

**COMMONWEALTH OF MASSACHUSETTS
TOWN OF MONTEREY
RENEWAL ANTICIPATION SERIAL LOAN
Municipal Purpose**

No. 183-1

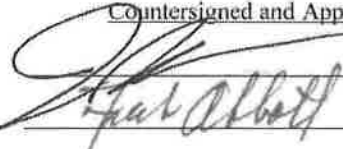

\$891,869.55

Date of Issue: November 2, 2023


For Value Received, the inhabitants of the Town of Monterey by their Treasurer hereto duly authorized by votes of said Town passed on May 6, 2017, May 1, 2021, and May 7, 2022 and Chapter 44, Section 7(1) of the General Laws promise to pay to Greenfield Cooperative Bank or order upon presentation and surrender thereof at Greenfield Cooperative Bank, 62 Federal Street, Greenfield, MA 01301, the sum of

EIGHT HUNDRED NINETY ONE THOUSAND EIGHT HUNDRED SIXTY NINE DOLLARS AND
FIFTY FIVE CENTS (\$891,869.55)

on October 30, 2024, with interest at the rate of 4.780 percent per annum, payable at maturity calculated on the basis of a numerator using 30 days and a denominator using a 360 day year (30/360).

<p style="text-align: center;"><u>Countersigned and Approved</u></p>  _____ _____ _____ _____	Majority of the Select Board	<p style="text-align: center;"><u>Signed</u></p>  _____ Town of _____ <p style="text-align: center;"><i>Town Seal</i> To be affixed here</p>
---	------------------------------------	--

I certify that this note was countersigned and approved by the Select Board in my presence.

<p>_____</p> <p style="text-align: center;">Date</p>	 _____ Town Clerk
--	---

The Commonwealth of Massachusetts
Department of Revenue, Boston

I hereby certify that this note appears to have been duly issued in accordance with the provisions of Chapter 44 of the Massachusetts General Laws per the attached Director of Accounts Approval Letter.

The Commonwealth of Massachusetts

Certificate of Town Clerk

Only one Certificate is needed to cover all notes issued on the same date for the same purpose. The Town Clerk will furnish below an exact copy of the vote authorizing the loan, as appearing in the Clerk's records, showing how the vote was passed including a copy of the article in the warrant upon which the vote was based. The completed certificate is to be signed by the Clerk and given to the Treasurer, who must transmit the same, with the note or notes, to the Director of Accounts, Department of Revenue, Boston. General Laws Chapter 44, Sections 23-27.

Copy of Vote Authorizing Loan

(Attach a certified copy of the vote and warrant article for each authorization included in this borrowing.)

Not applicable.



Seal

I CERTIFY that this is a true copy of the Town Treasurer's Record of the issue of notes and a true copy of the vote passed at a meeting of the voters of the Town of Monterey, duly warned as required by law, which authorized borrowing as stated, as appears on the records of the town; that said vote is in full force and effect and has not been repealed or modified in any way by subsequent vote of the town. I FURTHER CERTIFY that the person whose signature appears on the note as treasurer of the Town of Monterey was the duly authorized treasurer on the date when said signature was made; and that the persons whose signatures appear upon the note as those of a majority of the select board were duly qualified officials on the date when such signatures were made. I ALSO CERTIFY that the copy of the warrant article is a true copy of the same; that it was duly served and certified by the constable as required by the General Laws and by-laws or vote of the town or both.

Date

10/24/2023

Christopher T. [Signature]

Town Clerk

(Revised: December 2003)

Town of Monterey
Massachusetts

\$891,869.55

Bond Anticipation Note
Municipal Purpose

Dated: November 2, 2023

Due: October 30, 2024


Certificate and Covenant as to Tax-exempt Status of Notes

We, the Treasurer and Select Board of the Town of Monterey, Massachusetts (the "Issuer"), certify and covenant on behalf of the Issuer as follows in connection with the issuance of its Notes described above and the exclusion of interest thereon from gross income for federal income tax purposes under the Internal Revenue Code of 1986 as amended (the "Code"):

1. The Issuer will take all lawful action necessary to comply with requirements of the Code that must be satisfied subsequent to the issuance of the Notes in order that interest on the Notes be or continue to be excluded from gross income for federal income tax purposes.

2. The Notes are hereby designated as "qualified tax-exempt obligations" for the purposes of Section 265(b) of the Code. We certify that the reasonably anticipated amount of tax-exempt obligations, including the Notes, that will be issued by the Issuer and all subordinate entities during the current calendar will not exceed \$10,000,000.

Dated: November 2, 2023
I, the undersigned Treasurer
hereby certify that, as required
by the Code, I have this day
filed Form 8038G, a copy of
which is attached, with the
Internal Revenue Service.



Treasurer



Select Board

Town Copy

Municipal Purpose Loan Town of Monterey

This attachment must be included with all Municipal Purpose Loans issued through the State House Note Program.
(A municipal purpose loan is one which combines two or more authorizations for different purposes in one loan.)

Date	Date 2	Article #	Purpose	Amount Authorized	Previous New Issues	Paydowns This Issue	This Issue New	This Issue Renewal	Unissued Balance
5/6/2017		5	Library	\$2,340,000.00	\$1,986,585.00	\$200,000.00	\$0.00	\$675,000.00	\$0.00
5/1/2021		38	Departmental Equipment	\$200,000.00	\$200,000.00	\$72,073.84	\$0.00	\$98,299.95	\$0.00
5/7/2022		14	Departmental Equipment	\$160,000.00	\$160,000.00	\$41,430.40	\$0.00	\$118,569.60	\$0.00
Totals				\$2,700,000.00	\$2,346,585.00	\$313,504.24	\$0.00	\$891,869.55	\$0.00
Carry these figures over to the Clerk/Secretary's Certificate				Must Equal Line 3	Must Equal Line 4	Must Equal Line 5	Total of these columns must equal line 6		Must equal Line 7

Note: Amount Authorized minus Previous New Issues minus This Issue New will equal Unissued Balance.
(Revised: May 1997)

Information Return for Tax-Exempt Governmental Bonds

► Under Internal Revenue Code section 149(e)
► See separate instructions.

OMB No. 1545-0047

Department of the Treasury
Internal Revenue Service

Caution: If the issue price is under \$100,000, use Form 8038-GC.
► Go to www.irs.gov/F8038G for instructions and the latest information.

Part I Reporting Authority		Check box if Amended Return <input type="checkbox"/>	
1 Issuer's name Town of Monterey, Massachusetts		2 Issuer's employer identification number (EIN) 04-6001232	
3a Name of person (other than issuer) with whom the IRS may communicate about this return (see instructions) David M. Eisenthal		3b Telephone number of other person shown on 3a (508) 849-4222	
4 Number and street (or P.O. box if mail is not delivered to street address) 435 Main Road, P.O. Box 308		Room/suite	5 Report number (For IRS Use Only) 3
6 City, town, or post office, state, and ZIP code Monterey, MA 01245		7 Date of issue 11/02/2023	
8 Name of issue \$891,869.55 Bond Anticipation Note		9 CUSIP number	
10a Name and title of officer or other employee of the issuer whom the IRS may call for more information Sara Hunter, Treasurer		10b Telephone number of officer or other employee shown on 10a (413)-528-1443 Ext 303	

Part II Type of Issue (Enter the issue price.) See the instructions and attach schedule.	
11 Education	11
12 Health and hospital	12
13 Transportation	13
14 Public safety	14
15 Environment (including sewage bonds)	15
16 Housing	16
17 Utilities	17
18 Other. Describe ► Municipal Purpose Loan	18 891,869.55
19a If bonds are TANs or RANs, check only box 19a	<input type="checkbox"/>
b If bonds are BANs, check only box 19b	<input checked="" type="checkbox"/>
20 If bonds are in the form of a lease or installment sale, check box	<input type="checkbox"/>

Part III Description of Bonds. Complete for the entire issue for which this form is being filed.					
	(a) Final maturity date	(b) Issue price	(c) Stated redemption price at maturity	(d) Weighted average maturity	(e) Yield
21	10/30/2024	\$ 891,869.55	\$ 891,869.55	0.994 years	4.780 %

