto until they become compliant with their Class II license parameters and the Town bylaws. Selectwoman Hazard seconded the motion.

Selectwoman Hazard stated that she would like to open this topic for discussion. Town Administrator Schindler stated that the Select Board issues the Class II licenses, the Select Board should be monitoring that these businesses are staying within the parameters set by the Class II license, the Police Department does the enforcement for the Select Board. However, the other businesses that are being run need to be registered with the Town Clerk and confirmed that these businesses can be run with the ZBA/special permit, this is not something that the Select Board can enforce. Town Administrator Schindler stated that she will continue to get information from the Town Clerk regarding the additional businesses.

Chief Giovannella stated that enforcement for the Class II license has been completed by the State Police. The Hopedale Officer informed the businesses that the businesses need to be compliant with their license parameters.

Town Administrator Schindler stated that the Zoning enforcement needs to begin tomorrow. Chair Keyes stated that anything outside of the special permit or license parameters needs to be shut down as soon as possible.

Old Business

Joint Meeting with Board of Health re: Animal Control Officer – Tabled

Town Administrator Schindler stated that the Chair of the Board of Health informed her that they would hold a joint meeting once they have made a decision. Chair Keyes stated that he was confused regarding this response, Keyes stated that at a previous joint meeting the Board of Health agreed to discuss this topic at their next meeting and to return to the Select Board for open discussion. Selectman Arcudi stated that he is surprised and disappointed that this is how the Board of Health is proceeding with the decision of this item. Selectman Arcudi stated that the Select Board did agree that it is up to the Board of Health to decide, however, they promised to provide guidance to the Town regarding costs, logistics, etc. if they do not accept the municipal agreement. The Select Board were in agreement that they are disappointed with the Board of Health and feel stonewalled out of this decision. Town Administrator Schindler stated that the deadline for this agreement is around July 1, 2022.

Public and Board Member Comments (votes will not be taken)

Selectman Arcudi thanked the Highway Department, Police Department & Fire Department did an excellent job regarding handling the winter storm. Arcudi stated that he has taken advantage of the weekly disposal of large items (ex: couches) and the company E.L. Harvey is a kind group that assists the Town.

Correspondence and Selectmen Informational Items (votes will not be taken)

Hopedale PFAS Complaint Filed

Xfinity – Programming Advisory, effective December 14, 2021, Universal Living Faith Network was added to Ch. 1098

Motion to Vacate Stipulation of Dismissal filed in the Land Court re: 364 West Street

Requests for Future Agenda Items:

Joint Meeting with Finance Committee re FY23 Budget

Administrator Updates

<https://www.hopedale-ma.gov/home/webforms/hopedale-town-projects-initiatives>

Executive Session: None

Selectman Arcudi moved to adjourn the regular meeting. Selectwoman Hazard seconded the motion. Arcudi – Aye, Hazard – Aye, Keyes – Aye

Chair Keyes dissolved the meeting at 10:17PM

Submitted by:

Lindsay Mercier

Lindsay Mercier, Executive Assistant

Adopted: _____

**BOARD, COMMISSION OR COMMITTEE
TALENT BANK FORM**

Local Government needs citizens to give of their time and talents serving the Town of Hopedale. A Talent Bank has been established to compile a list of interested citizens, willing to serve on a voluntary basis on boards, commissions and committees. Some groups meet often, others require less time, and still others are busy only at specific times of the year. Occasionally, there are requirements for ad hoc committees or sub-committees appointed to work on specific projects. Experience indicates that the two most appropriate qualities for successful service are an open mind and exercise of common sense.

If you are interested in serving, please list the position(s) you wish to be considered for:

Board, Commission or Committee applying for:

BOARD OF REGISTRARS

Please return completed forms to:

Town Administrator's Office – Hopedale Town Hall 78 Hopedale Street, Hopedale, MA 01747

The Town Hall mailing address is: P.O. Box 7, Hopedale MA, 01747

Please Note:

- > The Board of Selectmen may fill vacancies until next election.
- > It is recommended that you attend a few meetings of the committee or board you are contemplating joining to help determine your interest.
- > The board/committee will be asked for their recommendation on each applicant appointment.

