

Please be advised that there will be several significant changes made to the Open Meeting Law, effective 07/01/2010. As my email in December cited, Saturdays will no longer be counted in the 48 Hour posting rule. I suggested, and many of you have been doing so, that you adopt the new posting rules early so that they are of a second nature by July 1st. I am making the same recommendation for all of the changes listed below, as many are a huge shift in requirements and we do not want to be caught flat footed July 1. Here is an overview of the most major (but not all) changes:

1. All Meeting Notices must include a list of topics the meeting chair reasonably anticipates will be discussed. (This is already a requirement of the Town Charter, so no big shift there). In the case of executive session, in the case that the chair reasonably anticipates the need, I wish you to list that particular item on the agenda as something like "Potential Vote to Enter Executive Session" or something similar, for as you all are aware, a board must vote by roll call to enter executive session, and by simply stating "Executive Session" on an Agenda, it appears de-facto that the vote has already occurred, thus inadvertently violating the OML.
2. Emails are now **expressly** included in the definition of "deliberation." Therefore, only items such as distribution of agendas or scheduling info may be discussed via email. In other words, unless you are the one distributing the agenda, or are agreeing to a meeting date, DO NOT reply to any emails and make believe that "Reply- All" doesn't exist.
3. Minutes MUST contain more detailed information. In addition to "Date, place, time and matters discussed" they now shall include summaries of all matters discussed, **a list of documents used**, and a record of all decisions/votes made.
4. Minutes shall also include "documents and other exhibits, such as photographs, recordings or maps, used by the body at an open OR executive session. This means that any of these items, shall become part of the permanent record of the meeting. Please make any presenters at your meeting aware that any materials they use must become part of the file, and therefore they should bring an extra copy.
5. At the beginning of the meeting, The Chair must now announce that the meeting is being recorded and/or taped for televised broadcast. If the meeting is not being recorded by Town Staff/Comcast I recommend that the Chair ask the audience if any members of the audience are using recording devices.

These are but a few of the changes. I am working with the AG and the Town Clerk's network to put a more comprehensive presentation together. In the coming months we will hold a training session for Town Personnel to more formally go over all of the changes. Please try and start to incorporate these changes into your practices now so that it will be second nature by the effective date. Any questions, please feel free to contact me.

Thank You!

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