Part IV Uses of Proceeds of Bond Issue (including underwriters' discount)					
22	Proceeds used for accrued interest				22
23	Issue price of entire issue (enter amount from line 21, column (b))				23 891,869.55
24	Proceeds used for bond issuance costs (including underwriters' discount)				24
25	Proceeds used for credit enhancement				25
26	Proceeds allocated to reasonably required reserve or replacement fund				26
27	Proceeds used to refund prior tax-exempt bonds. Complete Part V				27 891,869.55
28	Proceeds used to refund prior taxable bonds. Complete Part V				28
29	Total (add lines 24 through 28)				29 891,869.55
30	Nonrefunding proceeds of the issue (subtract line 29 from line 23 and enter amount here)				30 0.00

Part V Description of Refunded Bonds. Complete this part only for refunding bonds.			
31	Enter the remaining weighted average maturity of the tax-exempt bonds to be refunded	n/a	years
32	Enter the remaining weighted average maturity of the taxable bonds to be refunded	n/a	years
33	Enter the last date on which the refunded tax-exempt bonds will be called (MM/DD/YYYY)	11/02/2023	
34	Enter the date(s) the refunded bonds were issued ► (MM/DD/YYYY) 02/15/19,11/05/19,11/05/20,11/03/21,03/02/22,11/02/22,06/20/23		

Part VI Miscellaneous		
35	Enter the amount of the state volume cap allocated to the issue under section 141(b)(5)	35
36a	Enter the amount of gross proceeds invested or to be invested in a guaranteed investment contract (GIC). See instructions	36a
b	Enter the final maturity date of the GIC ▶ (MM/DD/YYYY) _____	
c	Enter the name of the GIC provider ▶ _____	
37	Pooled financings: Enter the amount of the proceeds of this issue that are to be used to make loans to other governmental units	37
38a	If this issue is a loan made from the proceeds of another tax-exempt issue, check box <input type="checkbox"/> and enter the following information:	
b	Enter the date of the master pool bond ▶ (MM/DD/YYYY) _____	
c	Enter the EIN of the issuer of the master pool bond ▶ _____	
d	Enter the name of the issuer of the master pool bond ▶ _____	
39	If the issuer has designated the issue under section 265(b)(3)(B)(i)(III) (small issuer exception), check box	<input checked="" type="checkbox"/>
40	If the issuer has elected to pay a penalty in lieu of arbitrage rebate, check box	<input type="checkbox"/>
41a	If the issuer has identified a hedge, check here <input type="checkbox"/> and enter the following information:	
b	Name of hedge provider ▶ _____	
c	Type of hedge ▶ _____	
d	Term of hedge ▶ _____	
42	If the issuer has superintegrated the hedge, check box	<input type="checkbox"/>
43	If the issuer has established written procedures to ensure that all nonqualified bonds of this issue are remediated according to the requirements under the Code and Regulations (see instructions), check box	<input type="checkbox"/>
44	If the issuer has established written procedures to monitor the requirements of section 148, check box	<input type="checkbox"/>
45a	If some portion of the proceeds was used to reimburse expenditures, check here <input type="checkbox"/> and enter the amount of reimbursement ▶ _____	
b	Enter the date the official intent was adopted ▶ (MM/DD/YYYY) _____	

Signature and Consent	Under penalties of perjury, I declare that I have examined this return and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete. I further declare that I consent to the IRS's disclosure of the issuer's return information, as necessary to process this return, to the person that I have authorized above.			
	 Signature of issuer's authorized representative	Date	Sara Hunter, Treasurer Type or print name and title	
Paid Preparer Use Only	Print/Type preparer's name David M. Eisenthal	Preparer's signature	Date	Check <input type="checkbox"/> if self-employed PTIN
	Firm's name ▶ UniBank Fiscal Advisory Services, Inc.	Firm's EIN ▶ 04-3477364		Phone no. (508) 234-8112
	Firm's address ▶ 49 Church Street, Whitinsville, MA 01588			

The Commonwealth of Massachusetts Certificate of Town Clerk

Note Number(s): 183-1

Town Treasurer's Record

Town of Monterey


1. Date of Town Meeting Authorizing Loan May 6, 2017, May 1, 2021, and May 7, 2022
2. Purpose of Loan BAN - Municipal Purpose
Note: Attach a Municipal Purpose Loan Form for lines 1 to 7 for all multiple purpose loans.
3. Total Amount of Loan Authorized \$2,700,000.00
4. Amount of Previous New Issues of this Loan \$2,346,585.00
5. Paydowns on this Issue (if required) \$313,504.24
6. Amount of this Issue \$891,869.55
7. Balance of this Loan Unissued \$0.00
Note: Amount Authorized minus Previous New Issues minus This Issue (New Money) equals Unissued Balance.
8. Issue Date November 2, 2023 Date Due October 30, 2024
9. Payable to Greenfield Cooperative Bank
10. Payable at Greenfield Cooperative Bank
11. Rate of Interest 4.780% Payable At Maturity (Annually, semi-annually or at maturity)
12. Signed by [Signature], Town Treasurer

TO THE DIRECTOR OF ACCOUNTS: THIS CONSTITUTES OUR AUTHORIZATION TO DELIVER THE NOTE(S), WHEN CERTIFIED, TO THE PURCHASER(S) SPECIFIED ON LINE 9 ABOVE.

COUNTERSIGNED AND APPROVED BY:

[Signature]
[Signature]

Select Board
and a
majority
thereof

In the presence of: [Signature], Town Clerk  (complete right side)

Grant Request/Information Form

Grant Writer Name: Dennis J. Lynch

Project Manager Name: TBD

Are you requesting permission to write a grant or research available grants? Write/Research

Type of grant you are proposing to research and how the project you have in mind that you are seeking available grants for: (skip this if you are proposing to write a grant):

Name of Grant (if proposing to write a grant): MA Cultural Facilities Fund

Source of Grant Funding (State or Federal Agency): State

Purpose of Grant: Construction of pavilion, lighting and parking at the Community Center

Maximum amount Town can be awarded: \$200,000

Is there a Town match and if so how much?: 50%

How many hours do you estimate it will take you to write this grant?: 88 hours

What is the deadline to file this grant?: December 14, 2023

Will this grant require any staff time after it is awarded? If yes, what will this entail, how many hours will need to be devoted and who do you propose will manage the follow up required?: approx. 3 hours for project procurement

Additional Comments: Supported by the MCC and Friends of Wilson-McLaughlin House

Please attach any information about the grant to help the Select Board in making our decision.

To be completed by the Select Board

Approved (circle one): YES NO

Maximum hours approved for this project:

Select Board approval (sign)

- Approved a few hours to research @ 10/24/23 SB meeting

Cultural Facilities Fund

Managed in collaboration with MassDevelopment, the Cultural Facilities Fund provides major improvement grants to nonprofit cultural organizations, in recognition of their profound economic impact on communities across Massachusetts. Since 2006, the Fund has encouraged sound growth, supported important development projects, played a crucial role in the growth of local tourism, created thousands of jobs, and driven millions of dollars in private investment.

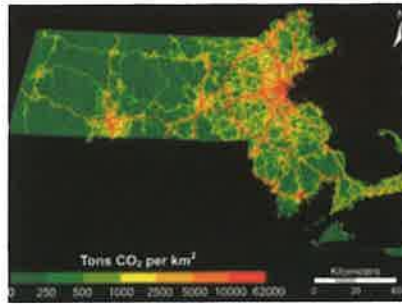
Application
Process

[Project List](#) / [About the Fund](#) / [FAQs](#) / [Contact](#)

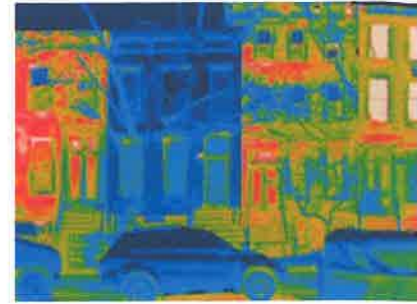
Related Content



[Read our guide for creating and preserving affordable artist spaces »](#)



[WATCH - Cultural Facilities: Paths to Decarbonization »](#)



[WATCH: Cultural Facilities: Mass Save Resources for Energy Efficiency »](#)

Town of Monterey MA



Manual for all Elected and Appointed Multi-Member Bodies

Contents

Introduction:	3
1. Becoming a Member of a Multi-member body (Board, Committee, Commission, Council, etc.):.....	3
2. Oath of Office, Open Meeting Law, Conflict of Interest training:.....	3
3. Vacancies/Resignations/Lack of Attendance:	4
4. Organization of Boards/Duties of Officers:	54
5. Quorum:	65
6. Conducting a Meeting:	6
7. Meetings/Open Meeting Law:	6
8. Posting/Scheduling of Meetings and Agendas:.....	7
9. Meeting Minutes	8
10. Remote Participation:	98
11. Administration:	9
12. Annual Report:	109
13. Elected and Appointed Officials Standards of Conduct:	109
14. Board Chairs Standards of Conduct:	10
15. Violations of Standards:	11
16. Benefits:	11
17. Conclusion:	1211
Acknowledgment:	12

Introduction:

This handbook serves as a guide for all elected and appointed members of the boards and committees in our Town. It outlines the expected standards of conduct and behavior for elected and appointed officials to ensure a professional, respectful, and productive working environment. Adhering to these standards is crucial to uphold the best interests of the town and its residents.

1. Becoming a Member of a Multi-member body (Board, Committee, Commission, Council, etc.):

Qualifications for Appointment:

The general law does not require members of town multi-member bodies be a town resident unless the statute or town bylaw requires residency, but the Select Board prefers to appoint residents whether registered to vote in the Town or not to town multi-member bodies. The Select Board prefers to appoint residents who are registered to vote in town to vacant elected positions. The Select Board is the appointing authority for all positions in the Town that do not answer to another elected position or multi-member body.

Application Procedure

Town residents who are interested in being considered for appointment should fill out an appointment application. The application form is available in hard copy at Town Hall from the Town Administrator's office or can be found on the Town's website at <https://www.montereyma.gov/select-board/webforms/appointment-request-application>. Applicants may be scheduled for a meeting with the interested multi-member body prior to being considered for appointment. Applicants to any committee may inquire as to the time requirements of the specific multi-member body and the frequency with which that multi-member body meets.

The appointing authority shall have sole discretion to make such appointments or other changes as the appointing authority deems to be in best interest of the Town. It is encouraged that applicants attend one or two meetings of the multi-member body in which they are interested to become familiar with the time commitment and other functions of that multi-member body.

2. Oath of Office, Open Meeting Law, Conflict of Interest training:

New elected and appointed officials need to:

1. Take an oath of office administered by the Town Clerk
2. Receive Open Meeting Law materials
3. Complete Massachusetts Conflict of Interest Law Training

Written notification of appointment will be issued to newly appointed members. Appointees must report to the Town Clerk's office, within two weeks of being appointed, to be sworn to faithful performance of their duties prior to taking any official action as a member of the board (MGL Ch. 41 section 107). The Town Clerk will give appointees information about the Open Meeting Law, as required in Chapter 39, Section 23B of the Massachusetts General Laws. Members are required to sign written acknowledgement of receipt. Within 30 days of initial appointment or election, and every other year thereafter, all municipal employees (which include members of boards, committees and commissions)

must complete the Online Ethics Training. In addition, every year each municipal employee must acknowledge in writing that they received a summary of the Conflict of Interest Law for municipal employees. You will need speakers to listen to the video training.

The new link requires you to create an account, please keep your login information for future years to log in. Once you create your account and complete the requirements, this link keeps track of who has completed the requirements so that the Town can see who has done this. There is no need to print off a copy to give to the Town but you may want to print a copy for yourself.

<https://www.mass.gov/new-conflict-of-interest-law-online-training-program-now-open>

3. Vacancies/Resignations/Lack of Attendance:

Any member who, for any reason, chooses to resign before a term is complete shall provide immediate written notice of the resignation to the Town Clerk, and the Town Administrator, and cite the effective date of resignation.

Removal: In cases where the SB has statutory authority they may remove members of a board or commission at their discretion.

Attendance: All persons appointed to a board shall be expected to attend regularly scheduled meetings. Excused absences reported to the board/committee Chair prior to a regularly scheduled meeting shall be allowed. Three unexcused absences in a row may be cause for removal by the Select Board of those persons who have been appointed to fill a board position for whom the Select Board has removal authority. After notice and hearing, a majority vote by the Select Board shall be required to cause the removal. The total attendance excused or unexcused may be considered to continue serving on the board/committee.

Elected Boards and Committees

Interim appointments on elected boards are governed by the provisions of MGL Chapter 41 Sections 10 and 11 unless otherwise provided by statute:

<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter41/Section10> .

When a vacancy occurs, the Select Board will advertise the position and accept applicants through the appointment request application which can be found here: <https://www.montereyma.gov/select-board/webforms/appointment-request-application> . The board or committee in which the vacancy occurs shall, within one month, notify the Select Board in writing of the vacancy. After one week's notice, the vacancy ~~will be posted and will be~~ filled by the remaining members, board or committee with the vacancy and the Select Board, who will vote by roll call. The Select Board shall fill the vacancy itself if the board or committee fails to notify the Select Board of the vacancy within the required time period.

If there is a vacancy in the office of the Select Board, the remaining Select Board may call a Special Election; or an election must be held upon written petition of 200 or 20% of registered voters whichever is less. If a Special Election is not called either by initiative of the Select Board or citizens' petition, the office remains vacant until the next regularly scheduled election.

Commented [M1]: Does the Board have to fill it within one week or do they have one week to start the process to fill the vacancy?

Commented [DB2R1]: The boards have to wait one week before they can start the process to fill the vacancy.

Commented [M3]: What do you mean by "and"? Is this a requirement that both the board/committee and the SB are required by law to vote?

Commented [DB4R3]: Yes, both boards vote, unless the board with the vacancy fails to notify the SB of the vacancy in which case the SB alone can fill the vacancy.

4. Organization of Boards/Duties of Officers:

Election of Officers:

All elected boards and Officers shall reorganize at their first meeting following the Annual Town Elections and all appointed boards shall reorganize each year at their first meeting following June 30th. After re-organization, the Chair should notify the Town Administrator of changes in officers.

Duties of Officers:

Chairman:

1. Presides at all meetings, decides questions of order;
2. Calls meeting dates and times, ensuring that members are kept informed of meetings;
3. Ensures that meeting and agendas are properly posted in accordance with the Open Meeting Law;
4. Sets agenda topics;
5. Represents the board before the appointing authority, other town bodies and the public, as required;
6. Ensures that all members have taken the oath of office and acknowledged receipt of information from the Town Clerk with regard to the Open Meeting Law and Conflict of Interest Law;
7. Ensures that a summary of the board's actions of the previous year are submitted to the Town Administrator for inclusion in the Annual Town Report;
8. Exercises control over public meetings and hearings, ensures that the proper decorum is maintained and that such meetings and hearings are conducted in an orderly and appropriate manner.

Vice-Chairman:

1. The Vice-Chairman acts as Chairman in the absence of the Chair.

Clerk/Secretary:

1. Ensures that minutes of every meeting are taken, prepared, voted and filed with the Town Administrator in a timely manner, in accordance with the Open Meeting Law.
2. Ensures that copies of documents and other exhibits used during meetings are provided and referenced in a list to be included as addenda to the approved meeting minutes, in accordance with the Open Meeting Law.
3. In the absence of paid staff, performs any other clerical or administrative duties as required.

5. Quorum:

In order for a board to meet or take any action, a quorum must be present. The Open Meeting Law defines a quorum as a simple majority of the members of a public body, unless otherwise provided in a general or special law, executive order, or other authorizing provision. G.L. c. 30A, § 18. If a quorum of a public body wants to discuss public business within that body's jurisdiction, they must do so during a properly posted meeting.

More information is available on the Attorney General's website: www.mass.gov/the-open-meeting-law

Questions about quorums may be sent to openmeeting@mass.gov

6. Conducting a Meeting:

Although most board discussions may seem too casual to be called debate, it is advisable for the board to observe a minimum of generally accepted procedures. Attentive guidance by the Chair and adherence to adopted procedures can increase efficiency as well as maintain objectivity.

The Chair should encourage all participants to offer concise, non-repetitive statements. In some cases, establishing time limits may be advisable. All who wish to speak should be allowed to do so before anyone is invited to speak a second time. Although desirable, it is not necessary for the board to continue discussion until complete consensus is achieved. Other actions, such as calling for a vote, postponing until more information is available, or referring to a subcommittee may be required.

All votes must be taken publicly. The use of secret ballots is prohibited. Anyone on the Board may make a motion, second a motion, and speak on a motion. Motions require a majority vote unless the law calls for another quantum of vote.

All votes taken to go into executive session, all votes in executive session, and all votes in which one or more members participate remotely must be by roll call.

7. Meetings/Open Meeting Law:

All board members are required to take the time to familiarize themselves with the provisions of the Open Meeting Law (MGL c 30A, §§ 18-25) and its accompanying regulations (940 CMR 29.00). The Open Meeting Law sets forth specific requirements for posting, scheduling, conducting, and recording meetings. The purpose of the law is to promote the democratic process in assuring that deliberations and decisions made by our public officials are conducted openly, and not hidden from the public. Failure to follow the Open Meeting Law may result in the invalidation of actions taken at a meeting and could result in the imposition of a penalty upon the public body. More information of the Open Meeting Law is available on the Attorney General's website: www.mass.gov/the-open-meeting-law

Questions about the Open Meeting Law may be sent to openmeeting@mass.gov

Definition of Meeting:

For purposes of the Open Meeting Law, a "meeting" is defined as "a deliberation by a public body with respect to any matter within the body's jurisdiction; provided, however, "meeting" shall not include:

- An on-site inspection of a project or program, so long as the members do not deliberate;
- Attendance by a quorum of a public body at a public or private gathering, including a conference or training program or media, social or other event, so long as the members do not deliberate.
- Attendance by a quorum of a public body at a meeting of another public body that has complied with the requirements of the open meeting law, so long as the visiting members communicate only by open participation in the meeting on those matters under discussion by the host body and do not deliberate.
- A meeting of a quasi-judicial board or commission held for the sole purpose of making a decision required in an adjudicatory proceeding brought before it; or
- A session of a town meeting convened under MGL c. 39 §10 which would include the attendance by a quorum of a public body at any such session.

It is a violation of the Open Meeting Law to conduct "telephone meetings," "revolving door meetings," "e-mail meetings," or to hold other such discussions outside of a duly posted meeting at which the public is deprived of the opportunity to attend and monitor the decision-making process. This includes individual conversations that occur in serial fashion in which a quorum of members participates and/or deliberates. "Deliberation" is defined as "an oral or written communication through any medium, including electronic mail, along with social media deliberations between or among a public body or any public business within its jurisdiction; provided, however, that "deliberation" shall not include the distribution of a meeting agenda, scheduling information or distribution of other procedural meeting or the distribution or reports or documents that may be discussed at a meeting, provided that no opinion of a member is expressed."

*Open Meeting Law training videos can be found at:

<https://mass.gov/service-details/open-meeting-law-training-videos>

8. Posting/Scheduling of Meetings and Agendas:

The Open Meeting Law Regulations (940 CMR 29.03) provide, in part, that the "public bodies shall file meeting notices sufficiently in advance of a public meeting to permit posting of the notice at least 48 hours in advance of the public meetings, excluding Saturdays, Sundays and legal holidays. The date and time that the notice is posted shall be conspicuously recorded thereon or therewith."

A copy of Monterey's agenda posting policy can be found here:

https://www.montereyma.gov/sites/g/files/vyhlf3496/f/pages/agenda_posting_policy_adopted_6.30.0.pdf

The website is the legal posting place for Monterey.

The Town Administrator **will not be responsible for any missed Postings or noncompliance with the state's Open Meeting Law requirements.** The official calling the meeting is responsible for ensuring that the posting and meeting is in compliance with the Open Meeting Law. It is the responsibility of the Committee Chair to ensure that the meeting agenda was posted prior to the meeting.

Notice/Posting Recommendations: The following items are suggested, but not required:

Agendas should be in bulleted/numbered list format, preferably in the order that the items will be discussed in the meeting.

9. Meeting Minutes

Content of Minutes:

Section 22 of the Open Meeting Law requires every governmental body to "...create and maintain accurate minutes of all meetings, including executive session, setting forth the date, time and place, the members present or absent, a summary of the discussions on each subject, a list of documents and other exhibits used at the meeting, the decisions made and the actions taken at each meeting, including the record of all votes." More information of the Open Meeting Law and meeting minutes is available on the Attorney General's website: www.mass.gov/the-open-meeting-law

Questions about the Open meeting Law may be sent to openmeeting@mass.gov

Availability/Filing of Minutes:

Meetings may not proceed without a designated secretary responsible for providing a written record of the meeting as prescribed by the Open Meeting Law. Audio or video recordings may not be used as permanent records of a meeting. Recordings can be destroyed once written minutes are approved unless specifically entered into the minutes on the record. The approval of the prior meeting's minutes should always appear as an agenda item to encourage timely completion and filing of the minutes. It should be noted that the minutes of an open meeting, in whatever form (notes, draft, tape recording, etc.) are considered public records and must be made available to the public upon request.

Boards should strive for transparency, posting minutes as soon as they have been approved. A copy of approved open session minutes can be found on the town's webpage.

Minutes of executive sessions are kept confidential and separate from open session minutes. The board or committee should review executive session minutes periodically to determine if the need for confidentiality no longer applies such that the minutes may be made public. The review of the executive session minutes may be made in executive session or delegated to a single member of the board or committee.

All approved minutes of every Town of Monterey board and committee shall be sent via email to the Town Administrator (admin@montereyma.gov) and the Town Clerk (clerk@montereyma.gov)

Speaking for a Board of Committee:

An individual board member has a right to speak publicly as a private citizen but should not purport to represent the board or exercise the authority of the board except when specifically authorized by that body to do so. If members identify themselves as members when speaking as private citizens, it may be perceived that they speak for the board. Such a perception should be avoided. An individual board

member should not speak publicly as a private citizen before the board upon which they sit. Members of public bodies may communicate with members of the public through any social media platform. However, members of public bodies must be careful not to engage in deliberation with the other members of the public body through such communications. If a member of a public body communicates directly with a quorum of the public body over social media platforms that communication may violate the Open Meeting Law. Public body members should proceed with caution when communicating via these platforms.

10. Remote Participation:

A vote was taken by the Select Board to authorize remote participation in public meetings pursuant to 940 CMR 29.10 and M.G.L. c4 sec. 7. For the most current remote participation guidelines please refer to the Open Meeting Law, available on the Attorney General's website: www.mass.gov/the-open-meeting-law

Questions about the Open meeting Law and remote participation may be sent to openmeeting@mass.gov

11. Administration:

Public Records:

With few exceptions, every document and record (hard copy or electronic) made or received by a board or other public entity is presumed to be a public record under the Massachusetts Public Records Law (MGL c. 66, § 10). As such, the public has a right of access to these records.

Town boards and departments are also obligated to properly secure and maintain public records. Public records should never be kept in a home or on private property of a board member.

A guide to the Massachusetts Public Record law:

<https://www.sec.state.ma.us/pre/prepdf/guide.pdf>

Use of Town Counsel:

Request for opinions or assistance from Town Counsel must be directed through the office of the Select Board. A copy of the town's policy and procedure for contacting Town Counsel may be found here:

https://www.montereyma.gov/sites/g/files/vyhliif3496/f/pages/contacting_town_counsel_policy_7.20.pdf

Appointing Authorities:

The Select Board may require that the board chair report regularly to the appointing authority about the board's actions and plans. The Town Administrator helps in maintaining communication between the committee, staff, and appointing authority. If needed, the Chair may request a meeting with the Select Board to resolve problems and report progress.

12. Annual Report:

All appointed boards and committees must file an annual report of committee activities for the Annual Town Report. The chair or other designated member should detail committee membership including changes, and an explanation of accomplishments and future plans to be submitted to the Town Administrator no later than December 15th to be made available in a full copy of the annual report for the use of the inhabitants of the town by March 15th.

13. Elected and Appointed Officials Standards of Conduct:

All elected and appointed officials are expected to:

- Act with integrity, honesty, and impartiality in carrying out their official duties.
- Serve the public interest and make decisions that are fair, transparent, and based on the best available information.
- Be polite and non-confrontational when addressing an issue or opposing opinion of another board member or a Town employee.
- Treat all individuals with dignity, respect, and fairness, irrespective of their race, ethnicity, gender, sexual orientation, religion, or other protected characteristics.
- Avoid conflicts of interest and disclose any potential conflicts promptly to the appropriate authorities.
- Comply with all applicable laws, regulations, and policies related to their role and responsibilities.
- Maintain the confidentiality of sensitive information and refrain from disclosing it without proper authorization.
- Engage in open and honest communication with fellow officials, employees, and the public.
- Foster a positive and collaborative work environment that encourages diversity, inclusion, and mutual respect.
- Refrain from using their position for personal gain, financial or otherwise.
- Adhere to the standards of conduct required by State Ethics law.
- Uphold and promote ethical behavior in all aspects of their work.

14. Board Chairs Standards of Conduct:

Board Chairs, as leaders of their respective boards or committees, have additional responsibilities to ensure effective governance and promote a positive working environment.

They are expected to:

- Lead board meetings in a fair, impartial, and efficient manner, allowing for productive discussions and decision-making.
- Maintain order and decorum during meetings, ensuring that all members have an opportunity to participate and express their views.
- Respect the opinions and perspectives of all board members, valuing diversity of thought and fostering an inclusive atmosphere.

- Act as a liaison between the board and other town entities, promoting effective communication and collaboration.
- Ensure compliance with applicable rules, regulations, and bylaws governing the board's operations.
- Encourage board members to prepare adequately for meetings, providing relevant materials and information in advance.
- Set an example of professionalism, ethical behavior, and adherence to the Standards of Conduct for all board members.
- Seek opportunities for professional development and growth to enhance their leadership skills.
- Promote transparency, accountability, and public trust by effectively communicating board decisions and actions to the community.
- Foster a positive working relationship with town staff, promoting cooperation, and mutual respect.
- Reprimand/address other board members when they are acting inappropriately.

15. Violations of Standards:

Violations of the codes of conduct outlined above may result in disciplinary action by the Select Board. These disciplinary actions may include, where permitted by law:

- Reprimands, warnings, or censures.
- Removal from committees or specific roles.
- Termination or removal from office.
- Referral of serious misconduct to relevant authorities for investigation and legal action.

16. Benefits:

Employee Assistance Program (EAP) Policy

Town of Monterey will provide confidential and voluntary assistance through its employee assistance program (EAP) to all volunteers, Board members, employees and their family members who may be faced with challenges of financial concerns, legal issues, alcohol or drug problems, marital problems, illness of a family member, emotional worries, child care problems, etc. For the welfare of employees as well as for effective business operations, the Town encourages taking advantage of this valuable benefit.

Procedures

Employees and their family members can refer themselves to the EAP. The program may be reached 24 hours a day on weekdays and weekends. [1-800-451-1834](tel:1-800-451-1834)

EAP counselors are available to meet with employees or family members to assess a problem and develop a plan for resolution. The counselors may suggest a referral to an outside resource, such as a therapist, agency, physician, treatment facility or other professional that would be appropriate to assist in resolving the problem or situation.

There is no charge for employees or their families to use the services of the EAP. The EAP counselors will make every effort to coordinate referrals for ongoing treatment with the employee's health insurance coverage as well as with his or her ability to pay.

Confidentiality

All contact between an employee and the EAP is held strictly confidential. In cases where an employee's continued employment is contingent on calling the EAP, the EAP counselor will only verify whether the employee has contacted the EAP and, if ongoing treatment is necessary, that the employee is following through on the treatment. Information given to the EAP counselor may be released to the Town of Monterey only if requested by the employee in writing. All counselors are guided by a professional code of ethics.

17. Conclusion:

By adhering to these standards of conduct, members of the Town's multi-member bodies contribute to a positive work environment and help fulfill the Town's goals. It is essential to familiarize yourself with these guidelines and refer to them whenever necessary. Failure to comply with these standards may result in disciplinary action. Let us strive for professionalism, respect, and dedication as we work together for the betterment of our community.

Acknowledgment:

I acknowledge receipt and understanding of this document.

Print Name

Signature

Date



Town of Monterey

Annual Town Administrator Performance Evaluation

period of February ~~2022~~2023 through ~~January-November 2022~~

Each member of the Select Board should complete this evaluation form, sign it in the space below, and return it to the HR Director. Forms are due to the HR Director by Tuesday ~~February 7, 2023~~ ***Date here.

Select Board Member's Name:

Select Board Member's Signature:

Date Submitted:

INSTRUCTIONS

This evaluation form contains ten categories of evaluation criteria. Each category contains a statement to describe a behavior standard in that category. For each statement, use the following scale to indicate your rating of the Town Administrator's performance. A space has been provided for each statement within the performance areas. Check the number which most accurately reflects the level of performance for the factor. It is important to provide concrete examples to support your rating, as most comments should be a reiteration of what has previously been addressed with the TA during your time working with them. If you did not have an opportunity to observe or make a determination on a particular factor, please indicate so in the N/A space.

Rating Scale (1-5)

Outstanding (5): The Administrator's work performance significantly exceeds established job standards with exceptional quality, quantity and timeliness of work.

Highly Effective (4): The Administrator's work is frequently or consistently above the level of a satisfactory Administrator.

Proficient (3): The Administrator's work performance consistently meets the standards of the position.

Improvement Needed (2): The Administrator's work performance does not consistently meet, or only marginally meets, the standards of the position.

Unsatisfactory (1): The Administrator's work performance is inadequate and definitely inferior to the standards of performance required for the position. Performance at this level cannot be allowed to continue.

5 = Excellent (almost always exceeds the performance standard)

4 = Above average (generally exceeds the performance standard)

3 = Average (generally meets the performance standard)

2 = Below average (usually does not meet the performance standard)

1 = Poor (rarely meets the performance standard)

Any item left blank will be interpreted as a score of "3 = Average"

This evaluation form also contains a provision for entering narrative comments, including an opportunity to enter responses to specific questions and an opportunity to list any comments you believe appropriate and pertinent to the rating period. Please type or write legibly.

Leave all pages of this evaluation form attached. Initial each page. Sign and date the cover page. On the date space of the cover page, enter the date the evaluation form was submitted. All evaluations pages will be summarized into a performance evaluation to be presented by the HR Director to the Town Administrator.

PERFORMANCE CATEGORY SCORING

1. INDIVIDUAL CHARACTERISTICS

- Diligent and thorough in the discharge of duties, "self-starter"
- Exercises good judgment
- Displays enthusiasm, cooperation, and will to adapt
- Mental and physical stamina appropriate for the position
- Exhibits composure, appearance and attitude appropriate for executive position

~~Add the values from above and enter the subtotal _____ ÷ 5 = _____ score for this category~~

2. PROFESSIONAL SKILLS AND STATUS

- Maintains knowledge of current developments affecting the practice of local government management
- Demonstrates a capacity for innovation and creativity
- Anticipates and analyzes problems to develop effective approaches for solving them
- Willing to try new ideas proposed by Select Board members and/or staff
- Sets a professional example by handling affairs of the public office in a fair and impartial manner

~~Add the values from above and enter the subtotal _____ ÷ 5 = _____ score for this category~~

3. RELATIONS WITH ELECTED MEMBERS OF THE SELECT BOARD

- Carries out directives of the body as a whole as opposed to those of any one member
- Sets meeting agendas that reflect the guidance of the Select Board

Disseminates complete and accurate information equally to all members in a timely manner

Assists by facilitating decision making without usurping authority

Responds well to requests, advice, and constructive criticism

~~Add the values from above and enter the subtotal + 5 = score for this category~~

4. POLICY EXECUTION

Implements actions in accordance with the intent of the Select Board

Supports the actions of the Select Board after a decision has been reached, both inside and outside the organization

Understands, supports, and enforces local government's laws, policies, and ordinances

Reviews ordinance and policy procedures periodically to suggest improvements to their effectiveness

Offers workable alternatives to the Select Board for changes in law or policy when an existing policy or ordinance is no longer practical

~~Add the values from above and enter the subtotal + 5 = score for this category~~

5. REPORTING

Provides regular information and reports to the Select Board concerning matters of importance to the local government

Responds in a timely manner to requests from the Select Board for special reports

Takes the initiative to provide information, advice, and recommendations to the Select Board on matters that are non-routine and not administrative in nature

Reports produced by the Administrator are accurate, comprehensive, concise and written to their intended audience

Produces and handles reports in a way to convey the message that affairs of the organization are open to public scrutiny

~~Add the values from above and enter the subtotal + 5 = score for this category~~

6. CITIZEN RELATIONS

Responsive to requests and questions from citizens. Promptly response to these questions and request.

Formatted: Indent: Left: 0"

Demonstrates a dedication to service to the community and its citizens

Maintains a nonpartisan approach in dealing with the news media

Meets with and listens to all members of the community to discuss their concerns and strives to understand their interests

Formatted: Indent: Left: 0"

Gives an appropriate effort to maintain citizen satisfaction with Town services

~~Add the values from above and enter the subtotal + 5 = score for this category~~

7. STAFFING

Recruits and retains competent personnel for staff positions

Applies an appropriate level of supervision to improve any areas of substandard performance

Stays accurately informed and appropriately concerned about employee relations

Professionally manages the compensation and benefits plan

Promotes training and development opportunities for employees at all levels of the organization

~~Add the values from above and enter the subtotal + 5 = score for this category~~

8. SUPERVISION

Encourages heads of departments to make decisions within their jurisdictions with minimal Town Administrator involvement, yet maintains general control of operations by providing the right amount of communication to the staff

Instills confidence and promotes initiative in subordinates through supportive rather than restrictive controls for their programs while still monitoring operations at the department level

Develops and maintains a friendly and informal relationship with the staff and work force in general, yet maintains the professional dignity of the Town Administrator's office

Sustains or improves staff performance by evaluating the performance of staff members at least annually, setting goals and objectives for them, periodically assessing their progress, and providing appropriate feedback

Encourages teamwork, innovation, and effective problem-solving among the staff members

~~Add the values from above and enter the subtotal _____ ÷ 5 = _____ score for this category~~

9. FISCAL MANAGEMENT

Prepares a balanced budget to provide services at a level directed by the Select Board

Makes the best possible use of available funds, conscious of the need to operate the local government efficiently and effectively.

Prepares a budget and budgetary recommendations in an intelligent and accessible format. Uses historical data to help determine budget numbers.

Ensures actions and decisions reflect an appropriate level of responsibility for financial planning and accountability

Appropriately monitors and manages fiscal activities of the organization

~~Add the values from above and enter the subtotal _____ ÷ 5 = _____ score for this category~~

10. COMMUNITY

Shares responsibility for addressing the difficult issues facing the Town

Avoids unnecessary controversy

Cooperates with neighboring communities and the county

Helps the Select Board address future needs and develop adequate plans to address long term trends

Cooperates with other regional, state and federal government agencies

~~Add the values from above and enter the subtotal _____ ÷ 5 = _____ score for this category~~

NARRATIVE EVALUATION

1. What would you identify as the Administrator's strength(s), expressed in terms of the principle results achieved during the rating period?

2. What performance area(s) would you identify as most critical for improvement?

3. What constructive suggestions or assistance can you offer the Administrator to enhance performance?

4. What other comments do you have for the Administrator; e.g., priorities, expectations, goals or objectives for the new rating period?



Town of Monterey MA

Department Head Performance Review (to be completed by the Department Head as their self-evaluation)

Supervisor Name: _____ Position: _____
 Reviewed by : _____ Department: _____
 Review Period: _____ Date: _____

Instructions: Rate your work performance based on the following skills, complete all sections. You will review your results with the Town Administrator or a designee.

Rating scale:

- 5 Excellent (consistently exceeds standards)
- 4 Outstanding (frequently exceeds standards)
- 3 Satisfactory (generally meets standards)
- 2 Needs improvement (frequently fails to meet standards)
- 1 Unacceptable (fails to meet standards)

	5	4	3	2	1
Job knowledge Knowledge of products, policies and procedures; OR knowledge of techniques, skills, equipment, procedures, and materials.					
Quality of work Minimal mistakes and learns from ones mistakes. Accuracy, quality of work in general.					
Quantity of work Productivity of the employee.					
Reliability The extent to which the employee can be depended upon to be available for work, to complete work properly, and complete work on time. The degree to which the employee is reliable, trustworthy, and persistent.					
Initiative and creativity The ability to plan work and to proceed with a task without being told every detail and the ability to make constructive suggestions.					
Judgment					



Town of Monterey MA

Department Head Performance Review (to be completed by the Department Head as their self-evaluation)

The extent to which the employee makes decisions that are sound. The ability to base decisions on fact rather than emotion.					
Cooperation Willingness to work harmoniously with others in getting a job done. Readiness to respond positively to instructions and procedures.					
Attendance Consistency in coming to work daily and conforming to scheduled work hours.					

Leadership responsibilities:

	5	4	3	2	1
Planning and organizing The ability to analyze work, set goals, develop plans of action, utilize time. Consider amount of supervision required and extent to which you can trust employee to carry out assignments conscientiously.					
Directing and controlling The ability to create a motivating climate, achieve teamwork, train and develop, measure work in progress, take corrective action.					
Financial – Budget <u>Continuously monitors expenses during the fiscal year and brings to the attention of the Town Administrator possible problems/issues. Works with the Select Board, Town Administrator and Finance Committee to develop a new fiscal year budget that is data driven.</u>					
Decision-making The ability to make decisions and the quality and timeliness of those decisions.					

Noteworthy accomplishments during this review period:



Town of Monterey MA

Department Head Performance Review (to be completed by the Department Head as their self-evaluation)

Areas requiring improvement in job performance:

Actions taken to improve performance from the previous review:

Goals for the coming year:

Employee comments:

Signatures acknowledge that this form was discussed and reviewed.



Town of Monterey MA

Department Head Performance Review (to be completed by the Department Head as their self-evaluation)

Department Head signature: _____

Date: _____

Town Administrator or Designee signature: _____

Date: _____



Town of Monterey MA

Department Head Performance Review (to be completed by Town Administrator or Designee)

Supervisor Name: _____ Position: _____
 Reviewed by : _____ Department: _____
 Review Period: _____ Date: _____

Instructions: Rate the Department Head's performance during the review period by checking the most appropriate numerical value in each section. Go through each skill and section and discuss how your results and the DH self-evaluation differ.

Rating scale:

- 5 Excellent (consistently exceeds standards)
- 4 Outstanding (frequently exceeds standards)
- 3 Satisfactory (generally meets standards)
- 2 Needs improvement (frequently fails to meet standards)
- 1 Unacceptable (fails to meet standards)

	5	4	3	2	1
Job knowledge Knowledge of products, policies and procedures; OR knowledge of techniques, skills, equipment, procedures, and materials.					
Quality of work Minimal mistakes and learns from one's mistakes. Accuracy, quality of work in general.					
Quantity of work Productivity of the employee.					
Reliability The extent to which the employee can be depended upon to be available for work, to complete work properly, and complete work on time. The degree to which the employee is reliable, trustworthy, and persistent.					
Initiative and creativity The ability to plan work and to proceed with a task without being told every detail and the ability to make constructive suggestions.					
Judgment					



Town of Monterey MA

Department Head Performance Review (to be completed by Town Administrator or Designee)

The extent to which the employee makes decisions that are sound. The ability to base decisions on fact rather than emotion.					
Cooperation Willingness to work harmoniously with others in getting a job done. Readiness to respond positively to instructions and procedures.					
Attendance Consistency in coming to work daily and conforming to scheduled work hours.					