Name: Richard J McGRANE

Are you a registered voter? Yes No

Address: [REDACTED]

How long have you lived in Hopedale? [REDACTED]

Home Phone: [REDACTED] Cell Phone: [REDACTED]

E-Mail: [REDACTED]

How would you like to be contacted? CELL

Occupation: Retired

Have you ever been convicted of a felony? Yes No

Please list any potential conflicts of interest, e.g. membership in an organization or your business:

NONE

Education and Experience: BS From Stonehill 1979

How many times during the last year have you attended a meeting of the Board/Committee to which you are requesting appointment? NONE

Have you ever had business before the Board/Committee to which you are requesting an appointment?

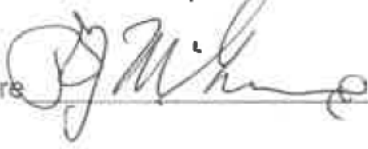
Yes No If yes what type of business? _____

Special interests and skills: Computer proficiency, Comm Skills
Problem Solving, Analytical Capable

Activities, e.g. Government/Civic & Community/Charitable & Educational: _____

Reasons for wanting to serve: Recently Retired with
time avail for community service

The completion of this form in no way assures appointment. Citizens deemed most qualified to serve in a particular capacity will fill all board, commission or committee vacancies.

Applicant's Signature  Date 12-21-2021

RECEIVED
2021 JAN 18 P 12:55
HOPEDALE TOWN CLERK

CODE OF CONDUCT AND ETHICS

TOWN OF Hopedale, MA

*Unanimously adopted by the Selectboard on **Month, Day**, 2022*

1. ENABLING AUTHORITY – MGL Chapter 268A, Section 23 (e)

A municipality may have a Code of Conduct, provided it is consistent with State law and that the Selectboard, as the chief appointing officials for the Town, vote to adopt such policy.

MGL Chapter 268A, §23 (e): Nothing in this section shall preclude any ... head of such agency from establishing and enforcing additional standards of conduct.

2. PURPOSE STATEMENT

The intent of this policy is to establish a clear statement and guidelines to serve as the standard for achieving and maintaining a high level of public confidence, trust, and professional respect regarding how the Town and its officials conduct business. This policy will define and create a centralized policy regarding conduct and ethical standards.

The Selectboard recognizes the importance of professional standards at all levels of the government including those who volunteer their time and services on behalf of the Town. The Board encourages other boards and committees of the Town who are not appointed by the Selectboard to adopt this standard by reference thereby creating a **Unified Code of Conduct and Ethics for Town Officials** as a standard for expectations of public officials.

3. APPLICABILITY

This policy in all its sections shall apply to the boards, presiding officers, public officials, commissions and committees and other representatives appointed by the Selectboard and those representatives appointed by the Board, more particularly defined below:

- The term “the Board” shall apply to the Selectboard
- The term “member” shall apply to those appointed by the Selectboard
- The term “official” shall apply to a Selectboard member or a member appointed by the Selectboard
- The term “chair or presiding officer” shall apply to the chairperson of a committee/board/commission or the officer serving in the absence of the chair
- The term “appointing authority” shall apply to the Selectboard

- All the terms used herein including commission members, committee members, board members, representatives appointed by the Board or Town Administrator and other officials mentioned in this guideline are subject to this policy

4. CODE OF CONDUCT

4.1 Obligations

These obligations and commitments shall be assumed by all members of the Board and other officials defined in the Applicability section:

- Be well informed concerning the local and state duties of a board/committee member whenever applicable
- Remember that he/she always represents the Town of Hopedale
- Accept their position as a means of unselfish public service, not to benefit personally, professionally, or financially from his/her board/committee position
- Treat all members of the board/committee with respect despite differences of opinion; keeping in mind that professional respect does not preclude honest differences of opinion but requires respect within those differences
- Recognize that the chief function of local government always is to serve the best interests of all of the people
- Honor confidential information, seek no favor and believe that personal aggrandizement or profit secured by holding these positions is dishonest
- Conduct themselves to maintain public confidence in their local government and in their performance of the public trust
- Conduct official business in such a manner as to give the clear impression that they cannot be improperly influenced in the performance of their official duties
- Unless specifically exempted (e.g. Executive Session), conduct the business of the public in a manner that promotes open and transparent government and maintain full compliance with the Open Meeting Law (MGL Chapter 39, Section 23B)

