



HANDBOOK

for Appointed Board and Committee Members

APPROVED BY BEDFORD SELECT BOARD: June 21, 2021 (Updated March 14, 2023)

These guidelines are intended for Committees of the Select Board, and are superseded when in conflict with any federal or state law or Town bylaw. Please contact the Town Manager whenever there is any uncertainty about appropriate procedure.

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Introduction

The Select Board adopts this Handbook for the governance of its appointed boards, committees, and commissions. For ease of reading, this Handbook will refer to all appointed boards, committees, commissions, and advisory bodies of the Select Board as “Committees.”

The purpose of this Handbook is to promote among the Town’s Committees decision-making that is open, thoughtful, fact-based, respectful, and fair, in compliance with Town bylaws and with all state and federal laws. The Select Board will review, revise, and distribute this Handbook periodically.

It is understood that elected Committees, including the Board of Assessors, Board of Health, Library Board of Trustees, Planning Board, and School Committee, as well as committees for which the Select Board is not the appointing authority, such as Finance Committee and Capital Expenditures Committee, possess independent authority to adopt these or separate governance guidelines consistent with law.

The Select Board thanks the members of all Committees for giving their valuable time and effort to the improvement of the Bedford community.

Committee Organization and Responsibilities

Appointment and Reappointment

Candidates for appointments to Committees of the Select Board are recruited through the Volunteer Coordinating Committee (“VCC”). Candidates are advised to contact the VCC to express interest in appointment to a Committee and to complete the [Questionnaire for Volunteers](#) available on the Town website. The VCC encourages applicants to be familiar with Town government and to attend a meeting of the Committee the applicant would like to join, as well as Town Meeting, before submitting an application. See APPENDIX F: VCC Applicants Approval Criteria for more information.

Once an application has been received by the Town Manager’s office, the VCC will meet to discuss the application and vote whether to recommend the applicant for an interview with the Select Board. Applicants who are not recommended for an interview will be contacted by the VCC or the Town with suggestions and/or information about other openings.

The Select Board interviews candidates for open positions regularly throughout the year. The liaison to the Committee with a candidate for appointment will introduce the Committee, and Select Board members will ask questions of the applicant. Interviews typically occur at the beginning of a Select Board meeting, and votes are taken at the end. The Town Manager’s office will contact applicants after the meeting with the results of the vote and next steps.

Appointments to Committees are typically for a three-year term, except in the case of temporary and/or ad hoc committees, which have one-year terms. Committee members whose terms are expiring on June 30 are contacted by the Town Manager's office in the spring, and invited to submit a reapplication form if they wish to continue their Committee service. The Select Board will review the forms and vote on reappointments prior to the expiration of the term, at a regular meeting where said reappointments are listed on the meeting agenda, unless delayed by extraordinary circumstances.

Responsibilities Under Charge and Local and State Law

Each appointed Committee will conduct its business under a Town bylaw, state statute, or charge adopted by the Select Board. All appointed Committee members are expected to observe the Guidelines for Civil Discourse, Open Meeting Law ([MGL Chapter 30a Section 20](#)), and state ethics laws ([MGL Chapter 268a](#)). Copies of these documents will be provided to each committee member by the Town Clerk upon appointment, and are linked within this Handbook for easy reference.

Annual Organizational Meeting

Appointed Committees must organize annually at the first scheduled meeting in the new fiscal year, which begins on July 1, or as otherwise required. Committees will elect a Chair and any other necessary officers, such as a Vice-Chair or Co-Chair, Clerk, and Assistant Clerk, to serve for one year.

Assignment to Department

Each Committee is assigned to a Town department that will provide a secure physical and/or digital location to maintain minutes and other records.

Rules of Procedure and Voting

Committees must establish a quorum before any meeting is called to order. [Details on quorum requirements can be found in Appendix D.](#) Each Committee may establish rules of procedure and voting consistent with local, state, and federal law. The rules of procedure may include when public comment may be allowed by the Chair.

Annual Reports

Under Article 5.9 of the Town Bylaws, all Committees shall submit a report to the Select Board no later than September 15 after the end of each fiscal year, for publication in the Annual Town Report. The Select Board shall notify all officers and agents of the Town and the Chairs of all Committees of the final date for submitting such reports for publication.

Relations Between Appointed Boards and Appointing Authority

Once appointed, Committees must be free to act on their own without interference. If the Committee was appointed to advise the Select Board on a certain matter, however, a clear understanding should be set forth as to what, if any, independent authority the Committee may have. Committees serve an invaluable role to the Select Board and the Town as a whole. Advisory committees, however, can take on a life of their own if their role and extent of independence is not understood. Committees should refrain from unilaterally seeking to place articles on the Town Meeting warrant, applying for grants (which should be facilitated through the Town Manager's office), or representing the Town in an official capacity before state or

federal agencies unless delegated by the Select Board or Town Manager. A clear understanding in the beginning will avoid awkward problems in the future.

Committee Roles

Members

A member of any Committee will:

- Be sworn in by the Town Clerk before they can vote on any matter that is brought up in front of the Committee.
- Be familiar with the Committee's charge, powers, and duties, as well as the rules, regulations, and any issues frequently encountered by the Committee. Such information should be provided by the appointing authority, Committee Chair, or a designee, to ensure successful integration of new members.
- Respect the role of the Chair in setting agendas and facilitating meetings.
- Respect decisions of the Committee, and recognize that members take action as part of a Committee. Members may not conduct Town business independently of the Committee except as authorized by a vote of the Committee.
- Recognize that action at an official legal meeting is binding, and that an individual member cannot bind the Committee outside of such meeting.
- Not make statements or promises about how they will vote on matters that come before the Committee until they have had an opportunity to hear and discuss the issue during the Committee public meeting.
- Uphold the intent of Executive Sessions and respect the privileged communication that exists in Executive Session, holding it in confidence.
- Assume a high level of integrity, striving toward fact-based and objective public statements and deliberations. Make decisions only after all facts on a question have been presented and discussed.
- Work with Town staff at the direction of the Committee when collaborating on Town projects or initiatives, to ensure clarity and consistency of purpose.
- If appointed by a majority of the Committee, serve as a liaison to other Committees.
- Fulfill any training the Select Board may require, so members can effectively fulfill their duties. Training may be provided at a Town building, over the internet, or may require out-of-town travel or require multiple sessions. Whenever training is required by the Town so that a volunteer can serve on a Committee, the Town will pay for the costs of tuition and travel. All such costs must be approved in advance by a Department Head before the costs are incurred.
- If a member wishes to resign when no longer willing or able to serve before the end of a term, they must submit to the Office of the Town Clerk a signed letter of resignation. The resignation

is effective upon receipt by the Town Clerk unless a different date is specified. Upon expiration of a term, appointed members will continue to hold office until a successor is appointed.

- Committee reappointment is based upon the appointing authority's evaluation of the member's contribution to the Committee and the changing needs of the Committee and the Town. In cases where special training or expertise is required, longer periods of service may be appropriate. A Committee member is under no obligation to accept reappointment, nor is the appointing authority obligated to reappoint any member.
- Consider serving as a Chair of the Committee, as annual rotation of the Chair is encouraged.
- The Select Board encourages Committee members not to serve on multiple regulatory Committees (e.g., Planning Board, Conservation Commission, Zoning Board of Appeals, Historic District Commission, etc.), to avoid actual or potential conflicts of interest. The Select Board may choose not to reappoint members to such positions.

Chair and Vice Chair

The Chair will call meetings, set meeting agendas, convene all meetings, and execute documents as authorized by the Committee. The Chair will act only under authority provided by a quorum of the Committee. The Chair will serve as the Committee's primary contact with Town staff. As a general rule, the Chair will solicit the opinions of all members prior to stating the Chair's personal opinion on any agenda item before the Committee. The Chair will be responsible for ensuring the proper preparation and disposition of all minutes under the Open Meeting Law. Please see [Appendix D](#) for a fuller delineation of the duties of the Chair.

The Vice Chair will fulfill the duties of the Chair in their absence.

Clerk

Although Town staff may record minutes for some Committees, the Committee is encouraged to elect a Clerk or individual member who takes responsibility for ensuring minutes are recorded, created, submitted for approval, and filed along with supporting documents as a permanent record in the office of the assigned Town department once they are approved by the Committee.

Liaisons

Liaisons provide intercommunication with Committees and have no voting authority.

Meeting Procedures

Notices and Frequency

Meeting frequency varies by Committee. A majority of Town Committees meet monthly, though some may meet more or less often, depending on their charge and level of activity.

Agenda Preparation

The Chair prepares each meeting agenda. Agendas must be emailed or delivered to the Town Clerk at clerk@bedfordma.gov no less than 48 business hours prior to the meeting date. Agendas should cover all items that the Chair can reasonably expect to come before the Committee, and should be shared in advance with all Committee members and sent to Town staff to post on the Town website.

Minutes

Consistent with the Open Meeting Law, Committees must maintain accurate records of both Open Meetings and Executive Session. At a minimum, the records must set forth “the date, time, place, members present or absent and action taken.” Executive Session records shall remain confidential only “so long as the publication may defeat the lawful purpose of the Executive Session, but no longer.” Thereafter they shall be open to the public. The Committee should periodically review its Executive Session minutes and vote to maintain confidentiality or release such records for public review following recommendations by Town Counsel. All votes taken in Executive Session must be recorded roll call votes made part of the records of the Executive Session. [See Appendix B for more information regarding Open Meeting Law and minutes.](#)

Conduct of Meetings

Meetings are conducted in accordance with generally accepted rules of parliamentary procedure. Robert’s Rules of Order is used as a guide in matters requiring clarification or definition. Discussions can be relatively informal due to the size of the group and the desirability of flexibility in the expression of opinion. A quorum consists of a majority of members of the Committee, but as a practical courtesy, action on critical or controversial matters should be taken, whenever practicable, with the full Board in attendance. **(See Appendix D: Quorum requirements for more information on quorums.)** Actions and decisions shall be by motion, second and vote. Split vote results will be identified by name. Remote participation is allowed under the provisions of the Town’s Remote Participation Policy.

Public Participation

Committees may invite members of the public to speak or otherwise contribute to meetings, at the discretion of the Chair. All members will treat the public, applicants before the Committee, Town employees, and other members with respect and courtesy. The members and Chair of a Committee should take time to listen to individuals speaking to the Committee. The Chair should make sure members of the public who are present also accord those speaking with respect and an opportunity to be heard uninterrupted. All members should be familiar with and abide by the [Guidelines for Civil Discourse noted in Appendix A.](#)

Ethics and Conduct

All members of public bodies are sworn in by the Town Clerk to uphold all state and local laws applicable to the public body's jurisdiction. Members must comply with the state ethics law ([MGL Chapter 268A](#)) regarding the conduct of public officials. Members must complete required ethics training and online tests. A member is required under the law to not vote on any matter in which the member or an immediate family member has a financial interest. Members are encouraged to recuse themselves if there is an appearance of a conflict of interest.

Absences

The absence without appropriate explanation of any member of a Committee from a majority of meetings held over a one-year period, or from three consecutive meetings, may indicate a vacancy in the office. The decision to recommend that the office be vacated due to extended absence will be made by a majority vote of other members of the Committee and then transmitted to the Select Board for review and potential action. The Select Board may request the Chair to review meeting minutes to ascertain a member's attendance record.

Personnel Policies and Law

Members of Committees, when acting in their official capacity, are subject to any applicable state law and Town policies, including those prohibiting sexual harassment, discrimination, and workplace violence. Any allegation of misconduct made by the public, Town staff, or a fellow member will be reported immediately to the Town Manager.

Litigation Against Town by a Member of an Appointed Committee

An appointed member of any Committee may be temporarily suspended by the Select Board during a lawsuit filed by the member against the Town in a court of competent jurisdiction in the Commonwealth of Massachusetts.

Removal

The Select Board, under such procedures it may adopt, may remove a member from an appointed Committee for violations of ethics and conduct, following the provisions for removal outlined in the Town Charter, Section 9.9.

Town Meeting and Committees

Upon a majority vote, Committees may sponsor and submit to the Select Board articles for the Board's consideration for inclusion in Annual and Special Town Meeting warrants. Articles submitted by Committees that are advisory to the Select Board shall be submitted and sponsored by the Select Board.

Policy on Legal Services

All requests for legal opinions will be made through the Town Manager under the Select Board's policy on legal affairs of the Town.

Purchases

A Committee may incur expenditures only if money has been appropriated by Town Meeting. Purchases must be made in accordance with the Town Purchasing Procedures. Information regarding purchasing may be obtained from the Town Manager.

Compensation

There is generally no provision for compensation to Committee members. Their services are wholly voluntary unless otherwise indicated by law or by the appointing authority. If an expenditure is approved by the Town Manager, and money has been appropriated for it, Committee members may be reimbursed for their necessary expenses in the performance of their duties while on Town business.

Email and Communication

In order to comply with the Open Meeting Law and the spirit of open exchange, Committee members shall refrain from electronic and any other communication exchanges among a quorum of members regarding any Town business, including serial communications from one member to another to another, and any debates about policy or opinions on matters before the Committee whether or not among a quorum of members. Notwithstanding the foregoing, Committee members may share data without any comment to other members via email.

For more information and citations of relevant state laws, see the state's [FAQ regarding deliberation and electronic communication](#). When in doubt, it's better NOT to send the email.

Committees should not become involved in personnel issues or employee complaints received by email or other methods of communication. Such communications should be referred to the relevant Department Head, Town Manager's Office, or Human Resources.

Through social media channels, members may wish to communicate Committee and Town initiatives and decisions, as well as engage in conversations with residents. Committee members are reminded that the Civil Discourse Policy applies to social media interactions, and they should refrain from engaging in contentious exchanges. If an online interaction becomes difficult, they are encouraged to offer an alternate means of communications such as email or a phone call, or disengage with the other party if the exchange is particularly unproductive. Committee members are also reminded that they do not have individual authority to commit Town staff or resources to any actions, projects, or initiatives and should refrain from opining or overpromising on items that are expected to come in front of the Committee on social media. Committee members should also be mindful to avoid situations when a quorum of members of the same Committee may be participating in the same social media discussion thread or listserv.

APPENDIX A: Guidelines for Civil Discourse

Whereas, the Bedford Select Board desire civil discourse among and before all Town of Bedford boards and committees;

Now, therefore, the Bedford Select Board hereby establishes guidelines for ensuring orderly and peaceable discourse at public meetings and in all matters related to business of these public bodies as follows:

Members of the public shall follow any guidelines from the Chair regarding who speaks, when, and for how long.

Members of the public shall not disrupt others' comments or the conduct of the public meeting.

Outside of general public comment periods, speakers shall limit their comments to those reasonably related to the agenda item or subject at hand.

In order to guarantee full participation by all people and to ensure productive discourse, we also **encourage** all citizens to respect the following guidelines:

Show respect for others.

Allow each person to finish speaking before responding
Use helpful, not hurtful language

Speak as you would like to be spoken to.

Use courtesy titles (Mr., Ms., Sir, etc.) and ask if unsure
Restate ideas when asked
Use a civil tone of voice

Agree to listen.

Respectfully listen to differing points of view
When unsure, request clarification
Realize that what you say and what people understand you to have said may be different
Recognize that people can agree to disagree

Speak for yourself, not others.

Speak from your own experience
Use "I" statements ("I think that the ideas presented ...")

APPENDIX B: Open Meeting Law (MGL Chapter 30a, Section 20)

Requirement to Comply with the Open Meeting Law

Public bodies must comply with all parts of the Open Meeting Law. Public bodies subject to the Open Meeting Law include any sub-committee of two or more members assigned by a public body to conduct business. Please refer to the MA Attorney General's [Open Meeting Law Guide](#), which includes the following information important for members to know:

- Definition of a public body
- Definition of a meeting, and 5 exceptions to the definition
- Definition of a meeting quorum
- Requirements for posting meetings
- Ten legal purposes for executive sessions
- Requirements to allow remote participation
- Required public participation
- Required records for open and executive sessions
- Open Meeting Law complaint process

The Town Manager is available to provide or obtain assistance on Open Meeting Law questions. You may also contact the Division of Open Government at (617) 963-2540 or email OpenMeeting@state.ma.us.

- Please see the attached [Public Bodies' Checklist in Appendix C](#) for requirements for posting meetings.
- Please see the [allowable reasons for conducting an Executive Session in Appendix C](#). You are encouraged to call the Town Manager before posting an Executive Session to review the requirements who will refer questions to Town Counsel if required.

Meeting Notices

All public bodies must comply with the Open Meeting Law, including but not limited to filing meeting agendas with the Town Clerk at least 48 hours in advance of the meeting. Saturdays, Sundays and legal holidays are excluded in the calculation of the 48 hours. The agenda may be filed with the Town Clerk in person or e-mailed to the Town Clerk at clerk@bedfordma.gov. Agendas must be received by the Town Clerk at least sixty (60) minutes before the end of business in order to be posted the same day. Agendas received after the close of business will not be posted until the next day. Please contact the Town Clerk's office if you have a late filing. The agenda must include a list of topics that is sufficiently specific to reasonably inform the public of the items to be discussed at the meeting. The agenda must also include any Executive Sessions planned, citing one of the 10 legal purposes for calling an executive session. Depending upon specific circumstances and the legal purpose of the Executive Session, the Executive Session notice must include specificity with regard, for example, the name of a matter of litigation, the

name of a collective bargaining unit, or identification of parcels of land. Whenever in doubt, the Chairs of public bodies are encouraged to consult with Town Manager for appropriate language for meeting notices for Executive Sessions.

Revised Agendas

If an agenda item is received by the Chair within 48 hours of a posted meeting, and the agenda item could not be reasonably anticipated by the Chair more than 48 hours before the meeting, the Chair may revise the posted agenda to include the new agenda item. It is preferred that agendas are revised only when the agenda item arises because of an emergency, which is defined as a sudden and generally unexpected occurrence or set of circumstances, demanding immediate action. All other matters should be heard at a later meeting of the public body. If you are filing a revised agenda it should be marked “REVISED” with the date and any changes or additions should be highlighted.

Requirement for Meeting Minutes

The Open Meeting Law requires public bodies to create and approve minutes in a timely manner. The Public Records Law requires that existing minutes be made available to the public within 10 days upon request, whether these minutes have been approved or are in draft form. Materials or other exhibits used by the public body in an open meeting must also be made available to the public within 10 days of request. Minutes of all staffed public bodies will be posted to the website by departmental staff. Minutes of all other public bodies will be emailed to the Town Manager’s office to be posted on the Town website.

Contents of Minutes

Minutes must include the name of the public body, the date, time, and place of the meeting, the names of members present and absent, the names of staff present, and the substance of all discussion including all subjects acted upon or heard. Minutes must include a full and complete record of all motions proposed for vote and will include the exact vote, the names of the mover and the seconder for each motion, and the names of those voting against each motion. Although a verbatim record of meetings is not required, the Open Meeting Law requires that the minutes include a summary of the discussion of each subject containing enough detail and accuracy that a member of the public who did not attend the meeting could read the minutes and have a clear understanding of what occurred. A list of all documents used by the public body must be included in the minutes.

- Please see [Public Body Checklist on Minutes in Appendix C](#) for more detailed requirements for meeting minutes.

Draft Minutes

Once created, draft regular meeting minutes are a public record available to the public, even if the minutes have not been presented at a meeting.

Executive Session Minutes

Minutes must be created for all Executive Sessions. Executive Session Minutes must not be released to the public until the reason for calling an Executive Session has ended, after which Executive Session Minutes must be reviewed and voted for approval and release by the public body.

Recording of Meetings

Any member of the public has the right to make an audio or video recording of an open session of a public meeting, but must notify the Chair before recording. The Chair must inform attendees of any such

recording at the beginning of the meeting including that that the meeting will be broadcast on the government access channel. The Chair may impose reasonable requirements regarding audio or video equipment so recording does not interfere with the meeting.

Public Participation

Under the Open Meeting Law, the public is permitted to attend open meetings of public bodies. The public is excluded from an executive session that is called for a valid legal purpose cited in the agenda. The amount of time a member of the public will be allowed to speak to a public body will be determined at the discretion of the Chair. While the public is permitted to attend an open meeting, an individual may not address the public body without permission of the Chair. An individual is not permitted to disrupt a meeting of a public body, and at the request of the Chair, all members of the public will be silent. If after clear warning, a person is disruptive, the Chair may order the person to leave the meeting, and if the person does not leave, the Chair may authorize a police officer to remove the person.

Remote Participation at Meetings

The Town of Bedford permits remote participation. Members of Town boards and committees may participate and vote by teleconference, audio-conference, or other means that allow all persons present, including the audience and the member participating remotely, to hear the proceedings. Under state regulation, remote participation is allowed if physical attendance by a member of a public body is unreasonably difficult.

All votes taken at such meetings where a member participates remotely must be taken by roll call vote and a quorum of members must otherwise be present, not including the remote participant. No remote participant may chair a meeting.

Open Meeting Law Complaint Process

Individuals who allege a violation of the Open Meeting Law must first file a complaint with the public body alleged to have violated the OML within 30 days of the date of the violation or the date the complainant could have reasonably known of the violation. The full complaint process, including the required response of the public body to the complainant within 14 days of receipt of the complaint is included in the Attorney General's Open Meeting Law Guide. Please provide a copy of all Open Meeting Law complaints to the Town Manager's Office.

Within 14 business days of the date on which the complaint was filed, the public body must review the complaint and send to the Attorney General's Office (AGO) a copy of the complaint along with a description of any action taken to resolve the issue that was raised by the complaint. Within seven business days of the date that the complaint was filed, the public body may request additional information from the person making the complaint if necessary to resolve the complaint. The person making the complaint shall provide the additional information to the public body within 10 business days, and the public body shall have 10 additional business days (total 24 business days from the date complaint was originally filed) to act on the complaint and notify the AGO.

The public body may request additional time to consider taking remedial action and must make that request in writing to the AGO, to the Attention of the Director of the Division of Open Government. The AGO may, at its discretion, grant additional time to the public body if it determines there is a showing of good cause to grant the extension.

Use of Email to Conduct Business

Email and Public Records Law

E-mail communication created or received by a member of a public body while acting in his or her capacity as a member of the public body, is considered a public record and is subject to a public records request under the Public Records Law even if the email is received by or created on a private computer or sent to only one individual.

Email and Open Meeting Law

Whenever one member of a public body uses email to discuss the public body's business (except for administrative matters such as scheduling and the transmission of documents) with a quorum of the members, it constitutes "deliberation" and is in direct violation of the Open Meeting Law. Email communication between less than a quorum of a public body is also in violation of the Open Meeting Law if the email between less than a quorum of members is later forwarded to or discussed with additional members outside of a public meeting, thus unintentionally creating a quorum.

Guideline on Email

To avoid violations of the Open Meeting Law and the Public Records Law, it is preferred that email between members of the Town's public bodies be restricted to scheduling meetings and distribution of agendas, documents and reports. Emails between members of public bodies should never contain any statement that is an opinion of any member.

APPENDIX C: Checklists for Public Bodies

Public Body Checklist for Posting a Meeting Notice

Issued by the Attorney General's Division of Open Government—September 25, 2017

Notice Contents

- The notice contains the date, time, and location of the meeting. G.L. c. 30A, § 20(b).
- If the meeting is a joint meeting of several public bodies, the names of all bodies meeting are listed at the top of the notice.
- The notice contains all of the topics that the chair reasonably anticipates will be discussed at the meeting. The topics are sufficiently specific to reasonably advise the public of the issues to be discussed at the meeting, including executive session topics. G.L. c. 30A § 20(b); 940 CMR 29.03(1)(b).
- The notice is printed in a legible, easily understandable format. G.L. c. 30A, § 20(b).
- The date and time that the notice is posted is conspicuously recorded on or with the notice. 940 CMR 29.03(1)(d). If the notice is amended within 48 hours of a meeting, not including Saturdays, Sundays, and legal holidays, then the date and time that the meeting notice is amended must also be conspicuously recorded on or with the notice. 940 CMR 29.03(1)(d).

Notice Publication

- The notice is published at least 48 hours before the meeting, not including Saturdays, Sundays and legal holidays. G.L. c. 30A, § 20(b).
- The notice is posted with the proper authority:
 - Local public bodies — Filed with the municipal clerk, who must post it in a location conspicuously visible to the public at all hours in or on the municipal building where the clerk's office is located, or to the municipal website if adopted by the municipality as the official method of posting notices. G.L. c. 30A, § 20(c); 940 CMR 29.03.
 - State public bodies — Posted to a website, and a copy sent to the Secretary of State's Regulations Division. G.L. c. 30A, §20(c).
 - Regional public bodies — Posted in every municipality within the region, unless the public body has adopted an alternative notice posting method. G.L. c. 30A, § 20(c); 940 CMR 29.03.

- County public bodies — Filed with the office of the county commissioners and a copy of the notice is publicly posted in a manner conspicuously visible to the public at all hours in such place or places as the county commissioners shall designate for the purpose, unless the county has adopted its website as the official method for posting notices. G.L. c. 30A, § 20(c); 940 CMR 29.03.

Note that this checklist is intended as an educational guide, and does not constitute proof of compliance with the Open Meeting Law. These checklists are updated periodically, so please check that you are using the most current version. For questions, please contact the Attorney General's Division of Open Government at 617-963-2540 or via email at openmeeting@state.ma.us. For more information on the Open Meeting Law, please visit www.mass.gov/ago/openmeeting.

Public Body Checklist for Creating and Approving Meeting Minutes

Issued by the Attorney General's Division of Open Government—September 25, 2017

- Minutes must accurately set forth the date, time, place of the meeting, and a list of the members present or absent. G.L. c. 30A, § 22(a).
- Minutes must include an accurate summary of the discussion of each subject. See G.L. c. 30A, § 22(a). The summary does not need to be a transcript, but should provide enough detail so that a member of the public who did not attend the meeting could read the minutes and understand what occurred and how the public body arrived at its decisions.
- The minutes must include a record of all the decisions made and the actions taken at each meeting, including a record of all votes. G.L. c. 30A, § 22(a).
- The minutes must include a list of all of the documents and other exhibits used by the public body during the meeting. G.L. c. 30A, § 22(a). Documents and exhibits used at the meeting are part of the official record of the session, but do not need to be physically attached to the minutes. See G.L. c. 30A, §§ 22(d), (e).
- If one or more public body members participated remotely in the meeting, the minutes must include the name(s) of the individual(s) participating remotely. 940 CMR 29.10(7)(b).
- If one or more public body members participated remotely in the meeting, the minutes must record all votes as roll call votes. 940 CMR 29.10(7)(c).
- Executive session minutes must record all votes as roll call votes. G.L. c. 30A, § 22(b).
- The minutes must be approved in a timely manner. G.L. c. 30A, § 22(c). A "timely manner" will generally be considered to be within the next three public body meetings or within 30 days, whichever is later, unless the public body can show good cause for further delay. 940 CMR 29.11(2).

Note that this checklist is intended as an educational guide, and does not constitute proof of compliance with the Open Meeting Law. Checklists are updated periodically, so please confirm that you are using the most current version. For questions, please contact the Attorney General's Division of Open Government at 617-963-2540 or via email at openmeeting@state.ma.us. For more information on the Open Meeting Law, please visit www.mass.gov/ago/openmeeting.

Public Body Checklist for Entering into Executive Session

Issued by the Attorney General's Division of Open Government—March 12, 2013

- Executive session listed as a topic for discussion on meeting notice, including as much detail about the purpose for the executive session as possible without compromising the purpose for which it is called. See G.L. c. 30A, § 20(b); 940 CMR. 29.03(1)(b).
- Public body convened in open session first. G.L. c. 30A, § 21(b)(1).
- Chair publicly announced the purpose for executive session, citing one or more of the 10 purposes found at G.L. c. 30A, § 21(a).
- Chair stated all subjects that may be revealed without compromising the purpose for which the executive session was called. G.L. c. 30A, § 21(b)(3). For example, the Chair identified the party a public body may be negotiating with or the litigation matter the public body will be discussing.
- Chair stated whether the public body will adjourn from the executive session, or will reconvene in open session after the executive session. G.L. c. 30A, § 21(b)(4).
- For Executive Session Purposes 3, 6, and 8:
 - Chair publicly stated the having the discussion in open session would have a detrimental effect on the public body's negotiating position, bargaining position, litigating position, or ability to obtain qualified applicants. G.L. c. 30A, §§ 21(a)(3), (6), (8).
- A majority of members of the body voted by roll-call to enter into executive session. G.L. c. 30A, § 21(b)(2).

Note that this checklist is intended as an educational guide, and does not constitute proof of compliance with the Open Meeting Law. Checklists are updated periodically, so please confirm that you are using the most current version. For questions, please contact the Attorney General's Division of Open Government at 617-963-2540 or via email at openmeeting@state.ma.us. For more information on the Open Meeting Law, please visit www.mass.gov/ago/openmeeting.

Purposes for Executive Session: MGL 30A, Section 21(a)

Section 21. (a) A public body may meet in executive session only for the following purposes:

- 1) To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual. The individual to be discussed in such executive session shall be notified in writing by the public body at least 48 hours prior to the proposed executive session; provided, however, that notification may be waived upon written agreement of the parties. A public body shall hold an open session if the individual involved requests that the session be open. If an executive session is held, such individual shall have the following rights:
 - i) to be present at such executive session during deliberations which involve that individual;
 - ii) to have counsel or a representative of his own choosing present and attending for the purpose of advising the individual and not for the purpose of active participation in the executive session;
 - iii) to speak on his own behalf; and
 - iv) to cause an independent record to be created of said executive session by audio-recording or transcription, at the individual's expense.

The rights of an individual set forth in this paragraph are in addition to the rights that he may have from any other source, including, but not limited to, rights under any laws or collective bargaining agreements and the exercise or non-exercise of the individual rights under this section shall not be construed as a waiver of any rights of the individual.

- 2) To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel;
- 3) To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares;
- 4) To discuss the deployment of security personnel or devices, or strategies with respect thereto;
- 5) To investigate charges of criminal misconduct or to consider the filing of criminal complaints;
- 6) To consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body;
- 7) To comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements;
- 8) To consider or interview applicants for employment or appointment by a preliminary screening committee if the chair declares that an open meeting will have a detrimental effect in obtaining qualified applicants; provided, however, that this clause shall not apply to any meeting, including meetings of a preliminary screening committee, to consider and interview applicants who have passed a prior preliminary screening;

- 9) To meet or confer with a mediator, as defined in section 23C of chapter 233, with respect to any litigation or decision on any public business within its jurisdiction involving another party, group or entity, provided that:
 - i) any decision to participate in mediation shall be made in an open session and the parties, issues involved and purpose of the mediation shall be disclosed; and
 - ii) no action shall be taken by any public body with respect to those issues which are the subject of the mediation without deliberation and approval for such action at an open session; or
- 10) to discuss trade secrets or confidential, competitively-sensitive or other proprietary information provided in the course of activities conducted by a governmental body as an energy supplier under a license granted by the department of public utilities pursuant to section 1F of chapter 164, in the course of activities conducted as a municipal aggregator under section 134 of said chapter 164 or in the course of activities conducted by a cooperative consisting of governmental entities organized pursuant to section 136 of said chapter 164, when such governmental body, municipal aggregator or cooperative determines that such disclosure will adversely affect its ability to conduct business in relation to other entities making, selling or distributing electric power and energy.

APPENDIX D:

Town of Bedford Committee Chairperson Responsibilities

Prepared by the Volunteer Coordinating Committee

Schedule and Preside Over Meetings

- Schedule meeting room reservations with the Town Manager's office prior to posting a meeting.
- Post meeting dates and agenda at least 48 hours in advance (not counting weekends and holidays) with the Town Clerk's office. Agendas should be e-mailed to the Town Clerk's office at clerk@bedfordma.gov. Follow the rules of the Open Meeting Law ([contact the Town Clerk for more info](#)).
- Notify all committee members in advance to ensure the presence of a quorum.
- Provide sign-in sheets for all visitors and attach these to the meeting minutes.
- Preside over meetings. Ensure that a quorum of members is present. If a quorum is not achieved, reschedule the meeting in accordance with the Open Meeting Law. See Quorum Requirements section below.
- Remind all members after their appointments that they cannot vote until they get sworn in by the Town Clerk's office.
- Follow the agenda (note: the chair prepares the agenda for each meeting).
- Follow the rules of the Open Meeting Law.
- Customarily, the Chair invites motions from members before the committee may vote on business or a question that is before the committee. It is good practice to require a second to a motion before proceeding with it. This is to ensure that it is not just one member of the body who is interested in a particular approach.
- Coordinate the committee's planning tasks and responsibilities.
- Ensure meeting minutes are taken at each meeting and approved at future meetings. Minutes should indicate the meeting's date, time and location, the names of members and observers present, motions, votes and discussions. Original signed copies of the approved minutes must be given to the Town Clerk. The approved minutes shall be error free and incorporate all amendments made pursuant to final approval. An electronic copy must also be sent to the Town Clerk's office for the Bedford website. The document shall be annotated (on the first or last page) with the date of approval and endorsement of the records clerk or the chairperson as the committee sees fit.

- Follow proper procedures for holding public hearings and executive sessions. (This applies to only a few committees and boards.)
- Designate another committee member to serve as chair pro-tem in your absence if there is no Vice Chair.
- Conduct meetings in a professional manner. Ask that participants exercise courtesy so that meetings maintain a proper level of decorum. Follow the Select Board's Civil Discourse Policy.

Other Duties

- Remind committee members who resign that they are required to submit a resignation letter with the effective date to the Town Clerk's office.
- Remind committee members of the importance of attending Town Meetings. As noted in the Charter "At least one member of each elected or appointed board, commission and committee shall attend all Annual and Special Town Meetings."
- Periodically remind committee members of their individual responsibility to be in compliance with the State Conflict of interest Law. Town Counsel is available through the Town Manager's office to respond to any individual committee member's questions relating to compliance with this area of state law. When there is a conflict of interest file a disclosure with the Town Clerk's Office.
- Should any long-term absences or resignations occur, the Chair, with the affirmation of the remaining committee members, must notify the Town Manager's office and the Town Clerk's office in order for the appointing authorities to take appropriate action.
- When vacancies occur, the Committee chair should also contact the Volunteer Coordinating Committee liaison to Identify any desired skills needed along with suggestions (if known) of any viable candidates.
- Write an Annual Report for publication in the Town Report. Submit an annual budget to the Town Manager's office. (The latter applies to only a few committees and boards.)
- Encourage all members to attend any scheduled training course for committee members. Such training may cover the Open Meeting Law, the Ethics Law, the Procurement Law, and other regulations that apply to municipal employees and elected and appointed officials.
- Hold an annual election at the first scheduled meeting in the new fiscal year which begins on July 1st to elect a Chair and a Clerk and any other officers. Encourage an annual rotation of officers. Notify the Town Manager's office and Town Clerk's office with the results. Note: Elected Boards and Committees must reorganize after the Annual Town Election.

- Serve as the committee’s liaison to all other Town Boards and Committees (unless the committee votes other members to that task).
- Coordinate requests for legal interpretations by any member and forward the requests to the Town Manager’s office.
- Have all bills or expenditures that are authorized by the Town approved by the committee before submitting them to the Town Manager’s office.

Quorum requirements

- The Open meeting Law defines “Quorum” as “a simple majority of the members of the public body, unless otherwise provided in a general or special law, executive order, or other authorizing provision.” Thus the general rule means a board or committee must have a simple majority present to act or conduct business. When there is a vacancy the general rule requires that vacant positions also be counted to determine if a majority is present.
 - Examples: A committee of seven members with three vacancies would need to have four members present for a quorum. If this same seven-member committee had four vacancies, they could not meet the quorum requirement.

Quantum of vote

- The general rule for the quantum of vote required to pass a motion is a majority of the quorum.
- Please note that for a board to enter into Executive Session the Attorney General’s, Division of Open Government, recommends that the best practice is to have a majority of the body as constituted vote to enter into executive session and the vote of each member is recorded by roll call and entered into the minutes. Note: This has been interpreted as the majority of the quorum.

Exceptions to quorum and quantum requirements

Conservation Commission

- In Bedford, the only exception to the general rule for determining a quorum is the quorum of the Conservation Commission. The definition of a quorum for conservation commissions under the regulations of the Wetlands Protection Act (“WPA”) is “a majority of the members then in office.” 310 CMR 10.05(2)(Emphasis added). Article 19.2 of the General Bylaws of Bedford states in pertinent part that the “Conservation Commission shall consist of seven (7) members.” Thus if all positions have been filled, a quorum of the commission would be four (4) members. If there were two (2) vacancies, then there would be five (5) members in office, therefore, the quorum would be three (3) members, which follows the general rule.

- Pursuant to the WPA and the above regulations for all actions taken by the Conservation Commission, such as approving meeting minutes and scheduling meetings, the requirement is only that action must be taken by “more than half the members present at the meeting” which follows the general rule.
- On the other hand, the WPA and its regulations require that a “majority of the Conservation Commission then in office” must sign Orders of Conditions or Notifications of Determinations of Applicability, Certificates of Compliance, Extensions of Orders of Conditions, and Enforcement Orders. The Department of Environmental Protection has interpreted their regulations to mean that only a majority of “the members present at a meeting” of a quorum must vote in favor of such actions at the meeting. Therefore, while some documents must be signed by a majority of the Conservation Commission, the vote at the meeting only requires more than half of the members present at the meeting.

Zoning Board of Appeals/Special Permit Granting Authorities

- The quantum of vote requirements for special permits, variances, the reversal of any order of decision of any administrative official, or reapplications within two years of an unfavorable decision require: “a vote of at least four members of a five-member board.”
- Article 21.2 of the General Bylaws of Bedford states the Bedford Zoning Board of Appeals shall consist of five (5) full members and three (3) associate members. Associate members are not counted when calculating votes unless one or more of them are filling in for vacancies or absences of full members.

Historic District Commission

- The concurring vote of three members of the commission shall be necessary to make a determination in favor of the applicant on any matter upon which the commission is required to pass under this act” ([Chapter 118 of the Acts of 1964 – the Bedford Historic District Commission](#)).

APPENDIX E: Current Boards, Committees, and Commissions

Note: The below data is current as of March 14, 2023.

Board/Committee Name	Appointing Authority	Charter #	Bylaw #	Ad hoc?	# of members
300th Anniversary Planning	Select Board			y	7
The purpose of the 300 th Anniversary Planning Committee will be to recommend to the Select Board a preliminary plan for the celebration of the Town's 300 th anniversary of incorporation as a municipality.					
Arbor Resources	Select Board		62	n	7
The Committee's purpose is to inform the Select Board and other Boards regarding the nature, quality and condition of Bedford's arbor resources and the advisability of town actions or approvals which will affect those resources.					
Bedford Housing Partnership	Select Board		22	n	7
The Bedford Housing Partnership shall implement fair and affordable housing programs and encourage the growth and maintenance of the supply of affordable housing within the Town of Bedford.					
Bicycle Advisory	Select Board		25	n	7
The purpose of the Bicycle Advisory Committee is to encourage use of bicycles by Bedford residents, workers, and visitors in order to decrease traffic congestion and air pollution, and increase recreational opportunities.					
Capital Expenditures	CapEx Appointing Authority	6-2	15	n	9
The Capital Expenditure Committee shall prepare and annually update a six-year plan for spending on town capital projects. Capital expenditures are for items and projects that are expected to last more than one year, and have significant monetary value.					
Charter & Bylaw Review	Select Board	9-14	1.11	n	6
The Select Board shall appoint a committee every five years to review the working of Town government and recommend revisions and amendments considered advisable. These Bylaws shall be reviewed within ten years of the previous bylaw review.					
Community Media	Select Board		26	n	5
The purpose of the committee is to advise the Select Board on matters pertaining to the development and delivery of Public, Educational, and Governmental (PEG) access programming including licensing and operation of cable television in the Town.					

Board/Committee Name	Appointing Authority	Charter #	Bylaw #	Ad hoc?	# of members
Community Preservation	Select Board		27	n	9
The Community Preservation Committee shall perform duties required of the committee as outlined in Section 5 of the Massachusetts General Laws Chapter 44B, including study of community preservation needs, communicating with other municipal boards and committees, holding public informational hearings, and making funding recommendations to Town Meeting.					
Conservation Commission	Select Board	3-3	19	n	7
The purpose of the commission is to protect the environmental resources in the Town through administration and enforcement of relevant state law and Town Bylaws and through management of properties acquired for conservation purposes.					
Council on Aging	Select Board	3-3	28	n	9
The purpose of the Council on Aging is to coordinate and carry out programs designed to meet the needs of the aging and their care providers in the Town of Bedford.					
Cultural Council	Select Board		24	n	11
The Cultural Council supports public projects through the regranting of the annual allocation of funds from the Massachusetts Cultural Council (MCC). These projects shall promote access, education, diversity, and excellence in the arts, humanities, and interpretive sciences in Bedford.					
Depot Park Advisory	Select Board			y	3
The Committee's primary focus is to advise the Select Board on matters concerning Depot Park, including oversight of the Depot Park Revolving Fund, policy recommendations for uses of the buildings and properties, and coordination with Friends of Bedford Depot Park.					
Disability Commission	Town Manager			n	5
The Disability Commission shall advise the Town Manager on matters concerning accessibility, ADA compliance, and other issues affecting residents with physical or other disabilities.					
Energy & Sustainability	Select Board		61	n	7
The Energy and Sustainability Committee will proactively identify and advise the Select Board on policies and procedures to efficiently and effectively manage municipal and school energy expenditures and reduce community greenhouse gas emissions.					
Finance Committee	FinComm Appointing Authority	6-1	14	n	9
The Finance Committee shall have authority to prepare the annual budget of the Town and to consider any or all municipal questions for the purpose of making reports or recommendations to the Town, as provided in M.G.L. Ch. 39, §16. The Committee shall present and explain the budget with its advice and recommendations at Annual Town Meeting.					
Board/Committee Name	Appointing Authority	Charter #	Bylaw #	Ad hoc?	# of members

Historic District Commission	Select Board	3-3	20	n	5 full, 2 alternates
The Commission shall ensure that no building or structure within the Historic District is erected, changed as to exterior color features, demolished or removed without the approval of the Commission and that no sign is installed or landscaping undertaken in the Historic District which is subject to view from a public way without the approval of the Commission.					
Historic Preservation	Select Board	3-3	29	n	7
The purpose of the Commission is to promote the educational, cultural, economic and general welfare of the public through the preservation and protection of the distinctive characteristics of the buildings, places and sites significant to the history of the Town of Bedford.					
Municipal Affordable Housing Trust	Select Board		23	n	7
The Municipal Affordable Housing Trust shall work towards the creation and preservation of affordable housing in Bedford for the benefit of low and moderate income householders.					
Patriotic Holiday	Select Board		63	n	9
The primary focus shall be planning ceremonies for Memorial Day, Veterans Day and other patriotic events with a focus of recognition for Veterans of the US Armed Services. The committee shall also provide input and recommendations to the Town Manager and the Select Board on any proposed changes to Veterans Memorial Park and the town veteran memorials on the Town Common prior to any changes or additions being made.					
Petitioners' Advisory	Moderator	2-8	31	n	3
The members of this committee shall aid those Town citizens who require assistance in preparing petitioners warrant articles for Annual or Special Town Meetings.					
Recreation Commission	Select Board		33	n	5
The Recreation Commission is responsible for the promotion and oversight of citizen recreation programs for the Town.					
Trails Committee	Select Board			y	7
The role of the Trails Committee is to plan, implement, improve, and maintain public trails within Bedford Conservation Areas, other municipal lands, and on private properties with permission from the landowner.					

Board/Committee Name	Appointing Authority	Charter #	Bylaw #	Ad hoc?	# of members
Transportation Advisory	Select Board		32	n	7
To examine, evaluate and advise the Select Board regarding board actions and measures that will improve overall resident mobility, expand the use of non-automobile based methods of local and regional transportation, and improve traffic circulation and availability of transportation services that implement the transportation-related recommendations of the Town's Vision Statement and Comprehensive Plan.					
Volunteer Coordinating	Select Board	3-5	30	n	5
The Volunteer Coordinating Committee shall recruit and identify qualified candidates for appointive offices in the Town.					
Youth & Family Services	Select Board		34	n	9
The purpose of the Youth and Family Services Committee is to advise the Town about programs and services in support of its mission, which is to identify and address the social, emotional, and developmental needs of children, youths, adults, and families in Bedford through programs and services that support and nurture.					
Zoning Board of Appeals	Select Board	3-3	21	n	5 full, 3 associates
The Board shall hold public hearings to consider petitions for a variance or special permit and public hearings on appeals brought to the board by anyone aggrieved by a decision of the Zoning Enforcement Officer or the Inspector of Buildings.					

APPENDIX F: VCC Applicants Approval Criteria

Prepared by the Volunteer Coordinating Committee, 3-25-21

All Candidates

1. Town resident
2. Registered voter
3. Attended at least one meeting of the committee applied for (if unable to attend, agrees to attend/view the next scheduled meeting and contacts the committee chair for more info)
4. Understands the time and commitment requirements
5. Has some type of skill/interest level of value to the committee of interest

Committees where Previous Town Meeting Attendance is Required

Finance Committee, Capital Expenditures Committee and the ad hoc Hartwell Road Committee.

Committees where Previous Town Meeting Attendance is Preferred

Bedford Housing Partnership, Community Media, Charter/Bylaw Review, Conservation, Council on Aging, Depot Park Advisory, Historic District Commission, Municipal Affordable Housing Trust, Petitioners Advisory, Recreation, Volunteer Coordinating, Zoning Board of Appeals.

Criteria for Finance Committee and Capital Expenditure Committee

Because of the importance of the Capital Expenditure and Finance Committees with respect to the fiscal affairs of the Town, the Volunteer Coordinating Committee shall use a series of criteria as a guide to evaluate applicants for any Capital Expenditure (CapEx) or Finance Committee (FinCom) vacancies.

Tier I criteria are considered “most important”

1. A candidate understands the time requirements for serving on CapEx/FinCom and can demonstrate an ability to meet these time demands.
2. Town Meeting attendance is required, verified by the Town Clerk’s official records, if necessary.
3. Attendance at CapEx/FinCom meetings is required (provided such meetings are available) to understand the CapEx/FinCom role and responsibility to the entire citizenry.

Tier II criteria are considered “somewhat important”

4. Business experience is desirable, but not compulsory.
5. Finance/accounting/budget experience is desirable, but not compulsory.
6. Participation on other town government committees (elected or appointed) is desirable, but not compulsory.
7. Participation in local non-government organizations (church, school, sports, etc.) is desirable but not compulsory.
8. Recommendations from the committee that has the vacancy.