Leadership responsibilities:

	5	4	3	2	1
Planning and organizing The ability to analyze work, set goals, develop plans of action, utilize time. Consider amount of supervision required and extent to which you can trust employee to carry out assignments conscientiously.					
Directing and controlling The ability to create a motivating climate, achieve teamwork, train and develop, measure work in progress, take corrective action.					
Financial – Budget <u>Use data to formulate a budget. Continuously monitors expenses during the fiscal year and brings to the attention of the Town Administrator possible problems/issues</u>					
Decision-making The ability to make decisions and the quality and timeliness of those decisions.					

Noteworthy accomplishments during this review period:



Town of Monterey MA

Department Head Performance Review (to be completed by Town Administrator or Designee)

Areas requiring improvement in job performance:

Actions taken to improve performance from the previous review:

Goals for the coming year:

Employee comments:

Signatures acknowledge that this form was discussed and reviewed.

Department Head signature: _____

Date: _____



Town of Monterey MA

Department Head Performance Review (to be completed by Town Administrator or Designee)

Town Administrator or Designee signature: _____ Date: _____



Town of Monterey MA

Employee Performance Review (to be completed by Department Head or Designee)

Employee Name: _____ Position: _____
 Reviewed by : _____ Department: _____
 Review Period: _____ Date: _____

Instructions: Rate the Employee's performance during the review period by checking the most appropriate numerical value in each section. Go through each skill and section and discuss how your results and the employee self-evaluation differ.

Rating scale:

- 5 Excellent (consistently exceeds standards)
- 4 Outstanding (frequently exceeds standards)
- 3 Satisfactory (generally meets standards)
- 2 Needs improvement (frequently fails to meet standards)
- 1 Unacceptable (fails to meet standards)

	5	4	3	2	1
Job knowledge Knowledge of products, policies and procedures; OR knowledge of techniques, skills, equipment, procedures, and materials.					
Quality of work Minimal mistakes and learns from one's mistakes. Accuracy, quality of work in general.					
Quantity of work Productivity of the employee.					
Reliability The extent to which the employee can be depended upon to be available for work, to complete work properly, and complete work on time. The degree to which the employee is reliable, trustworthy, and persistent.					
Initiative and creativity The ability to plan work and to proceed with a task without being told every detail and the ability to make constructive suggestions.					
Judgment					



Town of Monterey MA

Employee Performance Review (to be completed by Department Head or Designee)

The extent to which the employee makes decisions that are sound. The ability to base decisions on fact rather than emotion.					
Cooperation Willingness to work harmoniously with others in getting a job done. Readiness to respond positively to instructions and procedures.					
Attendance Consistency in coming to work daily and conforming to scheduled work hours.					

Noteworthy accomplishments during this review period:

Areas requiring improvement in job performance:

Actions taken to improve performance from the previous review:



Town of Monterey MA

Employee Performance Review (to be completed by Department Head or Designee)

Goals for the coming year:

Employee comments:

Signatures acknowledge that this form was discussed and reviewed.

Department Head signature: _____

Date: _____

Employee signature: _____

Date: _____



Town of Monterey MA

Employee Performance Review (to be completed by the Employee as their self-evaluation)

Employee Name: _____ Position: _____
 Reviewed by : _____ Department: _____
 Review Period: _____ Date: _____

Instructions: Rate your work performance based on the following skills, complete all sections. You will review your results with your Department Head or a designee.

Rating scale:

- 5 Excellent (consistently exceeds standards)
- 4 Outstanding (frequently exceeds standards)
- 3 Satisfactory (generally meets standards)
- 2 Needs improvement (frequently fails to meet standards)
- 1 Unacceptable (fails to meet standards)

	5	4	3	2	1
Job knowledge Knowledge of products, policies and procedures; OR knowledge of techniques, skills, equipment, procedures, and materials.					
Quality of work Minimal mistakes and learns from one's mistakes. Accuracy, quality of work in general.					
Quantity of work Productivity of the employee.					
Reliability The extent to which the employee can be depended upon to be available for work, to complete work properly, and complete work on time. The degree to which the employee is reliable, trustworthy, and persistent.					
Initiative and creativity The ability to plan work and to proceed with a task without being told every detail and the ability to make constructive suggestions.					
Judgment					



Town of Monterey MA

Employee Performance Review (to be completed by the Employee as their self-evaluation)

The extent to which the employee makes decisions that are sound. The ability to base decisions on fact rather than emotion.					
Cooperation Willingness to work harmoniously with others in getting a job done. Readiness to respond positively to instructions and procedures.					
Attendance Consistency in coming to work daily and conforming to scheduled work hours.					

Noteworthy accomplishments during this review period:

Areas requiring improvement in job performance:

Actions taken to improve performance from the previous review:



Town of Monterey MA

Employee Performance Review (to be completed by the Employee as their self-evaluation)

Goals for the coming year:

Employee comments:

Signatures acknowledge that this form was discussed and reviewed.

Department Head signature: _____

Date: _____

Employee: _____

Date: _____

**Contract Agreement By and Between
The Town of Monterey
And
Sara Hunter D/B/A Mass Munifin
Treasurer Services**

This agreement, effective as of the 1st day of July 2023 by and between the Town of Monterey (hereinafter referred to as the "Town") of 435 Main Rd., Monterey, Ma. 01245 and Sara Hunter D/B/A Mass Munifin (hereinafter referred to as "Consultant") of PO box 351, Hardwick, MA 01037.

WITNESSETH THAT:

WHEREAS the Town has, pursuant to M.G.L. c.40, §4, obtained authorization to enter into this contractual agreement with the Consultant by vote of its Select Board, and

WHEREAS the Town is in need of Consultant services to provide Treasurer services required by M.G.L and local bylaws, and

WHEREAS the Consultant represented that she has the necessary skills to provide these services.

NOW THEREFORE, in consideration of the foregoing and of the ^{mutual} covenants and agreement hereinafter set forth, the parties agree as follows:

1. TIME OF PERFORMANCE: The services of Consultant are to commence on July 1, 2023.
2. RESPONSIBILITY OF THE TOWN: The Town shall assume responsibility for assisting in so far as possible for the purpose of efficiency and furnishing the Consultant with adequate information and technical support needed to satisfactorily complete the services.
3. SCOPE OF SERVICES: The Consultant shall perform services required by M.G.L. and local bylaws for Town Treasurer services including, but not limited to:
 - Receive and account for all monies belonging to the Town. Receive and identify monies due the Town and report same to the Accountant (MGL c. 41 §35).
 - Maintain a cash book; provide for adequate funds for current obligations (through short- or long-term debt issuance); and invest the Town's funds (MGL c. 44 §55, 55A).
 - Pay out public money upon authorization by the Accountant (MGL c. 41 §52, 56).
 - Pay over and account for salaries and wages, including payroll deductions (MGL c. 41 §41); maintain payroll and personnel records (MGL c. 149 §178B and c. 175 §138A); when so appointed, administer unemployment compensation programs (MGL c. 40 §5E); assure compliance with labor, industry, retirement, and insurance laws; and monitor compliance with personnel bylaws, union contracts, and civil service regulations (MGL c. 41 §35).
 - Negotiate all borrowing, prepare necessary documents and notes, and

report the same to the Director of Accounts (MGL c. 44, §23, 24, 28).

- When budgets are submitted, report to the Accountant the amount of debt and interest due in the next fiscal year (MGL c. 41 § 59).
- Maintain custody of stabilization funds, pension reserve funds, trust funds, investments, and other funds not allocated to other agencies (MGL c. 40 §5B, 5D, c. 41 §46, and c. 44 §53).
- Maintain custody of the Town's financial documents, including insurance policies, fidelity bonds, deeds, etc. (MGL c. 41 §57 and c. 44 §54).
- Maintain tax title accounts; conduct sales of land; and prepare documents to petition for foreclosure (MGL c. 60 §50, 61-63, 76-80).
- Close and reconcile all books and accounts, including the cash book, warrants, bank accounts, insurance programs, retirement funds, debt records, and tax title accounts.
- Prepare reports, including:
 - Reconciliation of treasurer's cash
 - Monthly reports to the Accountant of receipts, balances, and payroll deductions
 - An annual report
 - Reports to the Director of Accounts, including quarterly reports of treasurer cash reconciliations and an annual report of cash management achievements

4. The Town will pay the Consultant to perform the required services during the contract period from July 1, 2023-June 30, 2024 for an average of 7.5 hours per week for \$39,750 a year. Upon approval of the Select Board, all other services outside above description will be billed at \$150.00 per hour, plus travel time at \$360 per onsite visit that is needed for these services. The Consultant will bill the Town for services provided per this Agreement. The Consultant will be paid, upon receipt of an invoice, within 14 days of receipt of payment.

5. GENERAL PROVISIONS

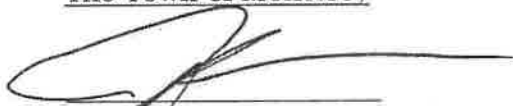
5.1 TERMINATION OR SUSPENSION OF AGREEMENTS:

- 5.1.1 The Town may suspend or terminate this Contract at its sole discretion by providing the Consultant with sixty (60) days written advance notice.
- 5.1.2. The Town may suspend or terminate this Contract for just cause effective immediately, and without providing the Consultant with written advance notice.
- 5.1.3. The Consultant may suspend or terminate this Contract at its sole discretion by providing the Town with sixty (60) days written advance notice.
- 5. 1.4. In the event of suspension or termination, the Town shall compensate the Consultant for services rendered through the date of suspension or termination.

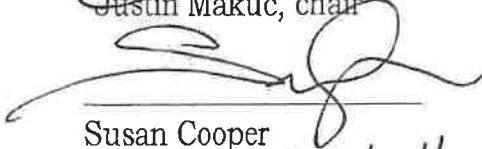
- 5.2 AMENDMENTS: This Agreement may be amended provided such amendment is mutually agreeable and committed to writing by the signatories hereto.
6. INDEMNIFICATION: The Consultant shall indemnify, defend, and hold the Town harmless from and against any and all claims, demand, liabilities, actions, causes of actions, cost and expenses caused by or arising out of the Consultant's breach of this Agreement or the negligence or misconduct of the Consultant or the Consultant's agents or employees in the completion of the services or products covered by this Agreement.
7. CONFLICT OF INTEREST: The Town shall adhere to the mandates of the Massachusetts Conflict of Interest Statute M.G.L. c. 268A, the federal Conflict of Interest provisions at 24 CFR 570.489 and the federal Hatch Act, 5 U.S.C., ss 1501 et seq.
8. NON-COLLUSION AND/OR FRAUD: The Consultant agrees to perform this Agreement in good faith and without collusion or fraud with any other person and shall not cause to interfere or influence any related contract or program as a result of the services agreed upon hereunder.
9. CONFIDENTIALITY: The Consultant will protect the privacy of, and respect the confidentiality of information provided by, program participants, consistent with applicable federal and state regulations, including M.G.L. c. 66, Section 10, and 201 CMR 17:00 regarding access to public records and the protection of personal information.
10. SEVERABILITY OF PROVISIONS: If any provision if this Agreement is held invalid, the remainder of this Agreement shall not be affected thereby, and all other parts of this Agreement shall remain in force and affect.

IN WITNESS THEREOF, the TOWN and the CONSULTANT have executed this AGREEMENT as of the date above so noted.

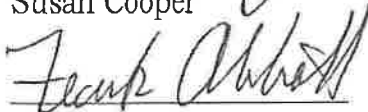
The Town of Monterey



Justin Makuc, chair



Susan Cooper



Frank Abbott

Monterey Select Board

Sara Hunter
Mass Munifin



TOWN OF MONTEREY

435 Main Rd. P.O. Box 308
Monterey, MA 01245

Conservation Commission
P.O. Box 308
Monterey, MA 01245

October 24, 2023

To the Members of the Conservation Commission,

The Town of Monterey requests the removal of the portion of the Lake Garfield Order of Condition (#230-0344) referring to the drawdown at the dam. We would like to move forward with the rest of the program for Lake management laid out in the OOC. We intend to amend this OOC in the near future to address the drawdown. Please let us know if you have any questions.

Please feel free to contact us if you wish to discuss this further.

Respectfully,



Justin Makuc, Chair
Monterey Select Board

Susan Cooper



Frank Abbott

SB/mn

Phone: 413.528.1443 x114 Fax: 413.528.9452

admin@montereyma.gov

www.montereyma.gov

To the Monterey Select Board,

Thank you for adding me to the agenda as requested to discuss the future of my tenure with the Town. I respectfully feel that after 18 years of dedicated service I should be afforded the courtesy to know if the Board will be proceeding with the suggestion made at the 8/29 Select Board meeting to advertise the position to find someone new or if the Board will be proceeding with the yearly evaluation and concurrently negotiating a new contract.

I would like to share a few thoughts with regard to negotiating a new contract.

At the 9/5/23 Select Board meeting a few comments were made regarding the Town Administrator (TA) position and why it was not being treated the same as other contracts in town (Library Director and Chief of Police). It was stated by board members that the TA is the CEO of the town and that this person essentially acts as the board on a day to day basis. Please let me explain why these are not accurate representations of the position as it is set up in Monterey. The definition of CEO is the "highest ranking person in a company or other institution ultimately **responsible for making managerial decisions**". The current responsibilities of the TA **do not** allow for this person to make any managerial decisions with regard to overall operations of the town. Certainly this person makes decisions on purchasing supplies, helping direct staff, determining what color to make the transfer station stickers and similar matters, and provides oversight on a multitude of things **but** CEO-like decisions such as hiring, firing, signing contracts, accepting bids, approving policies, etc. are all made by the Select Board at their posted meetings. A comment was also made at the 8/29 meeting that the TA is the most important job in town, the TA may perform duties on a larger scale but no job in town is more important than another, we all have different focuses and I would hate to have it put out there that the TA position is more important than say any of our public safety positions, outreach positions or regulatory ones (and this is by no means a complete list, just a highlight)

As you will see in the chart below the TA position in comparison with the 2 other contracted positions are in fact very similar. Actually the other 2 positions could be seen to have more authority. Thus, all three should be treated equally when it comes to contract renewals:

Function	Town Administrator	Library Director	Chief of Police
Manages employees	✓	✓	✓
Can sign contracts	N/A	✓	✓
Manages a budget	✓	✓	✓
Grants permits	N/A	N/A	✓
Makes purchases	✓	✓	✓
Keeps personnel files	✓	✓	✓
Administers and Supervises provisions of laws, bylaws, regs, etc	✓	✓	✓
Keeps records for office	✓	✓	✓
Provides reporting	✓	✓	✓
Prepares an annual report	N/A	N/A	✓

Prepares applications for grants	✓	✓	✓
Advises on policy development	✓	✓	✓
Trains and evaluates personnel	✓	✓	✓
Sets general policy and administrative standards for department	N/A	N/A	✓
Benefit administration	✓	N/A	N/A

This is only a comparison of the contracted positions in town and I acknowledge that duties that are similar in the chart above are done on a larger scale by the TA but no position is more important than the other, each is unique in its functions. If I were to add the other department heads that are not contracted such as the Director of Operations, Fire Chief and Community Center Director, you would see that they also share many of the same responsibilities but on a smaller scale.

With this information I would ask that you treat the TA position the same as all the other historical contracted positions have been treated, keeping consistency with our workforce, budgeting and contracts as was mentioned at the 9/19 select board meeting.

Respectfully,

Melissa Noe