4.2 Relationships to Fellow Board Members and other Persons:

A member in his/her relations with fellow Selectboard members and other persons shall:

- Accept differences of opinion as building blocks of our democratic process
- Always treat other members, the Town administrators and employees with personal respect and act in a civil manner towards them
- Concentrate all dialogue on the issue and refrain from personal criticism
- Recognize that Board action at official meetings is binding and that he/she alone cannot bind the Selectboard outside such meetings
- Realize that statements or promises should not be made regarding how he/she will vote on matters that will come before the Selectboard

- Uphold the confidentiality of executive sessions and documents presented during such meeting and respect the privileged communications that exists in executive sessions
- Not withhold pertinent information on municipal matters or personnel problems, either from members of his/her own Selectboard or from members of other bodies who may be seeking help and information on problems
- Make decisions only after all facts on an issue have been presented and discussed by the Selectboard
- Cooperate with the Chair of the Board in the conduct of meetings
- Treat persons who appear before the Board with respect, and dignity and in a manner free from discrimination, abuse and harassment
- Act in a civil and professional manner at all Board meetings
- Speak in a civil manner and not harass or bully citizens, other Board members, the Town administrators, and employees

4.3 Community Responsibility:

A member in his/her relations with the community should:

- Realize that his/her primary responsibility is to all Hopedale citizens
- Remember that he/she is one of a team and must abide by, and carry out, all Selectboard decisions once they are made
- Be well informed concerning the duties of a Selectboard member on both a local and state level and on the municipal issues in Hopedale
- Remember that he/she always represents the entire community of Hopedale
- Accept the office of Selectboard member as a means of unselfish public service with no intent to "play politics" in any sense of the word, or to benefit personally from his/her Selectboard activities

5. CODE OF ETHICS

5.1 Purpose

This policy is issued for the purpose of ensuring that the Board and all other officials defined in the Applicability section comply with the provisions of MGL Chapter 268A, the Conflict-of-Interest Law, including disclosures made under Sections 19 and 23 and **more stringent policies adopted by the Board herein.**

5.2 Actual Conflict of Interest (MGL Chapter 268A)

The Board and all other officials defined in the Applicability section must understand that there may be times when actions they take could be inconsistent with Conflict-of-Interest laws of the Commonwealth. There may also be times when an appearance of conflict exists.

The official should be proactive in recognizing, disclosing, and acting professionally, with the public trust and compliance of the laws at the forefront of their actions. It is the responsibility of each official to determine for themselves whether to make disclosures prior to acting on a particular matter where a conflict exists or might exist.

5.3 Procedure

- The official in question shall not participate in his/her official capacity in matters in which such participation is prohibited by the Conflict-of-Interest Law and the official in question shall disclose in writing the conflict of interest to their appointing authority and this disclosure shall be recorded into the minutes of the meeting
- The member shall leave the room for the duration of the discussion unless advised otherwise by Town Counsel or the State Ethics Commission
- When a conflict or appearance of conflict exists, the chair or presiding officer shall state the reason (s) for the conflict of potential conflict and will ensure that the member does not participate in the matter as a point of order
- The chair or presiding officer of the meeting shall ensure that the reasons for the conflict are clearly stated (as stated by the member in person) and this shall be recorded into the minutes of the meeting and made available for public view; if the member chooses to recuse himself from the meeting and is not present to state the reasons for recusal, then the presiding officer shall verbally enter the member's statement which will be recorded into the minutes
- The member shall re-enter the room only after the discussion has concluded and the chair or presiding officer of the meeting will state, upon re-entering the meeting by the member in question, that member has re-entered the meeting.
- This shall be repeated each time the subject in question is discussed at subsequent meetings
- All officials defined in the Applicability section should seek and adhere to advice from the Ethics Commission, their appointing authority and Town Counsel if necessary (Note: the State Ethics Commission offers free advice via phone or in writing)

5.4 Appearance of Conflict of Interest (MGL Chapter 268A, Section 23)

The Conflict-of-Interest Law provides that public officials and employees must avoid conduct that creates a reasonable impression that any official can improperly influence or unduly enjoy their official favor or that they are likely to act (or fail to act) because of kinship, rank, position or undue influence by any party or person.

