



TOWN OF WEYMOUTH

BOARD OF LICENSE COMMISSIONERS

STANDARD OPERATING PROCEDURES

PROCEDURAL GUIDELINES:

1. The Board of License Commissioners of the Town of Weymouth shall consist of five (5) members who will act in the best interest of the Town of Weymouth. The five (5) members consist of the Town Clerk, Inspector of Buildings, Director of Public Health, Chief of Fire and Chief of Police.
2. Organization of the Board of License Commissioners: The Board of License Commissioners shall be organized with the following officers, in accordance with the Charter Commission's report and the Board's vote:
 - a.) Chairman: it will be the responsibility of the Chairman of the Board to see that the meetings of the Board of License Commissioners are conducted in an orderly manner. All discussions, questions and/or debates must be directed through the Chairman, who has the right to rule any discussion, questions and/or debates "out of order". The Chairman will keep the fellow Board members up to date and will be responsive to the needs and requests of the Board members.
 - b.) Clerk: it will be the responsibility of the Clerk to read the agenda correspondence at the open meetings, keep the records in the absence of the secretary, open and close public meetings by a motion, review and read all correspondence, swear in witnesses giving testimony at public hearings and attest to the attendance of each member of the Board at regularly scheduled meetings by reading the members present into the record.
3. Seating arrangement: from time to time as approved by the Board of License Commissioners.

MEETING PROCEDURE:

1. The Board of License Commissioners will conduct bi-weekly meetings on Tuesday afternoons, commencing at 2 PM. All license hearings will be held beginning at 2 PM, and all other matters will be held afterwards. Special meetings or emergency meetings may be conducted if a majority of the Board members so request. Emergency meetings may be conducted without forty-eight (48) hours notice.
2. In order to conduct a formal Board meeting, a majority of the Board members, three (3), must be present. If the Board member is planning on being absent he/she should submit a letter to the Chairman notifying him/her of such. If a Board member is not able to attend the meeting he/she should have a representative attend on his/her behalf. If a hearing is continued/tabled the representative should be present at the continuation date to vote on the matter.
3. Hearing Order:
 - Chairman will call the meeting to order.
 - Clerk will read the order of notice as it appears in the legal advertisement.
 - Chairman will call on the applicant to make their presentation to the Board including testimony of witnesses, if any.
 - Chairman will seek questions from members of the Board.
 - Chairman will seek testimony from proponents of the application.
 - Chairman will seek testimony from opponents of the application.
 - Chairman will provide opportunity for applicant to respond.
 - Chairman will seek motions to close the public hearing.
 - The Board will discuss the application and testimony.
4. The Chairman shall entertain a motion in the following manner:
 - A motion.
 - A second.
 - All discussions, questions and/or debate on a motion will be directed through the Chair.
 - The Chairman will call for a vote of the motion on the floor at which time the Board members may either vote aye, nay or abstention.
5. Robert's Rules of Order will govern proceedings.

BOARD OF LICENSE COMMISSIONERS' AGENDA:

1. Attendance – The first order of business is that the Clerk will read into the record those Board members who are present. Any member expecting to be absent or late should contact the Secretary or Clerk prior to the meeting.
2. Hearings – All hearings will be scheduled at 2 PM. The applicants requiring a hearing must be in attendance.
3. Tabled items – will appear on the next agenda unless otherwise voted.

BOARD OF LICENSE COMMISSIONERS' AGENDA –continued

4. Correspondence – Important mail and/or applications received during the week shall be reviewed and discussed. The Secretary under the direction of the Chairman will carry out any correspondence requiring action by the Board.
5. Specific Agenda Items – Requests to be placed on the agenda must be made to the Board members. Items will be placed on the agenda and reviewed by the Chairman. This is not to be construed as a prohibitive measure, but as a check to assure that items are placed under proper structure on the agenda. Items being placed on the agenda having reached resolution beforehand shall be removed from the agenda at the discretion of the Chairman through the Secretary. Requests are to be made by 12:00 Noon on the Thursday proceeding the regular Tuesday meeting, and must be in writing. Requests received after 12:00 Noon on Thursday will be taken up on the following meeting agenda. The agenda will be in the following format: License hearings, Approvals, Correspondence, Chairman's Report, New Business and Executive Session.

The agenda will be available for review by 4:30 PM on Thursday. A copy of the agenda will be sent to the following:

- Board of License Commissioners (as well as materials)
 - Mayor
 - Town Council
 - Town Solicitor
 - Department Heads
 - Media
 - General Public (available at meetings)
6. Approval of minutes – a recording of previous Board meetings shall be either accepted, amended or rejected by the Board. Review of such proceedings enables the Board to be certain that actions, votes and discussions are recorded as they occurred. No changes in the minutes shall be made until reviewed in open session by the Board. Minutes approved by the Board should be filed by the Secretary with the Town Clerk's Office.
 7. New Business – any item the Board deems necessary to discuss will be taken up under new business prior to Executive Session. No votes shall be taken at this time unless pertinent to the operation of the Board and/or the Town.
 8. Executive Session – for discussion of any of the following matters:
 - To discuss the reputation, character, physical condition or mental health rather than professional competence of a particular individual.
 - To discuss strategy relating to litigation, if an open meeting may have a detrimental effect on the governmental body.
 - To comply with the provision of any general or special law or Federal grant-in-aid requirement.

CORRESPONDENCE:

1. Upon receipt, all mail received will be date stamped by a member of the Licensing Office. The Secretary through the Chairman, will be responsible for organizing and separating the mail in the following manner:
 - a.) Agenda Items – All correspondence that requires a vote, recommendation or any other action by the Board at the next scheduled meeting. Each member will receive a copy of all this correspondence.
 - b.) Correspondence to be Signed – All mail in need of signature, but not a vote, by the Board members will be either signed by the Chairman or the Clerk.
2. The above will be organized on a daily basis and will be available to the Board members for their review.
3. The Chairman shall review, approve and sign all correspondence compiled by the Secretary unless otherwise directed by the Board of License Commissioners.
4. The Clerk shall sign licenses approved by the Board of License Commissioners.

MEETINGS AND EXECUTIVE SESSION:

All meetings of the Board of License Commissioners will be open to the public and the press unless the Board formally votes to convene in Executive Session only for purposes set forth in M.G.L. Chapter 39, Section 23B. Executive Session may be conducted for the purpose of discussion, deliberating or voting on matters that if made public might adversely affect the public security, the financial interest of the Town or the reputation of any person. All Board meetings, as well as Executive Sessions will be recorded by the Secretary. Purpose(s) of Executive Session shall be announced prior thereto in Open Session. All votes to convene in Executive Session and matters requiring votes therein shall be taken as roll call votes.

A notice of each meeting shall be publicly posted on the Town Hall bulletin board forty-eight (48) hours prior to the meeting. It shall be the responsibility of the Secretary to see that the notice is in fact posted, the posting must be registered with the Town Clerk, where it will be date and time stamped and kept on file. (The posting includes Saturdays, but excludes Sundays and legal holidays.) If an emergency situation should arise whereby immediate “undelayed action is deemed to be imperative”, posting will not be necessary.

MINUTES:

The Secretary through the Board of License Commissioners is required to maintain accurate records of their meetings including attendance, a summary of decision, actions taken and notation of all votes put into effect at the meeting. Following approval by the Board, the minutes shall become public documents and submitted to the Town Clerk. Minutes of Executive Sessions may remain unavailable to the public so long as their publication would defeat the purpose of the Executive Session. Please refer to M.G.L. Chapter 30A, Section 11A and Chapter 39, Section 23B of the General Laws (see attached) for anything pertaining to meetings, minutes and/or Executive Session, that may not be mentioned above.

Town of Weymouth
Board of License Commissioners

Date approved: Tuesday, March 8, 2000