MGL Chapter 268A, Section 23 allows public officials to act on certain matters, even if it creates the appearance of a conflict, if they openly admit all of the facts surrounding the appearance of bias prior to any official action.

MGL Chapter 268A, Section 23(b)(3):

(b) No current officer or employee of a state, county or municipal agency shall knowingly, or with reason to know:

(3) act in a manner which would cause a reasonable person, having knowledge of the relevant circumstances, to conclude that any person can improperly influence or unduly enjoy his favor in the performance of his official duties, or that he is likely to act or fail to act because of kinship, rank, position or undue influence of any party or person. It shall be unreasonable to so conclude if such officer or employee has disclosed in writing to his appointing authority or, if no appointing authority exists, discloses in a manner which is public in nature, the facts which would otherwise lead to such a conclusion.

Under MGL Chapter 268A, Section 1 (definitions), an official may be classified as a “Special Municipal Employee” when such status is authorized by the Selectboard. Such a status provides greater latitude for officials serving in multiple roles. However, the Board’s designation of an employee as a Special Municipal Employee will not preclude the expectation that the official must and will avoid conduct which creates a reasonable impression that any official can improperly influence or unduly enjoy their official favor or that they are likely to act (or fail to act) because of financial interests, kinship, rank, position or undue influence by any party or person.

Irrespective of governing statute, the Board urges all members and officials to exercise due diligence with respect to preserving the public trust. At times, this may mean an official or member must not act or participate until the matter has been determined by Town Counsel, the State Ethics Commission or any other governing entity if applicable. That determination will also be made in writing and be made available for public view.

5.5 Procedure

- The member in question must fill out the appropriate disclosure form, available from the State Ethics Commission (www.mass.gov.ethics) or from the Town Clerk
- This form must be submitted to the appointing authority for review
- The member in question shall submit, in writing, all the facts surrounding the potential conflict to their appointing authority
- The member in question shall not participate in the matter until and unless the approving authority has granted written permission specific to the disclosure and has filed a copy of such written permission with the Town Clerk
- The reason for the existence of the potential conflict, the granted permission and the compliance of these guidelines shall be stated by the member before participation and shall be verbally disclosed at the meeting and recorded into the minutes of the meeting
- This shall be repeated each time the subject in question is discussed in subsequent meetings
- It is the responsibility of the chair or presiding officer to oversee the procedure after initiation by the member in question; the chair or presiding officer shall also be

responsible for ensuring that these disclosures are entered into the minutes and are appropriately filed with the Town Clerk for public view

- The Town Clerk shall maintain a separate file of disclosure statements which shall be kept available for public view

6. DISTRIBUTION AND EDUCATION

- The Town Clerk shall provide a copy of this policy to all members as defined in the Applicability section upon its issuance and upon the subsequent appointment of re-appointment of any member
- The Town Clerk shall also maintain and distribute educational materials from the State Ethics Commission to members
- The Town Clerk shall develop a schedule of training programs to educate the Board and members on the Conflict-of-Interest Law and this policy
- The Town Clerk shall have each member sign a statement that they have read these policies and will comply with all requirements set forth in this policy; this form shall be available for public view

7. ENFORCEMENT OF THE CODE OF CONDUCT AND ETHICS

- The Selectboard shall enforce the Code of Conduct.
- Any Selectman violating the Code of Conduct may be removed from Committee assignments and from Board assignments by the Chair and may be subject to public censure by the Selectboard.
- During a meeting the Chair may, after an initial warning, remove a member or citizen from a meeting who acts in an inappropriate manner, is unruly or disorderly

Signature

Date:

Signature

Date:

Signature

Date: